

NOTICE OF PLANNING PERMISSION

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

To:

Mr Matthew Cust
10 Churchbank
Churchbank
Stalybridge
SK15 2QJ

On Behalf Of:

Mr H Parekh
MH & NP Consultants Ltd
57 Grasmere Road
Gatley
Cheshire
SK8 4RS

PART 1 - Particulars of Application

Application Number: 69293

Date of Registration: 06/02/2023

Proposal:

Change of use at first floor from
cafe/restaurant (Class E) to 2 no. flats (Class
C3) with new entrance

Location:

30 The Rock, Bury, BL9 0NT

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 Location plan 803-00; Existing floor plans 803-01; Existing elevations 803-02; Proposed floor plans 803-04 rev b; Proposed elevations 803-05 rev a 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 bin storage facilities indicated on the approved plans, incorporating inward opening doors, shall be made available prior to the use hereby approved commencing and maintained thereafter.
Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and H2/2 - The Layout of New Residential Development.
- 4 Prior to first occupation of the residential units hereby approved, soundproofing of the floor/ceiling between the ground floor and the first floor flats and to all party walls

of the residential flats hereby approved shall be completed in accordance with standards of construction specified in current Building Regulations.

Reason. To protect the residential amenities of the future occupiers of the flats pursuant to UDP 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:

NPPF	National Planning Policy Framework
EN1/2	EN1/2 - Townscape and Built Design
EN1/8	EN1/8 - Shop Fronts
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
H1/2	H1/2 - Further Housing Development
H2/1	H2/1 - The Form of New Residential Development
H2/2	H2/2 - The Layout of New Residential Development
S2/3	S2/3 - Secondary Shopping Areas and Frontages
S1/1	S1/1 - Shopping in Bury Town Centre
TC2/1	TC2/1 - Upper Floors
Area	Area BY8 - The Rock/Moorgate
BY8	
EN7/2	EN7/2 - Noise Pollution

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:

Location plan 803-00; Existing floor plans 803-01; Existing elevations 803-02; Proposed floor plans 803-04 rev b; Proposed elevations 803-05 rev a

NOTES TO APPLICANT

- . This recommendation relates to the revised plan received by this section on 23 February 2023
- . 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 adopted highway
- . The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Waste Management, Bradley Fold Depot on 0161 253 6621/7010, regarding the operation of this system.

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

Signed:

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

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On behalf of the Council

Date of Decision: 27/03/2023