

NOTICE OF PLANNING PERMISSION

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

To:

Mr Steven Hartley
HP & DA Ltd
Swallow Barn
Lower Chapel Hill
Hurst Lane
Rawtenstall
BB4 8TB

On Behalf Of:

Mr H Khan
c/o agent

PART 1 - Particulars of Application

Application Number: 70977

Date of Registration: 02/09/2024

Proposal:

Change of use of part car showroom (Sui Generis) to retail (Class E(a))and office (Class E(g)(i)) single storey extension and external alterations

Location:

Performance House, Heywood Street, Bury, BL9 7DZ

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 The development hereby permitted shall be carried out in accordance with the following drawings:
Location Plan (Dwg No. HK257023 D) received 03/09/2024
Proposed Floor Plan and Elevations received 23/09/2024
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.
- 3 Any contamination that is found during the course of construction of the development hereby permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, the development shall not resume or continue until

remediation and verification schemes have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 180(f), 189 and 190 of the National Planning Policy Framework (December 2023).

- 4 Prior to the first occupation of any part of the development hereby permitted, details shall be submitted to and approved in writing by the local planning authority to demonstrate that full fibre connections to the premises will be provided, unless it is substantiated that this would not be technically feasible and/or viable. The details must also include future-proofing of the premises for full fibre gigabit-capable network connections. The development shall be carried out in accordance with the approved details prior to first occupation and maintained thereafter.
Reason. To ensure that the development is fully serviced for full fibre digital connectivity, pursuant to Places for Everyone Joint Development Plan Document Policy JP-C2.
- 5 An energy statement shall be submitted to and approved in writing by the local planning authority, which shall provide details of a scheme to ensure that regulated operational carbon emissions from the development will, unless the energy statement substantiates that it would not be practicable or financially viable, be net zero. Where net zero would not be practicable or financially viable, the statement shall provide details of a scheme to ensure that carbon emissions are reduced to the maximum possible extent. The energy statement shall be in accordance with the energy hierarchy which in order of importance shall seek to i) minimise energy demand, ii) maximise energy efficiency, iii) use renewable energy, iv) use low carbon energy and v) utilise other energy sources. The approved scheme shall thereafter be implemented in full prior to the first occupation of the development.
Reason. To ensure that the development minimises regulated operational carbon emissions, pursuant to Places for Everyone Joint Development Plan Document Policy JP-S2.
- 6 Unless substantiation is submitted to and approved in writing by the local planning authority that it would not be practicable or financially viable, the development shall achieve at least BREEAM Level excellent (or equivalent) for the 'Ene 01 - reduction of energy use and carbon emissions' category in accordance with the requirements of the relevant BREEAM scheme. No building shall be occupied until a Final BREEAM Certificate for this category has been issued and provided to the local planning authority.
Reason. To ensure that the development minimises regulated operational carbon emissions, pursuant to Places for Everyone Joint Development Plan Document Policy JP-S2.
- 7 No development above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
Reason. No material details have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to Places for Everyone Joint Development Plan Document Policy JP-P1 and Bury Unitary Development Plan Policy EN1/2.

- 8 Electric vehicle (EV) charging points for 20% of the proposed parking spaces shall be provided prior to occupation of the development hereby permitted, unless substantiation is submitted to and approved in writing by the local planning authority that it would not be practicable or financially viable. The charge points shall be 7kW (32A) single phase as a minimum. The proposed location of the charge points shall be submitted to and approved in writing by the local planning authority and implemented prior to the first occupation of the approved development. The charging points shall be maintained thereafter.
Reason. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life pursuant to Places for Everyone Joint Development Plan Document Policy JP-S2 and to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 9 The development hereby permitted shall not be occupied until the vehicle parking spaces have been provided in accordance with drawing titled 'Site Plan, Floor Plans, Elevations' (Dwg No. C01 Rev.1) received 07/05/2024. Thereafter, those spaces shall be retained for the parking of vehicles only.
Reason. To ensure that adequate off-street parking is provided in the interests of road safety and the free-flow of traffic, pursuant to Places for Everyone Joint Development Plan Document Policy JP-C8 and Bury Unitary Development Plan Policy HT2/4.

- 10 The cycle storage indicated in the approved plans shall be provided before the development hereby approved is occupied and shall thereafter remain available for users of the development.
Reason. To secure satisfactory cycle facilities on site and in accordance with Places for Everyone Joint Development Plan Document Policy JP-C6 and Bury Unitary Development Policy HT6/1.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. 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:

EC4/1	EC4/1 - Small Businesses
EC5/1	EC5/1 - Office Development in Bury Town Centre
EC6/1	EC6/1 - New Business, Industrial and Commercial Development
EN1/2	EN1/2 - Townscape and Built Design
EN7/2	EN7/2 - Noise Pollution
HT2/4	HT2/4 - Car Parking and New Development
HT6/1	HT6/1 - Pedestrian and Cyclist Movement
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
S2/6	S2/6 - Food and Drink
TC2/2	TC2/2 - Mixed Use Development
TC3	TC3 - Bury Town Centre
Area	Area BY10 - Rochdale Road/Lord Street/York Street

BY10
JP-S2 Carbon and Energy
JP-S5 Clean Air
JP-C2 Digital Connectivity
JP-C6 Walking and Cycling
JP-P1 Sustainable Places
SPD11 Development Control Policy Guidance Note 11 - Parking Standards in Bury
NPPF National Planning Policy Framework

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. HK257023 D)

Proposed Floor Plan and Elevations received 23/09/2024

NOTES TO APPLICANT

Not Applicable

Signed:



4 of 4

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On behalf of the Council

Date of Decision: 28/10/2024