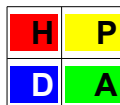


Prior Notice application for the change of use of 429-433 Walmersley Road, Bury BL9 5EU (formerly Walmersley Carpets) from retail to a mixed use including 2 no. apartments at first floor level under Schedule 2, Part 3, Class G of the General Permitted Development Order, 2021 (as amended)

Planning Statement

Amended 100924

Ref: GS.100924.C



August 2024

Prepared by Hartley Planning and Development Associates Ltd

The premises, both at ground floor and first floor levels, have for many years until recently, been used continuously as showrooms for carpet sales. Unfortunately, the owner died during the covid epidemic.

The current owner intends to keep the ground floor in retail use but wishes to convert the upper floor retail use to 2 no. apartments.

The prior notice application meets the requirements of the GPDO 2015 (as amended): -

Requirements of the GPDO	Comments with regard to the application building
Class G Commercial, business and service or betting office or pay day loan shop to mixed use	
G. Permitted development <i>Development consisting of a change of use of a building—</i> (a) from a use within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order, to a mixed use for any purpose within that Class and as up to 2 flats .	The premises have been used since 1982 as showrooms for the sale of carpets. It has been empty since 2023 following the death of the occupier by Covid
G.1. Conditions Development permitted by Class G is subject to the following conditions— (a) some or all of the parts of the building used for a use within, as the case may be, article 3(6)(n) (betting office) or 3(6)(o) (pay day loan shop) of, or Class E of Schedule 2 to, the Use Classes Order is situated on a floor below the lowest part of the building used as a flat;	The proposed two apartments are not on the ground floor

(b) where the development consists of a change of use of any building with a display window at ground floor level, the ground floor must not be used in whole or in part as a flat;	The ground floor will remain in retail use and will not be used as a flat
(c) a flat must not be used otherwise than as a dwelling (whether or not as a sole or main residence)— (i) by a single person or by people living together as a family, or (ii) by not more than 6 residents living together as a single household (including a household where care is provided for residents)	Condition met
(d) before beginning development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to— (i) contamination risks in relation to the building; (ii) flooding risks in relation to the building; (iii) impacts of noise from commercial premises on the intended occupiers of the development; (iv) the provision of adequate natural light in all habitable rooms of the dwellinghouses; (v) arrangements required for the storage and management of domestic waste.	See below and the submitted plans for these matters

Contamination risks in relation to the building

The building has long been in public use and the application relates to the first floor only. There is no reason to suggest that there would be any contamination such as to pose a risk to human habitation.

Flooding risks in relation to the building.

The proposed development is shown to be in the lowest risk category (Zone 1)

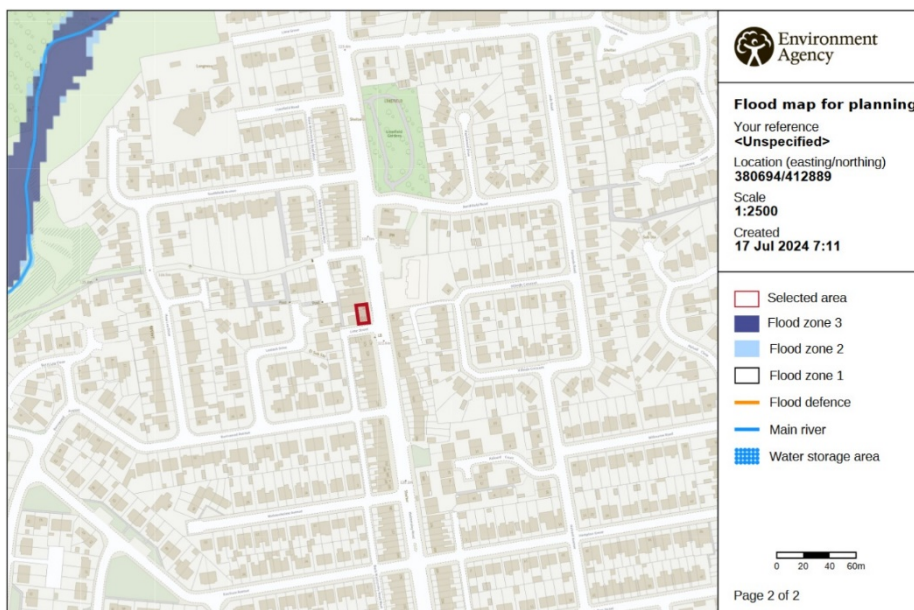
Flood map for planning

Your reference
<Unspecified>

Location (easting/northing)
380694/412889

Created
17 Jul 2024 7:11

Your selected location is in flood zone 1, an area with a low probability of flooding.



Noise impacts

The ground floor will remain in retail use and as such there is no reason to assume there would be any noise nuisance

The provision of adequate natural light in all habitable rooms of the dwellinghouse

Each habitable room has natural lighting. Please see the submitted plans.

Storage of Domestic Waste

The submitted plans include provision for such storage

Other Matters

The application is for the change of use of the premises. The submitted plans show, for illustrative purposes only and not as part of the prior notice application, the replacement of existing render by k-render (white) and the replacement of existing window frames. Prior Notice applications under Class MA do not include operational development.

If permission is deemed to be required then these matters would be the subject of a separate planning application, though paragraph 55 of the Town and Country Planning Act 1990 (as amended) states as follows: -

'55(2) The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land—

(a) the carrying out for the maintenance, improvement or other alteration of any building of works which—

(i) affect only the interior of the building, or

(ii) do not materially affect the external appearance of the building'.

Noise insulation

Acoustic insulation shall be provided between the ground floor commercial uses and the apartments above, as a minimum, those deemed to be acceptable and specified as standards of construction in current Building Regulations. Such works shall be completed before the development is brought into use.

Without prejudice to the need to meet part E of the Building Regulations we envisage the use of two layers of 15mm acoustic graded plasterboard between ground and first floors