

NOTICE OF PLANNING PERMISSION

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

To:

Miss Lucy Furber
Iceni Projects
This is the Space
68 Quay Street
Manchester
M3 3EJ

On Behalf Of:

Dumers Lane Ltd
c/o Dwyer Asset Management Ltd
4 Fitzhardinge Street
Fitzrovia
London
W1H 6EG

PART 1 - Particulars of Application

Application Number: 68738

Date of Registration: 08/09/2022

Proposal:

Change of use of from call centre office (Class E) to a flexible use comprising of a warehouse distribution centre (Class B2/B8) with ancillary offices; Creation of new site access/entrance with sliding security gates, service yard and vehicle/cycle parking; External alterations including new loading/delivery doors to north elevation

Location:

Cellnet Building, Dumers Lane, Bury, BL9 9QL

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 11392 EX L01 D, 11392 EX L02 A, 11392 EX P02, 11392 EX P03, 11392 EX P04, 11392 EX P05, 11392 EX E02, 11392 PL L01, 11392 PL L02, 11392 PL E01, 11392 PL P01, 11392 PL P02, 11392 PL P03, 11392 01 E 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 external finishing materials for the proposal hereby approved shall match those of the existing building.
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 revised vehicular access arrangements, turning facilities and refuse collection arrangements within the curtilage of the site indicated on the approved plans, incorporating appropriate entry/exit signage and road markings shown indicatively on approved plan reference J32-6839-PS-003, shall be provided before the use hereby approved commences and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
Reason. To secure the satisfactory development of the site in terms of highway safety and to minimise the standing and turning movements of vehicles on the private access road/highway, in the interests of road safety pursuant to Policy EC3/1 - Measures to Improve industrial Areas of the Bury Unitary Development Plan.
- 5 The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the use hereby approved commencing and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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:

- EC1/1 EC1/1 - Land For Business (B1), General Industrial (B2) and Warehousing Uses (B8)
- EC2/1 EC2/1 - Employment Generating Areas
- EC3/1 EC3/1 - Measures to Improve Industrial Areas
- EC6/1 EC6/1 - New Business, Industrial and Commercial Development
- EN1/2 EN1/2 - Townscape and Built Design
- EN1/3 EN1/3 - Landscaping Provision
- EN1/5 EN1/5 - Crime Prevention
- EN5/1 EN5/1 - New Development and Flood Risk
- EN6 EN6 - Conservation of the Natural Environment
- EN6/3 EN6/3 - Features of Ecological Value
- EN7 EN7 - Pollution Control
- EN7/1 EN7/1 - Atmospheric Pollution
- EN7/2 EN7/2 - Noise Pollution
- EN7/5 EN7/5 - Waste Water Management
- HT2/4 HT2/4 - Car Parking and New Development
- HT2/7 HT2/7 - Lorry Parking
- HT4 HT4 - New Development
- HT5/1 HT5/1 - Access For Those with Special Needs
- HT6/2 HT6/2 - Pedestrian/Vehicular Conflict
- SPD14 Development Control Policy Guidance Note 14 - Employment Land and Premises
- 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:

11392 EX L01 D
11392 EX L02 A
11392 EX P02
11392 EX P03
11392 EX P04
11392 EX P05
11392 EX E02
11392 PL L01
11392 PL L02
11392 PL E01
11392 PL P01
11392 PL P02
11392 PL P03
11392 01 E

NOTES TO APPLICANT

1. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further

information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Signed:

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

4 of 4

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On behalf of the Council

Date of Decision: 24/11/2022