

NOTICE OF PLANNING PERMISSION

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

To:

Mr Richard Gallagher
RJG Architecture LTD
The Stables
Pasture Lane Business Centre
St. Helens
WA10 8PU

On Behalf Of:

Mr Bradley Franks
Storage Yard at
Woolfold Trading Estate
Bury
BL8 1SG

PART 1 - Particulars of Application

Application Number: 68995

Date of Registration: 10/11/2022

Proposal:

Erection of 4 no. light industrial units (Class E (g)(iii)) with associated access and parking

Location:

Storage yard at Woolfold Trading Estate,
Stewart Street, Bury, BL8 1SB

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 permission relates to the following plans:

Drawing no. 01696 - SK - 01 Rev. C: Proposed Site Block Plan;
Drawing no. 01636/SK/02: Existing Elevations, Proposed Plans, Elevations; and,
Drawing no. 01636 - SK - 03 Rev. B: Existing and Proposed Elevation A-A,

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 Bury Unitary Development Plan and the National Planning Policy Framework.

- 3 Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must

include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) No surface water will be permitted to discharge to the public sewer network;
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

- 4 No construction work, construction traffic or operation of any plant/machinery shall take place on the site during the course of the development hereby approved except between the hours of 0800 hours and 1800 hours Monday to Friday and 0900 and 1300. No construction work, construction traffic or operation of any plant/machinery shall take place on Sundays or Public Holidays. Furthermore, no deliveries or vehicles shall arrive on site outside these stipulated working works.

Reason: In order to protect the residential amenity of the occupiers of the adjacent properties and to comply with\ Policy EN7/2 of Bury Unitary Development Plan and the National Planning Policy Framework.

- 5 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the approved plans (drawing no 01636-SK/02).

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Policy EN1/2 of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 6 The proposed vehicular and pedestrian access arrangements, incorporating the removal of the existing gates and boundary treatment, and provision of turning facilities and bin storage/collection arrangements within the curtilage of the site indicated on the approved plans shall be provided before the development is brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

Reason: In the interests of highway safety and to minimise the standing and turning movements of vehicles on the highway in the interests of highway safety.

- 7 The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority 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 Prior to occupation of any of the units hereby approved, the acoustic barrier shall be erected in accordance with the details shown on Drawing No. 01636/SK/03/Rev. B and shall be maintained in accordance with these details thereafter. The acoustic fence shall be constructed/installed and then maintained and retained thereafter fully in accordance with the submitted drawings and specifications.

Reason: To protect/safeguard the health and quality of life (amenity) of residential premises in accordance with the National Planning Policy Framework

- 9 The units hereby approved shall be fitted with an electric roller shutter door which does not project outwards at any time during or after operation and shall thereafter be maintained.

Reason: To enable vehicles to enter and leave the whilst the garage doors are opened and closed in the interests of ensuring the car park is available for use at all times, and in the interests of safeguarding the amenity of nearby residential occupiers. in accordance with the requirements of Bury Unitary Development Plan policy EN1/2 and policy EN7/2, and the National Planning Policy Framework.

- 10 The premises shall only be open for trade or business or accept deliveries between 08:00 hours and 17:30 hours Monday to Friday, between the hours of 09:00 - 17:30 hours on Saturdays and between 10:00 hours and 16:00 hours on Sundays. There shall be no operation on Bank or Public Holidays.

Reason: To limit the potential for noise generation during unsocial hours and to prevent nuisance arising in order to safeguard the amenity of the occupiers of surrounding residential properties in accordance with the requirements of Bury Unitary Development Plan policy EN1/2 and policy EN7/2, and the National Planning Policy Framework.

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the building shall be used for Class E(g)(iii) purposes (as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)) only, and for no other purpose (including any other use which falls within use class E of the same Order or any equivalent Order following the revocation and re-enactment thereof, with or without modification).

Reason: To restrict the use of the building to an operation which is compatible with the nature of surrounding uses and to prevent future changes of use which have the

potential to detract from the character of the area and/or harm the amenities of surrounding occupiers in accordance with the requirements of Bury Unitary Development Plan policy EP27 and the National Planning Policy Framework.

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any Order revoking or re-enacting that Order, no extensions or alterations, including the introduction of mezzanine floors, shall be carried out in respect of the buildings to which this permission relates.

Reason: To prevent an intensification in the use of the premises, in the interests of the visual amenities of the area and the amenities of local residents within the Borough in accordance with Policies EN7/2 and HT2/4 of the Bury Unitary Development Plan, SPD11 - 'Parking standards in Bury', and the National Planning Policy Framework.

- 13 No goods, plant or materials shall be deposited or stored on the site other than in the buildings shown on the approved plans.

Reason: To ensure the car park can be used for its intended purpose, a satisfactory appearance of the site in the interests of local visual amenity and in the interests of the amenities of nearby residents to comply with Policy EN7/2 of the Bury Unitary Development Plan and the National Planning Policy Framework.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

EN1/2	EN1/2 - Townscape and Built Design
EN1/5	EN1/5 - Crime Prevention
EN5/1	EN5/1 - New Development and Flood Risk
EN7	EN7 - Pollution Control
EC2/2	EC2/2 - Employment Land and Premises Outside the Employment Generating Areas
EC3/1	EC3/1 - Measures to Improve Industrial Areas
EC4/1	EC4/1 - Small Businesses
EC6/1	EC6/1 - New Business, Industrial and Commercial Development
HT5/1	HT5/1 - Access For Those with Special Needs
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
SPD14	Development Control Policy Guidance Note 14 - Employment Land and Premises
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
SPD16	Development Control Policy Guidance Note 16 - Design and Layout of New Development in Bury
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guide

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:

NOTES TO APPLICANT

1. The applicant's attention is drawn to the statutory obligations contained in Part M of Schedule 1 of 'The Building Regulations 2000' as amended. Additionally, the Disability Discrimination Act 1995 requires all owners of businesses, that serve the public, to make sure - as far as possible - disabled customers are treated in the same way as non-disabled customers.
2. This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.

If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:

- (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
- (b) In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

3. The enclosed approval is issued under the Town & Country Planning Act 1990. You may also require Building Regulation approval which is dealt with by this Department's Building Control Section (Tel: 0161 253 1513) and also private Building Inspectors. You must ensure that all necessary permissions are obtained BEFORE starting work; otherwise abortive expense may be incurred.

Signed:



5 of 5

.....
On behalf of the Council

Date of Decision: 23/02/2023