

NOTICE OF PLANNING PERMISSION

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

To:

Mr Steven Hartley
HP & DA Ltd
Swallow Barn
Lower Chapel Hill
Hurst Lane
Rawtenstall
BB4 8TB

On Behalf Of:

Mr H Khan

PART 1 - Particulars of Application

Application Number: 72231

Date of Registration: 18/08/2025

Proposal:

Change of use of part car showroom (Sui Generis) to retail (Class E(a)); Two storey extension for ground floor retail & office and first floor office use; External alterations

Location:

Performance House, Heywood Street, Bury, BL9 7DZ

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 -

Existing

ground floor plan 100/001 rev -2
roof plan 100/002 rev -2
elevations 100/003 rev -2

Proposed

ground floor plan 100/04 rev -3
proposed first floor plan 100/005 rev -3
proposed roof plan 100/006 rev -2
proposed elevations 100/007 rev -2
existing and proposed block plan 100/200 revf -2
site location plan
proposed section A-A 300/001 rev -2

proposed section B-B 300/002 rev -2
wall and floor details 300/003 rev -2
details 300/004 rev -2
swept path analysis using a 9.86m large refuge vehicle 3196-001 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 and Places for Everyone Joint Development Plan listed.

- 3 The development hereby approved within any approved phase shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:

- I. Risk Assessment (GQRA or DQRA);
- II. Remediation Strategy & Verification Plan;

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 4 Prior to occupation the applicant shall provide:

- "A minimum of 1 no. electric vehicle (EV) charging point (minimum 7kW*) and at least one in every five remaining parking spaces must be provided with cable routes.

Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted to Local Planning Authority for approval prior to the development being brought into use. The infrastructure shall be maintained and operational in perpetuity.

*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2019 to be used. Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

Reason. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and quality of life with respect to Local Air Quality, in accordance with paragraphs 112e, 117e, 187e and 199 of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

- 5 Notwithstanding the details indicated on approved plans, no development shall commence unless and until full details of the following, have been submitted to and agreed in writing by the Local Authority:
1. Submission of a photographic dilapidation survey of the existing adopted highway that abuts the site and the proposed development areas in the event that subsequent remedial works are required as a result of the construction of the proposed development;
 2. Proposed alterations to the existing site access onto Heywood Street, incorporating a replacement sliding gate and all associated highway remedial works;
 3. Proposed extension foundations confirming no encroachment under the adjacent adopted highway;
 4. Extent of boundary wall alterations and replacement railings, demarcation of the limits of the adopted highway and all associated highway remedial works;
 5. Works to remove the existing car wash operation and all associated redundant structures, hardstandings and drainage arrangements.

The details and any required highway remedial works subsequently approved shall be implemented to an agreed programme and prior to the extension of the building hereby approved being brought into use.

Reason. To ensure good highway design and to maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Policies EN1/2, EC4/1, JP-C5 and JP-C8.

- 6 The turning facilities indicated on approved plan references 100/004 Revision - 3 and 3196-001 Revision A, facilitated by the removal of the existing car wash operation and bounded by the proposed parking spaces, shall be provided before the development hereby approved is brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
- Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Policies EN1/2, EC4/1, JP-C5 and JP-C8.

- 7 The car parking indicated on approved plan references 100/004 Revision - 3 and 3196-001 Revision A shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.
- Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 8 The refuse storage and access arrangements to be provided within the curtilage of the site indicated on approved plan references 100/004 Revision - 3 and 3196-001 Revision A shall be made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.
- Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of the site, clear of the adopted highway pursuant to Policies EN1/2, EC4/1 and JP-C8.

- 9 The development hereby approved shall not be commenced unless and until facilities for the storage of construction materials have been provided within the curtilage of the site to the satisfaction of the Local Planning Authority. The facilities shall be retained for the intended purpose and the area identified shall not be used for any other purposes other than the storage of construction materials for the duration of the construction period.

Reason. To maintain the integrity of the adopted highway and ensure adequate off highway materials storage arrangements are provided for the duration of the construction period, in the interests of highway safety pursuant to Policies EN1/2, EC4/1 and JP-C8.

- 10 The development hereby approved shall be carried out in accordance with the Digital Connectivity statement submitted for planning permission ref 70977 and the measures implemented prior to first occupation and thereafter maintained.

Reason. To ensure that the development is fully serviced for full fibre digital connectivity, pursuant to Places for Everyone Joint Development Plan Document Policy JP-C2.

- 11 The development hereby approved shall be carried out in accordance with the Carbon and energy statement submitted for planing reference 70977 a.
Reason. To ensure that the development minimises regulated operational carbon emissions, pursuant to Places for Everyone Joint Development Plan Document Policy JP-S2.

- 12 The external finishing materials for the proposal 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.

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
EC4/1	EC4/1 - Small Businesses
EC5/1	EC5/1 - Office Development in Bury Town Centre
EC4/1	EC4/1 - Small Businesses
EN1/2	EN1/2 - Townscape and Built Design
EN7/2	EN7/2 - Noise Pollution
HT2/4	HT2/4 - Car Parking and New Development
S2/6	S2/6 - Food and Drink
TC2/2	TC2/2 - Mixed Use Development
TC3	TC3 - Bury Town Centre
Area	Area BY10 - Rochdale Road/Lord Street/York Street
BY10	
JP-S2	Carbon and Energy
JP-S5	Clean Air
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-P1	Sustainable Places

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:

Existing

ground floor plan 100/001 rev -2
roof plan 100/002 rev -2
elevations 100/003 rev -2

Proposed

ground floor plan 100/04 rev -3
proposed first floor plan 100/005 rev -3
proposed roof plan 100/006 rev -2
proposed elevations 100/007 rev -2
existing and proposed block plan 100/200 revf -2
site location plan
proposed section A-A 300/001 rev -2
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swept path analysis using a 9.86m large refuge vehicle 3196-001 rev A

NOTES TO APPLICANT

United Utilities

Water main

A large diameter trunk main is located in the vicinity of the site. It must not be built over, or our access to the pipeline compromised in any way. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', which can be found on our website:

<https://www.unitedutilities.com/builders-developers/your-development/planning/building-over-or-working-near-our-assets/working-near-our-pipes/>. The applicant must comply with this document to ensure pipelines are adequately protected both during and after the construction period.

Public sewer

A public sewer crosses the site, and we will not permit building over it. We require an access strip for maintenance or replacement and this access must not be compromised in any way. The minimum distances that might be acceptable to United Utilities are detailed within Part H of the Building Regulations however, we recommend the applicant determines the precise location, size, depth and condition of the pipeline as this is likely to influence the required stand-off distance from any structure.

Contacts

For advice on your development contact our DEVELOPER SERVICES team as follows:

Website (including 'Live Chat'): Building & Developing - United Utilities

Email:

WATER (water mains, supply and metering): DeveloperServicesWater@uuplc.co.uk

WASTEWATER (public sewers and drainage): SewerAdoptions@uuplc.co.uk

SLUDGE PIPELINES: DeveloperServicesWater@uuplc.co.uk

Telephone (Monday-Friday, 8am-6pm): 0345 072 6067

- . This recommendation relates to the revised plan received by this section on 12 November 2025
- . The applicant's attention is drawn to the need to consult the Department for Place regarding the specification for and implementation of the required highway works. The cost of the works will be the responsibility of the developer
- . The applicant's attention is drawn to the requirements of Section 179 of the Highways Act 1980 which prohibits the construction of any foundations required for the boundary fencing under the adjacent adopted highway.

Signed:



6 of 6

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On behalf of the Council

Date of Decision: 14/11/2025