

NOTICE OF PLANNING PERMISSION

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

To:

Mr Joseph Chelms
JCD Architecture & Planning
Suite 2
Park Gates
Prestwich
M25 0JW

On Behalf Of:

Mr Lee
Hello Property Group
C/O Nra Accountancy Arrow Mill
Queensway
Rochdale
Lancashire
OL11 2YW

PART 1 - Particulars of Application

Application Number: 72327

Date of Registration: 12/09/2025

Proposal:

Change of use from hot-food takeaway (Use Class Sui Generis) to part ground floor office (Use Class E) and part ground floor and all first floor 3 bedroom (single occupancy) House in Multiple Occupation (HMO) (Use Class C4)

Location:

263 Bury Old Road, Prestwich, Manchester, M25 1JA

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. A1.1 Rev. PL1: Existing Plans; and,
Drawing no. A1.2 Rev. PL7: Proposed Plans.

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

- 3 The sound insulation of the party wall(s) of the property shall be improved in accordance with Building Regulations Approved Document E (or similar method), the details of which shall be submitted to and approved by the Local Planning Authority and implemented to and approved in writing by the Local Planning Authority prior to the HMO use commencing.

Reason. To reduce nuisance from noise to the occupiers of the adjoining dwelling/ apartment, pursuant to Policy EN7/2: ' Noise Pollution' and H2/4: 'Conversions' of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 4 The bin store/ bike store indicated on approved plan A1.2 Revision PL7 shall be fitted with a roller shutter door or a similar approved type which does not project outwards at any time during or after operation to the satisfaction of the Local Planning Authority and shall thereafter be maintained.

Reason. To enable bins and bicycles to stand clear of the highway whilst the garage door is opened, in the interests of road safety and good design, pursuant to Policies EN1/2: Townscape and Built Design and HT6/1: Pedestrian and Cycle Movement of the Bury Unitary Development Plan and Policies JP-C6: 'Walking and Cycling' and JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan.

- 5 The roller shutter door to serve the bin store/ bike store indicated on approved plan A1.2 Revision PL7 shall be painted black in colour. No external roller shutter box shall be fitted on the building.

Reason. In the interests of visual amenity and securing good design, in accordance with Policy EN1/2: Townscape and Built Design of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 6 The refuse storage facilities and covered and secure cycle storage provision indicated on the approved plans 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 maintain adequate facilities for the storage of domestic waste, including recycling containers, and sufficient cycle storage provision is secured, in the interests of amenity and to promote modal shift and encourage travel to the site by more sustainable modes of transport in accordance with Policies JP-C6: 'Walking and Cycling' and JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan.

- 7 Notwithstanding the approved plan, prior to the use hereby approved commencing, the step serving the proposed 'new entrance door' in the side elevation indicated on approved plan A1.2 Revision PL7, shall incorporate a step constructed within the width of the gable wall and an inward opening door. This shall be implemented to the satisfaction of the Local Planning Authority in accordance with the detail shown on the Ground Floor Plan within Drawing A1.2 Rev. PL7 and thereafter maintained at all times.

Reason. In the interests of highway safety/ pedestrian safety and to maintain the integrity of the adopted highway, due to an inconsistency between the Floor Plan and Elevations, pursuant to Policy HT6/1 of the Bury Unitary Development Plan and

Policies JP-C1: An Integrated Network, JP-C5: Streets for All and JP-C6: Walking and Cycling of the Places for Everyone Joint Development Plan.

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:

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
EN7/2	EN7/2 - Noise Pollution
HT2/4	HT2/4 - Car Parking and New Development
EN7/2	EN7/2 - Noise Pollution
H1/2	H1/2 - Further Housing Development
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New 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-S1	Sustainable 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. 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>

Please include the application number within any correspondence. The application number is 72327.

2. The Control of Pollution Regulations 1974, Section 60. Control of Noise on Construction Site

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 Pollution Regulations 1974.

3. Section 153 and 179 of the Highways Act 1980

The applicant's attention is drawn to the requirements of Sections 153 and 178 of the Highways Act 1980 which prohibits the opening of doors, gates or bars outwards onto the street and which prohibits the construction of a step on the adjacent adopted highway.

4. The Council currently operate a curtilage system of refuse collection. The applicant is advised to liaise with Waste Management & Transport - Bradley Fold, on 0161 253 6621/7010, regarding the operation of this system.
5. The applicant's attention is drawn to the fact that the adopted highway should not be used for the storage of bins.

Signed:

A handwritten signature in black ink, appearing to read 'P. H. H.', written in a cursive style.

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On behalf of the Council

Date of Decision: 19/12/2025