

NOTICE OF PLANNING PERMISSION

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

To:

Mr Chowdhury
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Centenary House
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On Behalf Of:

Mr Khan
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PART 1 - Particulars of Application

Application Number: 68111

Date of Registration: 27/04/2022

Proposal:

Change of use of basement, rear of ground floor, 1st/2nd/3rd floors from commercial (Class E) to 7 no. flats with external alterations

Location:

1 The Rock, Bury, BL9 0JP

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 - Project no 9070 - Site plan 0000B; Location plan 0001B; Basement plan 100B B; Ground floor 1000B; First floor 1001B; Second floor 1002B; Third floor 1003B; Third floor mez 1004B; Roof plan 1005B; South elevation 0028B; South west elevation 0027B; North/north west elevation 0024B; East elevation 0025B; Sections 0010B; Heritage Statement; Design and Access Statement 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 development hereby approved shall incorporate soundproofing of the floor/ceiling between each level of flats and between the ground floor and first floors flats, and the party walls to both sides of the building, which shall be in accordance with standards of construction specified in current Building Regulations, shall be completed before the development is brought into use.

Reason. The application contains insufficient detail in order to demonstrate that the required scheme would maintain the residential amenities to protect the residential amenities of the future occupiers of the flat pursuant to UDP Policy EN7/2 Noise Pollution.

- 4 Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, none of the flats hereby approved shall be used for any other purpose other than a Class C3 use (including any other purpose in Class C3 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 as amended) without the submission and approval of a relevant planning application.
Reason. In the interests of residential amenity, to safeguard the character of the area and to secure the appropriate scale and intensification of use of the development for the site pursuant to policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development and H2/4 - Conversions.
- 5 The velux rooflights hereby approved and to be installed shall be a conservation area type and thereafter maintained.
Reason. In order to preserve the special architectural or historic interest of the building in the Conservation Area pursuant to the principles of the NPPF and UDP Policies EN1/2, EN2/1, EN2/2 and EN2/3.
- 6 The in-curtilage bin storage arrangements indicated on the approved plans shall be implemented before the use hereby approved commences and thereafter be maintained available for use at all times.
Reason. To ensure adequate off-highway bin storage arrangements are provided within the curtilage of the site, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and H2/4 - Conversions.
- 7 No materials shall be used on the external elevations or roof of the proposed development other than those referred to on the approved plans / supporting documentation.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policies EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control and EN2/3 - Listed Buildings of Bury Unitary Development Plan.

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:

NPPF	National Planning Policy Framework
Area	Area BY6 - Central Shopping Area
BY6	
S1/1	S1/1 - Shopping in Bury Town Centre
S2/3	S2/3 - Secondary Shopping Areas and Frontages
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control

EN2/3 EN2/3 - Listed Buildings
EN1/2 EN1/2 - Townscape and Built Design
HT2/4 HT2/4 - Car Parking and New Development
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
H2/4 H2/4 - Conversions
EN7/2 EN7/2 - Noise Pollution
TC2/1 TC2/1 - Upper Floors
TC2/2 TC2/2 - Mixed Use Development
HT5/1 HT5/1 - Access For Those with Special Needs

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:

Project no 9070 - Site plan 0000B; Location plan 0001B; Basement plan 100B B; Ground floor 1000B; First floor 1001B; Second floor 1002B; Third floor 1003B; Third floor mez 1004B; Roof plan 1005B; South elevation 0028B; South west elevation 0027B; North/north west elevation 0024B; East elevation 0025B; Sections 0010B; Heritage Statement; Design and Access Statement

NOTES TO APPLICANT

- . The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Environment & Development Services, Waste Management & Transport - Bradley Fold, on 0161 253 7010/6635, regarding the operation of this system and the acceptability of the proposed bin access arrangements.

Signed:



3 of 3

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On behalf of the Council

Date of Decision: 17/06/2022