

NOTICE OF PLANNING PERMISSION

Town and Country Planning Act 1990 Town and Country Planning (Development Management Procedure) (England) Order 2015

To:

Mr Stott
AJ Cocker Associates
New Century House
176 Drake Street
Rochdale
OL16 1UP

On Behalf Of:

Mr Yusuf
Chunky Chicken
36 Walmersley Road
Bury
BL9 6DP

PART 1 - Particulars of Application

Application Number: 68147

Date of Registration: 14/03/2022

Proposal:

Change of use of first floor store to form self-contained flat at 36 Walmersley Road; new shop front and roller shutters to 40 Walmersley Road and single storey extension at rear (38/40 Walmersley Road); provision of bike store and waste bin area at rear of 40 Walmersley Road

Location:

36-40 Walmersley Road, Bury, BL9 6DP

PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings Location Plan (Dwg no. C403-06), Proposed Site Plan (Dwg no. C403-05), Proposed Floor Plans (Dwg no. C403-02/a), Proposed Elevations/Sections (Dwg no. C403-03) and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3 No materials shall be used on the external elevations or roof of the proposed development other than those referred to on the approved plans / supporting documentation.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

- 4 The in-curtilage bin storage facilities indicated on the approved plans shall be implemented prior to the use hereby approved commencing and maintained available for use thereafter.
Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway, pursuant to Bury Unitary Development Plan Policy EN1/2.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

S1/4 S1/4 - Local Shopping Centres
EN1/2 EN1/2 - Townscape and Built Design
H1/2 H1/2 - Further Housing Development
H2/4 H2/4 - Conversions

This decision relates only to the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Applicant Plan Numbers:

Location Plan (Dwg no. C403-06), Proposed Site Plan (Dwg no. C403-05), Proposed Floor Plans (Dwg no. C403-02/a), Proposed Elevations/Sections (Dwg no. C403-03)

NOTES TO APPLICANT

1. The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Waste Management, Bradley Fold Depot on 0161 253 6621/7010, regarding the operation of this system.

The applicant's attention is drawn to the fact that the adopted highway should not be used for the storage of bins.

2. **INFORMATIVE - The Control of Noise Regulations 1975, Section 60. Control of Noise on Construction Sites**

Works carried out in connection with the planning permission shall comply with the above regulations which require the following:

1. All works and ancillary operations which are audible at the boundary of the nearest house or noise receptor, or at such other place as may be agreed with the Council, shall be carried out only between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1400 on Saturdays and at no time on

Sundays and Bank Holidays.

2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times.

3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturer's instructions.

4. Any emergency deviation from the above (1 - 3) shall be notified to Bury Council without delay.

Any contravention of these requirements will trigger the serving of a Notice under Section 60 of The Control of Noise Regulations 1975.

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harte', is written over a dotted line.

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On behalf of the Council

Date of Decision: 07/06/2022