



Paul Butler Associates

Planning, Development & Heritage Consultants

24 August 2022

Mr Thomas Beirne
Bury Metropolitan Borough Council
Development Control,
The Planning Service,
3 Knowsley Place,
Bury,
BL9 0EJ

22.1799

Dear Mr Beirne

**Non-Material Amendment Application relating to Planning Permission 64463
Bank House, 16-18 Bank Street, Walshaw, Tottington, Bury, BL8 3AZ**

On behalf of our client, Gallacom Holdings Bury Limited, we are pleased to submit this non-material amendment application for a slight alteration to the wording of condition 5 (acoustic glazing) attached to planning permission 64463. Section 96A paragraph 3(b) of the Town and Country Planning Act 1990 states that non-material amendment applications can be used to 'remove or alter existing conditions', therefore this application is appropriate to amend condition 5.

Condition 1 of the permission requires that the development is commenced by 1st October 2022. Gallacom Property Ltd intends to make a lawful commencement to the development by implementing the approved external alterations to the building which includes alteration to existing window openings and the creation of new windows on both side elevations.

Condition 5 (acoustic attenuation) requires that acoustic glazing on the rear elevation is provided in accordance with an acoustic attenuation scheme to be submitted and approved in writing by the LPA before the development commences. Given the time constraints being faced to commence the development prior to 1st October, it is proposed to amend the wording of condition 5 to enable external alterations to the side elevation to be undertaken (as a material start to the development) prior to the discharge of condition 5. This is considered appropriate since the alterations to the side elevations will not be impacted by the acoustic glazing required to the rear elevation. An acoustic report is currently being commissioned, and an application will be submitted to discharge condition 5 as soon as the report is available.

The proposed amended wording of condition 5 is:

"The residential accommodation hereby approved shall include acoustic glazing on the rear elevation in accordance with an acoustic attenuation scheme to be submitted to and approved in writing by the local planning authority before ~~the development commences~~ **the installation of any new windows or glazing on the rear elevation of the building**. The acoustic attenuation scheme hereby approved shall be implemented in full before use of the residential premises first commences."

We are pleased to submit this application for a slight amendment to condition 5 to enable the development to be lawfully commenced in accordance with condition 1. In addition to this Covering Letter, the application is accompanied by the completed Application Forms and a fee of £234.

We trust that the information submitted is sufficient for you to approve the application. If you require any additional information, please do not hesitate to get in touch.

Yours sincerely



Lynsay Ewart BSc(Hons) MSc MRTPI
Senior Planner