

NOTICE OF PRIOR APPROVAL DETERMINATION

Part 3 of Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

To:

Sam Golding
Gold Sketch
55a Bury Old Road
Prestwich
Manchester
M25 0FG

On Behalf Of:

Care of agent

PART 1 - Particulars of Application

Application Number: 72763

Date of Registration: 19/01/2026

Proposal:

Prior approval for proposed change of use of
1st/2nd/3rd floors from Class E to 4 no.
apartments (Class C3)

Location:

4-6 Silver Street, Bury, BL9 0EX

PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby determine that the prior approval of the local planning authority is **REQUIRED** for the development set out in Part 1 of this decision notice.

Bury Metropolitan Borough Council hereby **REFUSE** approval for the development proposed in the above-mentioned application for the following reason(s)

- 1 The Environmental Noise Assessment submitted with the application fails to adequately identify the main noise sources within the vicinity of the site that may be seriously detrimental to the residential amenities of future occupiers, by reason of the noise, disturbance and general activity associated with these existing neighbouring uses. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan:
H2/1 - The Form of New Residential Development
H2/4 - Conversions
EN7/2 - Noise Pollution
- 2 The applicant has failed to demonstrate that the proposed development would not be seriously detrimental to the residential amenities of future occupiers, by reason of the noise, disturbance and general activity associated with the existing neighbouring uses without the need for amendments to the building that would require planning permission. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Framework:
H2/1- The Form of New Residential Development
H2/2 - The Layout of New Residential Development
H2/4 - Conversions
EN7/2 - Noise Pollution
EN2/1 - Character of Conservation Areas

EN2/2 - Conservation Area Control
EN1/2 - Townscape and Built Design
JP-P1 - Sustainable Places
JP-P2 - Heritage

- 3 The proposed development would be detrimental to the amenities of the adjacent property by reason of substandard distances between proposed habitable room windows and surrounding buildings, leading to a reduction in natural light. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan:
H1/2 - Further Housing Development
H2/1 - The Form of New Residential Development
H2/4 - Conversions
and Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 4 The application and submitted plans contain insufficient information to ensure that adequate off-highway bin storage arrangements can be provided for the number of flats proposed, and the retained ground floor use within the curtilage of the site in order to ensure that the adjacent adopted highways are not used for refuse collection purposes or the storage of communal bins.
The proposed development would therefore be contrary with the following Policies of the Bury Unitary Development Plan and the Places for Everyone Joint Development Plan:
H2/2 - The Layout of New Residential Development
H2/4 - Conversions
EN1/2 - Townscape and Built Design
JP-P1 - Sustainable Places
JP-C5 - Streets for All
JP-C6 - Walking and Cycling
JP-C8 - Transport Requirements of New Development.

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

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. 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:

S1/1 S1/1 - Shopping in Bury Town Centre
S2/3 S2/3 - Secondary Shopping Areas and Frontages
EN1/2 EN1/2 - Townscape and Built Design
EN2/1 EN2/1 - Character of Conservation Areas
EN2/2 EN2/2 - Conservation Area Control
EN7/2 EN7/2 - Noise Pollution
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
H1/2 H1/2 - Further Housing Development
JP-H3 Type, Size and Design of New Housing

JP-H4 Density of New Housing
JP-P1 Sustainable Places
JP-P2 Heritage
JP-C1 Our Integrated Network
JP-C5 Streets For All
JP-C6 Walking and Cycling
JP-C8 Transport Requirements of New Development
SPD6 Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
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:

GSS25178.1 004 Rev 1, GSS25178.1 006 Rev 1, GSS25178.1 502 Rev 1, GSS25178.1 002 Rev 1, GSS25178.1 003 Rev 1

NOTES TO APPLICANT

Not Applicable

Signed:



3 of 3

.....
On behalf of the Council

Date of Decision: 20/02/2026