

**DELEGATED REPORT**

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|---------------------------------|-----------------------------------|--------------------------------|
| <b>Report by</b> Claire Booth   | <b>Date of report:</b> 14/02/2025 | <b>Ref:</b> 71152/FUL          |
| <b>Registration:</b> 05/11/2024 | <b>LDFC:</b> 06/12/2024           | <b>Expiry Date:</b> 04/02/2025 |
| <b>Site Visit:</b> 16/01/2025   | <b>Site Notice:</b> N/A           | <b>Press Date:</b> 14/11/2024  |
| <b>Objections:</b> 0            | <b>Con Area:</b> BURY             | <b>Adv Type:</b> MD            |
| <b>Reason for Delay:</b><br>N/A |                                   | <b>EIA:</b> NA                 |
|                                 |                                   | <b>Dec Level:</b> DEL          |
|                                 |                                   | <b>Stat Class:</b> MADW        |

**Proposal:** Change of use of upper floors from office use (Class B1(a)) to 14 no. flats (Class C3) including replacement of the existing windows to all elevations.

**Location:** Victoria Buildings, 9-13 Silver Street, Bury, BL9 0EU

**Description**

The application site relates to the upper floors of the visually striking Victoria Buildings on Silver Street on the corner of Back Broad Street within Bury Town Centre and Bury Town Centre Conservation Area. Victoria Buildings maintain the form of the original Victorian shop frontages with 2 storeys in sandstone with sash windows above street level.

Located on the other corner of Back Broad Street is nos. 15-19 Silver Street, Grade II listed buildings. Opposite the front of the application are buildings of a similar style with contrasting red brick to the upper storeys.

To the rear of the building is an open area of land boarded by the rear of Grade II listed properties fronting on to Market Place and Market Street. The open area is accessed from Back Broad Street and Back Market Street West. Within 5 metres of the application site is a single storey red brick building which last had planning permission to be used as part of the nightclub which occupied part of the host building. It currently appears to be used for storage purposes. This building is not within the submitted red edge nor is it edged with a blue edge.

The ground floor of the application building is in use as two separate units in use for main town centre uses purposes, with one area of the ground floor being in use as an office for a business, and a larger area of the building in use as a bar.

The application building also has 16 black framed solar panels on a roofplane of a two storey outrigger facing Back Broad Street.

Planning permission is sought is to change the use of the upper floors of the building from Office (Use Class E(c)(iii)) to 14 self contained apartments (Use Class C3) and for the replacement of all the windows.

The 14 apartments would be a mix of one and two bedroom self-contained apartments that would be as follows:

9 x 1 bedroom apartments  
5 x 2 bedroom apartments

The proposed development occupies the entirety of the existing building of 656sqm. The total GIFA for change of use is 850sqm across the first and second floors with a small area in the second floor eaves as part of a duplex flat.

All apartments would have double bedrooms, kitchens, lounges and shower bathrooms.

The front elevation of the building seeks to replace existing timber sliding sash windows like for like. The proposal also seeks to replace the mix of timber and upvc windows on the side and rear of the building with coloured aluminium windows.

Also proposed on the front elevation is a set of wrought iron gates within the covered open entrance area to stop the unsociable behaviour which occurs in this location.

Refuse storage bins to serve the proposed apartments are proposed to be sited against the rear elevation of the building under one of the external rear staircases which would be accessed from an existing, albeit reduced in size, ground floor door on land within the submitted red edge and in an area which already contains refuse storage bins used by the existing ground floor uses operating within the building and the former office uses that occupied the upper floors prior to 2019.

### **Relevant Planning History**

70329 - Prior notification for proposed change of use of upper floors from office use (Class B1(a)) to 15 no. flats (Class C3) - Withdrawn by Applicant, 28/08/2024

70816 - Replacement of all existing windows and external doors to first/second floors and dormer to the third floor - Withdrawn by Applicant, 28/08/2024

65464 - Change of use from office (Class B1(a)) to beauty clinic (Sui Generis) - Withdrawn - Invalid 12/05/2020

64172 - Prior notification for proposed change of use of upper floors from office use (Class B1(a)) to 12 no. flats (Class C3) - Prior Approval Required and Granted 30/08/2019

64268 - New access ramp, replacement windows and new window openings to rear following removal of existing fire escape stair, redundant air conditioning units and flue - Approved 30/08/2019

### **Publicity**

Due to the application site being both within the Bury Town Centre Conservation Area, adjacent to a Grade II Listed Building (15-19 (odd) Silver Street) and within the setting of listed buildings to the rear of the property on Market Street, the application site has been advertised by both Site Notice and Press Notice.

128 nearby properties have also been notified by letter.

1 representations has been received raising the following concerns:

*"I have no objection to the planning or change of use but want Bury MBC and the planning applicants to consider the inclusion of sufficient waste collection for future residents. This includes a place for the bins and consistent contracted collection. Back Broad Street is overrun with litter from residents without sufficient waste removal causing a health hazard."*

### **Statutory/Non-Statutory Consultations**

**Traffic Section** - No objections

**Waste Management** - Advised on refuse storage requirements

**Environmental Health - Pollution Control** - No objections, subject to the recommendations within the Noise Assessment for acoustic glazing and ventilation being implemented.

**Conservation Officer** - No objections

**Environmental Health - Contaminated Land**

**United Utilities (Water and waste)** - No comments or observations received

**Greater Manchester Police - designforsecurity** - No comments or observations received

**Planning & Building Regs Consultation Fire Protection Dept** - No comments or observations received

**Pre-start Conditions** - Not relevant

### **Development Plan and Policies**

|       |                                           |
|-------|-------------------------------------------|
| S1/1  | Shopping in Bury Town Centre              |
| S2/3  | Secondary Shopping Areas and Frontages    |
| TC2/1 | Upper Floors                              |
| EN2/1 | Character of Conservation Areas           |
| EN2/2 | Conservation Area Control                 |
| EN1/2 | Townscape and Built Design                |
| EN7/2 | Noise Pollution                           |
| H1/2  | Further Housing Development               |
| H2/1  | The Form of New Residential Development   |
| H2/2  | The Layout of New Residential Development |
| H2/4  | Conversions                               |
| JP-H3 | Type, Size and Design of New Housing      |
| JP-H4 | Density of New Housing                    |
| JP-P1 | Sustainable Places                        |
| JP-C1 | Our Integrated Network                    |
| JP-C2 | Digital Connectivity                      |
| JP-C5 | Streets For All                           |
| JP-C5 | Streets For All                           |
| JP-C8 | Transport Requirements of New Development |
| JP-S2 | Carbon and Energy                         |
| NPPF  | National Planning Policy Framework        |

### **Issues and Analysis**

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

**Equality Act 2010:** All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

- The elimination of discrimination, harassment and victimisation;
- The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;
- The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the

protected equality groups.

**Human Rights:** All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

**The Crime and Disorder Act 1998** imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

### **Principle of Development**

PfE Policy JP-C1: 'An Integrated Network' and JP-C8: 'Transport Requirements of New Development' seek development of new housing to be directed to highly accessible and sustainable locations. Bury Town Centre is considered to be both and therefore providing residential accommodation in the main town centre for the borough is acceptable in principle.

In respect of losing the office use space on the upper floors of the building, this was established by the granting of prior approval application 64172 in August 2019. In addition the application informs the LPA From 2017 to 2019 occupancy rates dropped from 80% to 10% which led to a change of use application being submitted, and approved, for the change of use from commercial to residential. The upper floors of the building has operated on a 10% occupancy level from 2019 until 2023 when it became fully vacant.

The refurbishment works to change the use and some works, including the fitting of some bathrooms, means the office uses on the upper floors have not existed for at least 5 years.

UDP TC2/1: Upper Floors states that within the boroughs town centres the Council will support the Council will support proposals which bring underused and vacant space on upper floors of premises into beneficial use. The proposal therefore accords with the requirements of this policy.

In addition to all of the above, the National Planning Policy Framework (NPPF) emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. The Framework states that unless they have an adopted plan that is less than five years old that identified a five year supply of specific deliverable sites at the time of conclusion of the examination, then local planning authorities should identify and update annually a supply of specific developable sites to provide either

a minimum of five years' worth of housing, or a minimum of four years' worth of housing in certain circumstances set out in the NPPF.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up of sites that have an extant planning permission and sites that have potential to obtain planning permission in the future.

This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the deliverable land supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). In addition to the housing land supply in the SHLAA, the joint Places for Everyone Plan was adopted with effect from 21 March 2024 and allocates significant strategic sites for housing within Bury.

The adopted Joint Places for Everyone Plan Policy JP-H1 sets a requirement for an average of 452 homes per year over the plan period, with stepped targets starting from a minimum housing target of 246 homes per year from 2022-2025 (increasing in future years of the plan). Following the adoption of PfE the Council is able to demonstrate a 5 year supply with a 20% buffer.

The National Planning Policy Framework also sets out the Housing Delivery Test, which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) of the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government show that Bury has a housing delivery test result of less than 75%, and therefore, this needs to be treated as a material factor when determining applications for residential development.

Therefore, paragraph 11d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas, or assets of particular importance, provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.

Due to the housing delivery test result, the 'tilted balance' applies and planning permission should be granted unless the above points Para 11(d) i or ii apply. However, the adoption of the Places for Everyone Joint Development Plan has resulted in new housing targets for the Borough and the allocation of strategic sites housing sites, which along with the identified housing land supply within the urban area enable the Council to demonstrate a deliverable 5 year supply of housing land, and will accelerate housing delivery within the Borough to meet housing needs.

Policy JP-H3 - 'Type, Size and Design of New Housing' advocates a range of dwelling types and sizes to meet local needs and deliver more inclusive housing. Residential developments should provide an appropriate mix of dwelling types and sizes.

The development proposes 14 self-contained flats: 9 x 1 bedroom apartments and 5 x 2 bedroom apartments. These would add to the mix of housing tenure in the area.

The site is located in a sustainable urban area, would retain the ground floor of the building in retail/ commercial uses appropriate for a Town Centre and the proposal would bring underused upper floor areas back into use which would by its nature add to the vitality of

the Town Centre. The principle of the proposed development is thus considered to be acceptable.

### **Density**

PfE Policy JP-H4: 'Density of New Housing' requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high quality design. Therefore in accordance with Policy JP-H4 regard should be had to a minimum net residential density of 120 dwellings per hectare.

The proposed development would exceed this density requirement and as such would comply with PfE Policy JP-H4 in this regard.

### **Layout**

UDP Policies H2/1 and H2/2 provide the assessment criteria for detailed matters relating to height, appearance, density and character, aspects and finishing materials for new residential developments.

UDP Policy H2/4 - 'Conversions' specifically has regard to effects on amenity of neighbouring properties, general character of the area, amenity of occupants, effects from external changes on the street scene and car parking and servicing requirements.

Externally, it is proposed to locate enough bin storage provision to which serves the first floor flats and this would be adequate for the level of development proposed. A cycle store for 3 cycles would also be provided to serve the development.

The existing main entrance on the front/ Silver Street elevation would provide the main access staircase to the upper floor apartments with an access door also being on the rear elevation of the building.

Each apartment would be either have one or two bedrooms, a lounge, kitchen, bathroom and storage area.

PfE Policy JP-H3 states that all new dwellings must comply with the nationally described space standards and be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable.

The application is supported by a table noting the space within each of the proposed apartments. All apartments exceed the minimum space standards. Each apartment would provide bedrooms that would be larger than the minimum nationally prescribed space standards, as do the proposed storage areas. The proposal this accords with the first criteria of PfE JP-H3.

In respect of the second requirements of Policy JP- H3 that requires all new dwellings to be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable. The applicant has provided a statement advising why it would be impracticable due to the upper floors nature of the development as this would not be achievable without causing irreversible harm to the historic and architectural integrity of the building due to the structural alterations that would be required to make the building Part M4(2) compliant and its surrounding conservation area due to the irreversible damage it would cause to both internal and external historic fabric.

Due to the developments setting within the conservation area and a number of Grade II listed buildings, the LPA is satisfied with the explanation and thus consider the requirements of Policy JP-H3 have been satisfied.

### **Impact on Conservation Area and the setting of Listed Buildings**

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of planning functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

In respect to Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Governance and Legal Director of English Heritage ('Legal Developments' Conservation Bulletin Issue 71: Winter 2013) states that the courts have said that these statutory requirements operate as 'a paramount consideration' and 'the first consideration for a decision maker'.

The application building sits within Bury Town Centre Conservation Area adjacent to a pair of listed buildings. The rear of the application building faces the rear of a row of grade II listed buildings which front on to Market Place and along Market Street. The Architect of Greater Manchester 1800-1940 journal indicates the building dates from 1898 and comprised four shops and fourteen sets of offices. The building is Neo-classical, using various features in that style including Ionic columns and rustication. It has a wooden painted fascia, cornice and parts of the late Victorian entrance detail survive.

The proposed external changes relate solely to the proposed replacement windows. The most visually important elevation of this building is its striking stone front facade, as described above. The existing windows are timber sliding sash and it is proposed to replace these with like for like replacements. Amended plans have been received specifying this for the avoidance of any doubt as the writing in the key was initially very vague.

The proposed replacement of a range of UPVC and old timber windows not associated with the principle elevation of the building with aluminium windows has been carefully considered to ensure minimal impact on the building's heritage significance.

By proposing aluminium windows that faithfully replicate the original design, the proposal aims to preserve the visual and historical integrity of Victoria Buildings while providing enhanced durability, acoustic and energy efficiency. This balanced approach ensures that Victoria Buildings remains a valuable and well-preserved part of Bury's architectural and historical landscape.

In respect of the proposed enclosure of the covered front entrance with a set of gates, the plans have been amended to set the gates slightly into the covered entrance area so the gates do not encroach in anyway onto the adopted highway, Silver Street. The design of the proposed gates has also been amended to secure a traditional style wrought iron gate(s). A condition is recommended to ensure the gate is wrought iron and painted black.

Turning to the rear of the building, the proposals initially sought to entirely infill a ground floor archway which provided access to the rear of the central part of the building. The glazing within the upper portion of the arch appears to have some historic significance and therefore the plans have been amended to preserve this.

The proposed development, as shown on the list of approved plans in the decision notice, will result in benefits to the host building and the vitality and vibrance of the Town Centre in which the building is set. Accordingly, subject to the recommended planning conditions, the proposed development would accord with the requirements of UDP Policy EN2/2 and Chapter 12 of the National Planning Policy Framework.

### **Carbon and Energy**

The applicant has provided a statement to detail how the proposed development would incorporate energy efficient measures which would include insulation installed internally to comply with the current Part L of the building regulations. This will also result in the added benefit of reduced heat loss from the upper floor residential units. Heating will be provided by energy efficient thermostatically controlled electric radiators with timer provision. All lighting will be from LED low energy lamps and fittings. In addition to the above, the building already benefits from an array of 8 x 2 solar panels which would continue to be utilised towards powering the building. In light of all of the above, the proposed development would comply with the requirements of PfE Policy JP-S2.

### **Digital Connectivity**

PfE Policy JP-C2: Digital Connectivity supports the provision of affordable, high quality, digital infrastructure. The purpose of the Digital Connectivity Policy is to establish guidelines for enhancing digital infrastructure, ensuring access to reliable and fast internet services, and promoting digital inclusion for all individuals and communities. This policy aims to bridge the digital divide, foster economic growth, and support the effective utilisation of technology across all sectors of society.

#### **1. Access to High-Speed Internet**

Goal: Ensure that all individuals have access to affordable, reliable, and high-speed internet services.

The applicant has confirmed within their submission that all the apartments will have access to ethernet port one of them will provide a Wi-Fi access point. So, each individual apartment will have secure Wi-Fi in each apartment. As such, the proposal would comply with PfE Policy JP-C2.

### **Planning Balance and Conclusion**

The National Planning Policy Framework (NPPF) is a material planning consideration in planning decisions and emphasises the Government's objective of significantly boosting the supply of homes. The Framework states that local planning authorities should identify and update annually a supply of specific deliverable sites to provide a minimum of five years' worth of housing, with either a 5% buffer to ensure choice and competition in the market for land, or a 20% buffer where there has been significant under delivery of housing over the previous three years. As set out in NPPF paragraph 78, the supply of housing must be assessed against the housing requirement set out in adopted strategic policies where these are less than five years old.

The Joint Places for Everyone Plan was adopted with effect from 21 March 2024 and sets the up-to-date housing requirement for Bury against which the deliverable supply of housing land must be assessed. PfE Policy JP-H1 'Scale, Distribution and Phasing of New Housing Development' sets the following stepped targets for Bury:

- 246 homes per year from 2022-2025;
- 452 homes per year from 2025-2030; then
- 520 homes per year from 2030-2039.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up of sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the deliverable land supply calculations as many sites will take longer than five years to come forward and be fully developed. The joint Places for Everyone Plan allocates significant strategic sites for housing within Bury and will accelerate housing delivery within the Borough to meet housing needs.

Following the adoption of the Places for Everyone Joint Development Plan, the Council is able to demonstrate a deliverable 5 year supply of housing land with a 20% buffer (as currently required in Bury due to past under delivery) when assessed against the adopted PFE housing requirement.

The National Planning Policy Framework also sets out the Housing Delivery Test (HDT), which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government (the 2023 measurement published on 12 December 2024) show that Bury MBC currently has a HDT result of less than 75%, and therefore the tilted balance for decision making applies.

Paragraph 11(d) of the National Planning Policy Framework (2024) states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

*i. The application of policies in the Framework that protect areas, or assets of particular importance, provide a strong reason for refusing the development proposed; or*

*ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

As a result of the latest published HDT result the 'tilted balance' applies and planning permission should be granted unless the above points Paragraph 11(d) i or ii apply. It is note worthy that Conservation Areas are considered to be assets of particular importance.

As explained within the contents of this report, there are no strong reasons to resist this application and the re-occupation of the building and replacement of the mix of windows on the rear and side elevations will result in benefits to the host building and the vitality and vibrance of the Town Centre in which the building is set. It is therefore recommended that the application be conditionally approved.

### **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.

**Recommendation:** Approve with Conditions

### **Conditions and Reasons:**

- 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 and documents:

Drawing no. FA-DR-03-201 Rev. P4: Proposed - Site Plan  
Drawing no. FA-DR-03-202 Rev. P2: Existing and Proposed - Basement Plan  
Drawing no. FA-DR-03-203 Rev. P3: Existing and Proposed - Ground Floor Plan  
Drawing no. FA-DR-03-208 Rev. P2: Proposed - First Floor Plan  
Drawing no. FA-DR-03-209 Rev. P2: Proposed - Second Floor Plan  
Drawing no. FA-DR-03-210 Rev. P2: Proposed - Third Floor Plan  
Drawing no. FA-DR-03-211 Rev. P2: Proposed - Roof Plan  
Drawing no. FA-DR-03-213 Rev. P3: Proposed - Elevations  
Drawing no. FA-DR-03-214 Rev. P2: Proposed - Window Details

Document ref. 17717 V2, Spratt + Hamer Noise Impact Report, dated 05/06/2024  
Document ref. 22674 Complete Sustainability Solutions Energy Statement, dated 18 October 2024  
Document ref. Crime Impact Statement v.1.0

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings and documents.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design in accordance with the policies contained within the of the Bury Unitary Development Plan, Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 3 The residential units hereby approved shall not be occupied unless and until the off-highway bin and cycle storage arrangements indicated on the approved plans listed in Condition no. 2 have been implemented and shall thereafter be maintained at all times to serve the development.

Reason. To ensure adequate provision for the storage and disposal of refuse and storage of cycles within the curtilage of the site, clear of the adopted highway pursuant to Policies H2/4 and EN1/2 of the Bury Unitary Development Plan, and Policy JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan.

- 4 The noise attenuation measures for each of the residential apartments, identified in Section 8 (Recommendations) of the Noise Assessment by Spratt and Hamer (report reference 12717 V2, dated 05 June 2024 shall be implemented in accordance with the details in the report before each of the apartments are first occupied. The duly implemented attenuation measures shall be retained as such thereafter.

Reason. To ensure the implementation of appropriate noise attenuation measures for the proposed dwellings in order to achieve satisfactory living conditions for future occupiers of the development in accordance with the requirements of Policy EN7/2: Noise Pollution of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 5 Prior to occupation of any of the residential apartments hereby approved, the approved timber sliding sash replacement windows to the front elevation of the building and aluminium replacement windows to the side and rear elevations of the building shall be installed and painted white.

Reason. In the interests of preserving the character and appearance of the principal elevation of the host building and in the interests of enhancing the character and appearance of the conservation area in which it is set, in accordance with the requirements of Policies EN2/1: Character of Conservation Areas and EN2/2:

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Conservation Area Control of the Bury Unitary Development Plan and the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- 6 Notwithstanding the approved plans listed within Condition 2, all external doors to the rear elevation of the building shall be in hardwood timber.

Reason. To ensure an appropriate door treatment and in order that all new and replacement doors are sympathetic to the character and appearance of the host building and Bury Town Centre conservation area in accordance with the requirements of Policies EN2/1: Character of Conservation Areas and EN2/2: Conservation Area Control of the Bury Unitary Development Plan and the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- 7 The new metal gates within the covered front entrance shall be constructed in accordance with the design details on the approved plan and be constructed in wrought iron and painted black, and retained as such in perpetuity.

Reason. To ensure the approved gates are sympathetic to the character and appearance of the host building and Bury Town Centre conservation area in accordance with the requirements of Policies EN2/1: Character of Conservation Areas and EN2/2: Conservation Area Control of the Bury Unitary Development Plan and the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), none of the flats hereby approved shall be used for any other purpose other than a Class C3(a) 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.

|                     |             |                         |             |
|---------------------|-------------|-------------------------|-------------|
| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
| CB - 14/02/2025     |             |                         |             |