

NOTICE OF PLANNING PERMISSION

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

To:

Mr Chris Astin
17 Newby Close
Burnley
BB11 4QU

PART 1 - Particulars of Application

Application Number: 69674

Date of Registration: 03/07/2023

Proposal:

Change of use of former shop/ living accommodation (Use Class E) to 2 no. flats including building up of shop front and formation of new window openings.

Location:

29 Bolton Road, Bury, BL8 2AB

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 the drawings location plan received 23rd May 2023, Proposed site and ground floor plan received 14th June 2023 , Existing and proposed floor plans and elevations received 3rd July 2023 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 The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
- 4 No development shall take place unless and until a scheme to soundproof the windows against traffic noise has been submitted to and approved in writing by the Local Planning Authority so as to achieve an internal level of L10 40dBA (18 hour)* and such works that form the approved scheme shall be completed before the relevant flats are brought into use.
Reason. To protect the amenity of the occupants of the premises once the

development hereby approved is occupied pursuant to Bury Unitary Development Plan Policies EN7/2 - Noise Pollution and Policy H2/4 - Conversions.

* The Noise Insulation Regulations 1975 as amended by the 1988 Regulations

- 5 No development shall take place unless and until a scheme to soundproof the rooms between the party walls of the takeaway business at 27 Bolton Road has been submitted to and approved by the Local Planning Authority. The levels of acoustic insulation to be provided shall be, as a minimum, those deemed to be acceptable and specified as standards of construction in current Building Regulations. Such works that form the approved scheme shall be completed before the development is brought into use.

Reason. To protect the amenity of the occupants of the premises once the development hereby approved is occupied pursuant to Bury Unitary Development Plan Policies EN7/2 - Noise Pollution and Policy H2/4 - Conversions.

- 6 The bin storage facilities indicated on the approved plans shall be implemented prior to the use hereby approved commencing and maintained thereafter.

Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway pursuant to Bury Unitary Development Plan Policy Policy H2/4 - Conversions.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. 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:

S1/4	S1/4 - Local Shopping Centres
H2/1	H2/1 - The Form of New Residential Development
H2/2	H2/2 - The Layout of New Residential Development
H1/2	H1/2 - Further Housing Development
H2/4	H2/4 - Conversions
HT2/4	HT2/4 - Car Parking and New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
EN1/2	EN1/2 - Townscape and Built Design
EN5/1	EN5/1 - New Development and Flood Risk
EN7/2	EN7/2 - Noise Pollution
EN7/3	EN7/3 - Water Pollution
EN7/5	EN7/5 - Waste Water Management
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
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:

location plan received 23rd May 2023, Proposed site and ground floor plan received 14th June 2023 , Existing and proposed floor plans and elevations received 3rd July 2023

NOTES TO APPLICANT

1. The applicant's attention is drawn to the fact that there should be no encroachment on to or under the public highway and details of the foundations for the proposed wall should be submitted for approval to the Department of Operations. The applicant's attention is drawn to the need to consult the Department of Operations regarding the specification for and implementation of the required highway works. The cost of the works will be the responsibility of the applicant.
2. The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Waste Management, Bradley Fold Depot on 0161 253 6621/7010, regarding the operation of this system.
3. The applicant's attention is drawn to the fact that the adopted highway should not be used for the storage of bins.
4. The applicant's attention is drawn to the requirements of Section 153 of the Highways Act 1980 which prohibits the opening of doors, gates or bars outwards onto the street.

Signed:



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On behalf of the Council

Date of Decision: 04/08/2023