

# NOTICE OF PLANNING PERMISSION

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

**To:**  
Mr Smith  
RJS  
23 Ellerslie Avenue  
Rainhill  
Liverpool  
L35 4QD

**On Behalf Of:**  
Mrs So  
173-175  
The Rock  
Bury  
BL9 0NE

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### PART 1 - Particulars of Application

**Application Number:** 65886

**Date of Registration:** 10/09/2020

**Proposal:**

Variation of condition 2 (approved plans) of planning permission ref. 65163-Minor internal alterations:

Shop front removed and window converted to entrance door on front elevation, 1 window relocated on side elevation, hipped roof over flat entrance, shop front door to unit 3 reduced in size and relocated to the centre, hipped roof over apartment entrance

**Location:**

173-175 The Rock, Bury, BL9 0NE

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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 decision relates to drawings numbered 191005/01/01, 191005/01/02 A, 191005/01/03 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 car and cycle parking indicated on approved plan reference 191005/01/02 shall be demarcated and provided in the positions shown and made available for use prior to the change of use hereby approved commencing and thereafter maintained at all times.  
Reason. To ensure adequate off-street car parking provision and clear pedestrian

access arrangements in the interests of highway safety pursuant to UDP Policy HT4/2 Car Parking and New Development.

- 4 The sound insulation of the party walls/ceilings shall be in accordance with the method outlined in the Building Research Establishment Digest 293 (or similar method) and implemented prior to the residential use commencing.  
Reason. To reduce nuisance from noise to the occupiers of the adjoining dwelling pursuant to the NPPF and UDP Policy EN7/2 Noise Pollution.
- 5 The bin storage arrangements indicated on approved plan reference 191005/01/02 shall be implemented prior to the change of use hereby approved commencing and thereafter maintained at all times.  
Reason. To ensure adequate bin storage arrangements within the curtilage of the site in the interests of pedestrian and road safety pursuant to UDP Policy EC4/1 Small Businesses.
- 6 The commercial units hereby permitted shall not be open to customers outside the following times: 0800hrs to 0000hrs daily  
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy EN7/2 Noise Pollution.

**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:**

|       |                                               |
|-------|-----------------------------------------------|
| Area  | Area BY5 - The Rock/Peel Way                  |
| BY5   |                                               |
| S1/1  | S1/1 - Shopping in Bury Town Centre           |
| S2/3  | S2/3 - Secondary Shopping Areas and Frontages |
| EN7/2 | EN7/2 - Noise Pollution                       |
| H2/4  | H2/4 - Conversions                            |
| NPPF  | National Planning Policy Framework            |
| EN1/2 | EN1/2 - Townscape and Built Design            |
| EN1/8 | EN1/8 - Shop Fronts                           |
| TC1   | TC1 - Town Centres                            |
| TC2   | TC2 - Town Centre Enhancement and Development |
| TC2/1 | TC2/1 - Upper Floors                          |
| TC2/2 | TC2/2 - Mixed Use Development                 |

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:**

191005/01/01

191005/01/02 A  
191005/01/03

**NOTES TO APPLICANT**

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harte', is written over a dotted line.

3 of 3

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On behalf of the Council

**Date of Decision:** 22/07/2021