

NOTICE OF PLANNING PERMISSION

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

To:
Mr Gordon
MGD
12 Wesbury Close
Bury
BL8 2LW

On Behalf Of:
Mendes Da Costa
Property Touch Ltd
4 Hearnese Close
Seer Green
Buckinghamshire
HP9 2QT

PART 1 - Particulars of Application

Application Number: 71405

Date of Registration: 20/12/2024

Proposal:

Change of use from office (Class E) to 8 bed (single occupancy) HMO (sui generis), with 2 no velux rooflights at front and 2 no velux rooflights at rear and erection of wall to define yard side boundary

Location:

8 Tenterden Street, Bury, BL9 0EG

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. 8TS/200/PL Rev. C4: Site Location Plan and Proposed Site Plan;
Drawing no. 8TS/205/PL Rev. C5: Proposed Layouts;
Drawing no. 8TS/203/PL Rev. C3: Proposed Plan Layouts & Rear Boundary Wall
Drawing no. 8TS/204/PL Rev. C4: Proposed Elevations and Section

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, Places for Everyone Joint Development Plan and National Planning Policy Framework.

- 3 Within three months of development first taking place, a scheme for soundproofing to be introduced to the front wall, windows and roof slope and party walls of the building has been submitted to and approved in writing by the Local Planning Authority. The soundproofing scheme shall ensure that the level of sound insulation provided is in compliance with the requirements of Approved Document E of The Building Regulations 2010 (or any equivalent Order following the revocation and re-enactment thereof, with or without modification). The duly approved soundproofing scheme shall thereafter be implemented in full before any occupation of the development hereby permitted first takes place.

Reason. To reduce nuisance from noise to the occupiers of the adjoining business/ office uses and to reduce nuisance from traffic noise on Jubilee Way to future occupiers of the development, pursuant to the Policy EN7/2 Noise Pollution of Bury Unitary Development Plan and the National Planning Policy Framework.

- 4 Notwithstanding the approved plans, within three months of development first taking place, a scheme for the provision of a minimum of 4 additional covered and secure bicycle parking spaces on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the siting, size, design and materials to be used in the construction of both bicycle stores. The bicycle parking spaces shall be provided and made available for use in accordance with the duly approved scheme before the building hereby approved is first occupied, and shall be retained as such thereafter.

Reason. In order to promote modal shift and increased use of sustainable methods of travel and to ensure each occupant/ bedroom within the HMO has access to this sustainable transport method, in accordance with Policy JP-C5: Streets for All, Policy JP-C6: Walking and Cycling and Policy JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan, SPD11: Parking Standards in Bury and the National Planning Policy Framework.

- 5 The car parking spaces, refuse storage and cycle storage facilities indicated on the approved plans and subsequently approved plan under condition 3 shall be implemented and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved becoming first occupied and shall thereafter remain available at all times.

Reason. In order to ensure that the development would provide adequate facilities for car parking, covered cycle storage provision and the storage of domestic waste, including recycling containers, in the interests of amenity and pursuant to Policy JP-C5: Streets for All, Policy JP-C6: Walking and Cycling and JP-C8: Transport Requirements of New Development of the Places for Everyone Development Plan, SPD 11: Parking Standards in Bury and the National Planning Policy Framework.

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:

Area	Area BY4 - Manchester Road/Knowsley Street
BY4	
EN2/2	EN2/2 - Conservation Area Control
TC1	TC1 - Town Centres
EC2/2	EC2/2 - Employment Land and Premises Outside the Employment Generating Areas
JP-C8	Transport Requirements of 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
EN1/2	EN1/2 - Townscape and Built Design
HT2/4	HT2/4 - Car Parking and New Development
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-S2	Carbon and Energy
JP-P1	Sustainable Places
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
SPD13	Development Control Policy Guidance Note 13 - Conversion of Buildings to Houses in Multiple Occupation
NPPF	National Planning Policy Framework

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. S106/ S111 Agreements and s106 Agreement
This planning permission needs to be read in conjunction with the binding S106 Planning Agreement signed on 10 July 2025.
2. **COMMENCEMENT OF DEVELOPMENT NOTICE**
In accordance with S93G of the Town and Country Planning Act 1990 (As amended by Section 111 Levelling Up & Regeneration Act 2023) there is a legal requirement for you to inform the Council of the date when you intend to commence the development on site via submission of a Commencement Notice. This notice is mandatory for all developments and came into effect on 31 March 2024. You can find more information and download a copy of the Commencement Notice under the Before Starting Work section on our website at:
<https://www.bury.gov.uk/planning-building-control/planning-permission/planning-application-process>
3. **BATS**
Whilst the site has been assessed as low risk for bats, the applicant is reminded that

under the Habitat Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition, or during removal of any trees, all work should cease immediately, and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

4. **BIRDS**

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a bird's nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

5. **BUILDING CONTROL**

The applicant is advised that, even if no building work is proposed, approval may also be required under Building Regulations. The advice of the Building Control Service should be sought before the use commences. The Council's Building Control Service can be contacted on 0161 203 5313.

If any amendments are proposed to the drawings approved herewith when making application under the Building Regulations, a note to that effect should be made on the revised drawings.

6. **HMO Licensing**

The applicants attention is drawn to the fact the proposed development will need to be licensed by the Council's HMO Licensing Team.

Further information can be found at:

<https://www.bury.gov.uk/housing/private-rent/landlords/hmo-licence>

Signed:



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On behalf of the Council

Date of Decision: 11/07/2025