

NOTICE OF PLANNING PERMISSION

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

To:

Harrison Ince
Harrison Ince Architects Ltd
Eastgate
2 Castle Street
Manchester
M3 4LZ

On Behalf Of:

Paul Curran
JD Wetherspoon
Wetherspoon House
Central Park
Reeds Crescent
Watford, Hertfordshire
WD24 4QL

PART 1 - Particulars of Application

Application Number: 72116

Date of Registration: 08/08/2025

Proposal:

Installation of 5 additional condensers and two grilles to the rear elevation

Location:

The Art Picture House, Haymarket Street,
Bury, BL9 0AY

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 A-A, AL01 C, 2444 M101, AV01, AV02, AS01 A, AS02 A, AS03 A, AS04 A, AS05 and AS07 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 development in accordance with the policies contained within the Bury Unitary Development Plan, the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

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:

EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
EN2/3	EN2/3 - Listed Buildings
JP-P2	Heritage
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:

drawings numbered A-A, AL01 C, 2444 M101, AV01, AV02, AS01 A, AS02 A, AS03 A, AS04 A, AS05 and AS07

NOTES TO APPLICANT

1. COMMENCEMENT OF DEVELOPMENT NOTIFICATION

In accordance with S93G of the Town and Country Planning Act 1990 (As amended by Section 111 Levelling Up & Regeneration Act 2023) there is a legal requirement for you to inform the Council of the date when you intend to commence the development on site via submission of a Commencement Notice. This notice is mandatory for all developments and came into effect on 31 March 2024. You can find more information and download a copy of the Commencement Notice under the Before Starting Work section on our website at:
<https://www.bury.gov.uk/planning-building-control/planning-permission/planning-application-process>

3. HIGHWAY CLOSURE OR OBSTRUCTIONS

This development affects adopted highway to the rear of the application site. This planning decision does not authorise the closure or obstruction of the area of highway affected by the development, particularly during its installation. The applicant's attention is therefore drawn to the statutory procedures for obtaining a closure order of the affected area of highway. Development affecting the highway should not be commenced until the statutory requirements have been complied with and the closure order made. Enquires regarding the necessary procedures should be made to the Local Highway Authority, Bradley Fold Depot, Bradley Fold Road, Radcliffe. Telephone 0161 253 5713/5788.

2. THE CONTROL OF POLLUTION REGULATIONS 1974, 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 Pollution Regulations 1974.

4. **NEIGHBOURING BUSINESSES**

A number of neighbouring businesses need uninterrupted vehicle access and egress to the rear of their properties. Please liaise and work with neighbouring businesses and/ or occupiers before any installation works begin to minimise disruption to those businesses.

Signed:



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On behalf of the Council

Date of Decision: 03/10/2025