

# NOTICE OF PLANNING PERMISSION

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

**To:**

Mr Tim Witt  
Invest Multilet & PPB Ltd  
25-29 Sandy Way  
Yeadon  
Leeds  
LS19 7EW

**On Behalf Of:**

Abad Homes Ltd  
c/o agent

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### PART 1 - Particulars of Application

**Application Number:** 72460

**Date of Registration:** 13/10/2025

**Proposal:**

Change of use from commercial (Use Class E) to 5-bedroom, 6-occupants House in Multiple Occupation (HMO) (Use Class C4) and associated external alterations (including new doors/windows, removal of advertisement hoarding/roller shutter along front elevation, and new access gate along rear boundary)

**Location:**

157 Bolton Road, Bury, BL8 2NW

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### 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 permission relates to the following plans:

Drawing no. 157BR/199/BR-C1: Location Plan: Existing Site Plan;  
Drawing no. 157BR/200/BR C1: Proposed Site Plan;  
Drawing no.157BR/201/BR: Existing Floor Plans;  
Drawing no. 157BR/203/BR C3: Proposed Plan Layouts; and,  
Drawing no. 157/BR/204-BR-C2: Proposed Elevations

Reason. For the avoidance of doubt and to ensure a satisfactory standard of development pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan.

- 3 The building shall not be occupied by any tenants unless and until a scheme to soundproof the party wall with the adjoining property, no. 159 Bolton Road, within the communal kitchen area has been submitted to and approved in writing by the Local Planning Authority. The duly approved soundproofing scheme shall thereafter be implemented in full before any occupation of the development hereby permitted first takes place.

Reason. To reduce nuisance from noise to the occupiers of the adjoining business from the proposed communal space (kitchen/ diner) to neighbouring occupiers of the development, pursuant to the Policy EN7/2 Noise Pollution of Bury Unitary Development Plan and the National Planning Policy Framework.

- 4 The proposed rear boundary treatment alterations indicated on approved plan reference 157BR/200/BR Revision C1, incorporating inward opening gates, the demarcation of the limits of the adopted highway and all associated footway remedial works required to reinstate the adopted highway to its condition prior to commencement of the development/boundary treatment alterations, shall be implemented to the satisfaction of the Local Planning Authority prior to the use hereby approved commencing and thereafter maintained at all times.

Reason. To ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety, and in the interests of improving the visually amenities of the street scene, in accordance with Policy EN1/2: Townscape and Built Design of the Bury Unitary Development Plan and policies JP-C1: 'An Integrated Network', JP-C5: Streets for All and JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan.

- 5 The bin storage facilities within the rear yard area and cycle storage provision within the basement of the building indicated on the approved plans shall be implemented and made available for use to the written satisfaction of the Local Planning Authority prior to the use hereby approved commencing and thereafter be available for use at all times.

Reason. In order to ensure that the development would maintain adequate facilities for the storage of domestic waste, including recycling containers, and sufficient cycle storage provision is secured, in the interests of amenity and to promote modal shift and encourage travel to the site by more sustainable modes of transport in accordance with Policies JP-C6: 'Walking and Cycling' and JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan.

- 6 The noise attenuation measures identified in table 5.2 of the Noise Assessment by Acoustic & Engineering Consultants Limited (report reference P5666/R01a/WJK, dated 29 September 2025) shall be implemented in accordance with the details in the report before the dwelling on each associated plot is first occupied. The duly implemented attenuation measures shall be retained as such thereafter.

Reason. To ensure the implementation of appropriate noise attenuation measures for the proposed dwellings in order to achieve satisfactory living conditions for future occupiers of the development in accordance with the requirements of Policy EN1/7: Noise Pollution and EN1/2: Townscape and Built Design of the Bury Unitary Development Plan and Policy JP-S5: Clean Air of the Places for Everyone Joint Development Plan.

**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                                                                          |
| EC2/2 | EC2/2 - Employment Land and Premises Outside the Employment Generating Areas                           |
| EN1/2 | EN1/2 - Townscape and Built Design                                                                     |
| H2/1  | H2/1 - The Form of New Residential Development                                                         |
| H2/2  | H2/2 - The Layout of New Residential Development                                                       |
| H2/4  | H2/4 - Conversions                                                                                     |
| HT2/4 | HT2/4 - Car Parking and New Development                                                                |
| HT6/2 | HT6/2 - Pedestrian/Vehicular Conflict                                                                  |
| JP-C5 | Streets For All                                                                                        |
| JP-C6 | Walking and Cycling                                                                                    |
| JP-C1 | Our Integrated Network                                                                                 |
| JP-C8 | Transport Requirements of New Development                                                              |
| SPD11 | Development Control Policy Guidance Note 11 - Parking Standards in Bury                                |
| JP-S1 | Sustainable Development                                                                                |
| JP-S2 | Carbon and Energy                                                                                      |
| SPD13 | Development Control Policy Guidance Note 13 - Conversion of Buildings to Houses in Multiple Occupation |
| SPD14 | Development Control Policy Guidance Note 14 - Employment Land and Premises                             |
| 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:**

Drawing no. 157BR/199/BR: Location Plan: Existing Site Plan;  
Drawing no. 157BR/200/BR C1: Proposed Site Plan;  
Drawing no. 157BR/201/BR: Existing Floor Plans;  
Drawing no. 157BR/203/BR C3: Proposed Plan Layouts; and,  
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## **NOTES TO APPLICANT**

### **2. Commencement of Development Notice**

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>

Please include the application number within any correspondence. The application number is 72327.

3. The Control of Pollution Regulations 1974, Section 60. Control of Noise on Construction Site

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. Section 153 of the Highways Act 1980

The applicant's attention is drawn to the requirements of Section 153 of the Highways Act 1980 which prohibits the opening of doors, gates or bars outwards onto the street.

5. Refuse Collection

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

6. No bins to be stored on the highway

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

7. The applicant's attention is drawn to the requirements of Section 179 of the Highways Act 1980 which prohibits the construction of a step on the adjacent adopted highway.

8. GM Police advice

- The front entrance and rear yard area of the HMO should be illuminated in the hours of darkness via the use of dusk till dawn sensors on the light fixtures.
- An intercom system should be used at the communal entrance so that residents can vet visitors before opening the door to them. There should be no unrestricted trade access into the building.
- A secure mail delivery system should be supplied, to allow delivery without access to the whole building (i.e. secure through the wall mailboxes).

- Any alterations to the existing building should be complete to the Secured by Design standards, this included any replacement doors or windows.

1. S106 Agreement

This planning permission needs to be read in conjunction with the binding S106 Planning Agreement signed on 29 September 2026.

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harris', written in a cursive style.

5 of 5

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On behalf of the Council

**Date of Decision:** 01/10/2026