

NOTICE OF PLANNING PERMISSION

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

To:

John Hodgkinson
20 Westgate Avenue
Ramsbottom
Bury
BL0 9SS

On Behalf Of:

Mr Koon Ming Lee
74 Milton Road
Prestwich
Manchester
M25 1PT

PART 1 - Particulars of Application

Application Number: 70908

Date of Registration: 16/09/2024

Proposal:

Change of use from hot food takeaway (Sui Generis) to residential dwelling (Class C3); front porch and single storey extension at rear

Location:

74 Milton Road, Prestwich, Manchester, M25 1PT

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 This permission relates to the following plans:

Drawing ref: Existing and Proposed Site Plans;
Drawing no. 24/787/02: Location Plan and Proposed Elevations; and,
Drawing no. 24/787/01: Proposed Ground Floor Plan & Existing and Proposed Side Elevations

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Places for Everyone Joint Development Plan, the Bury Unitary Development Plan and the National Planning Policy Framework.

- 2 The external finishing materials for the proposals (extension and boundary wall) 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.

- 3 Notwithstanding the details indicated on the approved plans, the use hereby approved shall not be commenced unless and until refuse storage arrangements are provided clear of the adopted highway within the curtilage of the site in the rear yard area to the satisfaction of the Local Planning Authority and subsequently maintained available for use at all times.

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of the site, clear of the adopted highway, in accordance with Policy JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

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:

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
EN1/2	EN1/2 - Townscape and Built Design
JP-H3	Type, Size and Design of New Housing
JP-C2	Digital Connectivity
JP-C8	Transport Requirements of New Development
JP-C8	Transport Requirements of New Development
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 ref: Existing and Proposed Site Plans;
Drawing no. 24/787/02: Location Plan and Proposed Elevations; and,
Drawing no. 24/787/01: Proposed Ground Floor Plan & Existing and Proposed Side Elevations

NOTES TO APPLICANT

1. 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>

2. **INFORMATIVE - The Control of Noise (Appeals) Regulations 1974, Section 60.
Control of Noise on Construction Sites**

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 Noise Regulations 1974.

Signed:



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On behalf of the Council

Date of Decision: 11/11/2024