

NOTICE OF PLANNING PERMISSION

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

To:

Mr Adam Mokhtar
Diogel Architecture
3 Connaught House
Riverside Business Park
Benarth Road
Conwy
LL32 8UB

On Behalf Of:

Javed
706 Walmersley Road
Bury
BL9 6RN

PART 1 - Particulars of Application

Application Number: 71181

Date of Registration: 01/11/2024

Proposal:

Change of Use from power
tools/lawnmower/gardening machinery
repairs and service (Class Sui Generis) to
Car Dealership (Class Sui Generis)

Location:

706 Walmersley Road, Bury, BL9 6RN

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 This decision relates to drawings -

Location plan 1310-02-01-01
Revised proposed site layout plan 1310-02-02-01 rev D
Revised proposed elevations 1310-02-04-02 rev C
Revised proposed floor plans 1310-02-03-01 rev B
Planning Statement Revision B dated 10/2/2025
PfE Policies Statement

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 and Places for Everyone Joint Development Plan listed.

- 2 The use hereby permitted shall not be open to customers outside the following times:
10am to 5pm Monday to Friday
11am to 4pm Saturday, Sunday, Bank Holiday.

Reason. To safeguard the amenities of the occupiers of nearby residential

accommodation pursuant to Policies EC4/1 - Small Businesses, S4/34 - Car Showrooms, Car Sales Areas and Petrol Filling Stations of the Bury Unitary Development Plan.

- 3 Notwithstanding the details indicated on the approved plans, within 28 days of the development hereby approved, full details of the following shall be submitted to and agreed with the Local Planning Authority:

1. Measures to control/sign the proposed entry and exit arrangements proposed, incorporating submission of proposed removable bollard details and confirmation of how their removal will be managed during the proposed car dealership's hours of operation, and all associated signage to control the entry and exit points shown.
2. Demarcation and allocation of the proposed customer and display vehicle parking spaces within the curtilage of the site and hatched entry and exit areas to be maintained clear of parked vehicles during the proposed car dealership's hours of operation, clear of the limits of the adopted highway.
3. Delivery Management Plan confirming the location of all off-site vehicle preparation facilities and vehicle delivery arrangements made by individual members of staff rather than commercial vehicles that cannot be accommodated within the curtilage of the application site, as stated in the supporting information.
4. Measures at the interface with the adopted highway to retain/rebuild the front boundary wall required to ensure the proposed display vehicles are maintained clear of the adjacent adopted highway.
5. Timetable for the implementation of the above details and Delivery Management Plan.

The details and Delivery Management Plan subsequently approved shall be implemented to the agreed timetable.

Reason. To ensure good highway design and to maintain the integrity of the adopted highway, minimise the potential for the adopted highways adjacent to the site be obstructed by delivery and parked vehicles and in the interests of highway safety pursuant to Policies EC4/1, S4/4, HT2/4, JP-C5 and JP-C8.

- 4 Subject to the provisions of Condition 3, the turning facilities within the curtilage of the site indicated on the approved plans shall be provided before the car parking facilities are brought into use and the areas used for the manoeuvring of vehicles including the hatched entry and exit points shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Policies S4/4, HT2/4, JP-C5, and JP-C8.

- 5 Subject to the provisions of Condition 3, the car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the use hereby approved commencing and thereafter maintained at all times.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 6 The site shall be used for the sale of motor vehicles only and shall not include the valeting or maintenance of any vehicles on the site.

Reason. To ensure the site operates so as not to cause activity or disturbances which would be harmful to the residential amenity of nearby occupiers or cause highway safety issues to and from the site or the local highway network pursuant to

Bury Unitary Development Plan Policies S4/4, EN7/2, JP-C5 and JP-C8.

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.

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:

NPPF	National Planning Policy Framework
EC4/1	EC4/1 - Small Businesses
EN1/2	EN1/2 - Townscape and Built Design
EN7/2	EN7/2 - Noise Pollution
HT2/1	HT2/1 - The Strategic Route Network
HT2/4	HT2/4 - Car Parking and New Development
S4/4	S4/4 - Car Showrooms, Car Sales Areas and Petrol Filling Stations
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-S2	Carbon and Energy

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 1310-02-01-01
Revised proposed site layout plan 1310-02-02-01 rev D
Revised proposed elevations 1310-02-04-02 rev C
Revised proposed floor plans 1310-02-03-01 rev B
Planning Statement Revision B dated 10/2/2025
PfE Policies Statement

NOTES TO APPLICANT

- . **INFORMATIVE** - The Control of Noise (Appeals) Regulations 1974, Section 60.
Control of Noise on Construction Sites

Works carried out in connection with the planning permission shall comply with the above regulations which require the following:

1. All works and ancillary operations which are audible at the boundary of the nearest house or noise receptor, or at such other place as may be agreed with the Council, shall be carried out only between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1400 on Saturdays and at no time on Sundays and Bank Holidays.
2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times.
3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturer's instructions.
4. Any emergency deviation from the above (1 - 3) shall be notified to Bury Council without delay.

Any contravention of these requirements will trigger the serving of a Notice under Section 60 of The Control of Noise Regulations 1974.

This planning permission / approval does not imply approval for any advertising matter in the development. This could require separate approval under the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

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>

Signed:



4 of 4

.....
On behalf of the Council

Date of Decision: 19/03/2025