

NOTICE OF PLANNING PERMISSION

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

To:
Harris Kasuji
RR Planning Ltd
82A Otley Road
Headingley
Leeds
LS6 4BA

On Behalf Of:
I Miller
Luxury Leisure
c/o agent

PART 1 - Particulars of Application

Application Number: 70416

Date of Registration: 15/01/2024

Proposal:

Change of use from shop (Class E) to adult gaming centre (Sui Generis)

Location:

3-5 Princess Parade, Bury, BL9 0QL

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 numbered 3543 (B) 01, 3543(C) 01, 3543 (B) 02, 3543 (B) 04 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 The communal bin storage facilities to the rear of the premises shall be made available for use prior to the use hereby approved commencing and maintained thereafter.
Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway.
- 4 The development shall incorporate scheme to soundproof the floor/ceiling between the ground floor and the first floor flats. Such works that form the scheme shall be implemented and available for use before the use hereby approved is brought into use.
Reason. The application contains insufficient detail in order to demonstrate that the required scheme would maintain the residential amenities to protect the residential

amenities of the future occupiers of the flat pursuant to UDP Policy EN7/2 Noise Pollution.

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:

EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN1/5	EN1/5 - Crime Prevention
EN7/2	EN7/2 - Noise Pollution
S1/1	S1/1 - Shopping in Bury Town Centre
S2/2	S2/2 - Prime Shopping Areas and Frontages
S2/7	S2/7 - Amusement Centres and Arcades
HT5/1	HT5/1 - Access For Those with Special Needs
TC2/3	TC2/3 - Vacant and Cleared Sites
Area	Area BY6 - Central Shopping Area
BY6	
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:

3543 (B) 01, 3543(C) 01, 3543 (B) 02, 3543 (B) 04

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.

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

3. **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 'P. H. H.', is written over a dotted line.

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On behalf of the Council

Date of Decision: 13/02/2024