

NOTICE OF PLANNING PERMISSION

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

To:

Mr R Anwar
RA Design & Project Management Ltd
Suite 4
The White House
42-44 Chorley New Road
Bolton
BL1 5FA

On Behalf Of:

Mr M Akhtar
32 Kershaw Street
Bury
BL9 7HH

PART 1 - Particulars of Application

Application Number: 69068

Date of Registration: 10/11/2022

Proposal:

Conversion of party venue to 2no.
commercial units (Class E) at ground floor
and 2no. studio flats (Class C3) at first floor.

Location:

32 Kershaw Street, Pimhole, Bury, BL9 7HH

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 RAD/2739/22/1 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 development shall take place unless and until a scheme to soundproof the floor/ceiling between the ground floor and the first floor flat, which shall be in accordance with standards of construction specified in current Building Regulations, has been submitted to and approved by the Local Planning Authority. Such works that form the approved scheme 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 Where any of the ground floor units hereby approved are to be used as food establishment then no development in relation to these units shall commence unless and until a scheme for treating, diluting, and dispersing fumes and odours has been submitted to and approved in writing by the Local Planning Authority. The scheme submitted shall include a written statement from a suitably qualified person who is a member of the Heating and Ventilation Contractors Association (HVCA) or an equivalent professional body, stating that the fume treatment to be installed complies with or exceeds the 'Minimum Requirements For Odour Control' provided by the Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems :DEFRA 2005 (or if applicable such superseding guidance as shall prevail at the time of commencement of the development). The scheme to be submitted shall also include the relevant manufacturer and installer instructions for any associated equipment with details of maintenance requirements. The scheme as approved shall be implemented, available for use and maintained in accordance with the approved scheme whilst it shall serve the development.

Reason. To protect the residential amenities of nearby residential property from impact upon from fumes and odour pursuant to UDP Policy S2/6 - Food and Drink.

- 5 In implementing any part of this permission, the development shall incorporate appropriate soundproofing to the floor/ceiling between the ground floor Class E. Such measures shall be in place before any part of the 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.

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:

S1/2	S1/2 - Shopping in Other Town Centres
S2/3	S2/3 - Secondary Shopping Areas and Frontages
EN1/2	EN1/2 - Townscape and Built Design
H1/2	H1/2 - Further Housing Development
H2/4	H2/4 - Conversions
TC2/1	TC2/1 - Upper Floors

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:

RAD/2739/22/1

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harte', written in a cursive style.

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On behalf of the Council

Date of Decision: 01/02/2023