

# NOTICE OF PLANNING PERMISSION

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

**To:**

Emma Wells  
Atkins  
3100 Century Way  
Thorpe Park  
Leeds  
LS15 8ZB

**On Behalf Of:**

Mr F Ahmed  
Bury College  
Woodbury Centre  
Market Street  
Bury  
BL9 0BG

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### PART 1 - Particulars of Application

**Application Number:** 66017

**Date of Registration:** 16/10/2020

**Proposal:**

Erection of timber hoarding for a temporary period of two years

**Location:**

Former Peel Health Centre, Angouleme Way/Market Street, Bury, BL9 0BT

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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      Permission is hereby granted for a limited period only, namely for a period expiring 2 years from the date of this decision notice, and the building, works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued at the end of the said period and the land reinstated to its former condition unless a valid application is received by the Local Planning Authority for its retention.  
Reason. In view of the temporary nature of the development and in order to retain control over its continued use having regard to the particular nature of the site and surroundings pursuant to The National Planning Policy Framework.
- 2      This decision relates to drawings numbered BUR-ATK-BS-PEEL-DR-D-004 Rev P1, BURY-ATK-BS-PEEL-DR-D-0003 Rev P2, BURY-ATK-BS-PEEL-DR-D-0003 Rev P1, BURY-ATK-HGN-PEEL-DR-D- 001 Rev P1 and BURY-ATK-BS-PEEL-DR-D-0002 Rev P2 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      No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 4 The visibility splay/forward visibility envelope indicated on approved plan reference BURY-ATK-HGN-PEEL-DR-D-001 Revision P1 shall be implemented and subsequently maintained free of obstruction above the height of 0.6m.
- Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to Bury MBC Unitary Development Plan Policies HT6/2 - Pedestrian/Vehicular Conflict and EN1/2 - Townscape and Built Design

**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 pre-application discussions 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 BY7 - Townside/Market Street             |
| BY7   |                                               |
| EN1/2 | EN1/2 - Townscape and Built Design            |
| EN1/7 | EN1/7 - Throughroutes and Gateways            |
| EN1/9 | EN1/9 - Advertisements                        |
| EN6   | EN6 - Conservation of the Natural Environment |
| EN6/3 | EN6/3 - Features of Ecological Value          |
| NPPF  | National Planning Policy Framework            |
| HT6/2 | HT6/2 - Pedestrian/Vehicular Conflict         |

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:**

BUR-ATK-BS-PEEL-DR-D-004 Rev P1, BURY-ATK-BS-PEEL-DR-D-0003 Rev P2, BURY-ATK-BS-PEEL-DR-D-0003 Rev P1, BURY-ATK-HGN-PEEL-DR-D- 001 Rev P1 and BURY-ATK-BS-PEEL-DR-D-0002 Rev P2

**NOTES TO APPLICANT**

1. It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Certain species of Cotoneaster are included within this schedule. If any such species will be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.
2. The applicant's attention is drawn to the need to consult the Department for Operations regarding the required hoarding permit application and specification for,

and implementation of, any required highway remedial works. The cost of the application and works will be the responsibility of the applicant.

3. 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 hoarding under the adjacent adopted highway.
4. 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.

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:** 08/12/2020