

NOTICE OF PLANNING PERMISSION

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

To:

Dr Kanadi Jagafa
Mason and Marlowe Ltd
Colony
5 Piccadilly Place
Manchester
M1 3BR

On Behalf Of:

Mr Andy Taiwo
12 Bolton Street
Bury
BL9 0LQ

PART 1 - Particulars of Application

Application Number: 70545

Date of Registration: 01/03/2024

Proposal:

Change of use of ground floor shop (Class E) to sports bar with first floor offices (Sui Generis)

Location:

12 Bolton Street, Bury, BL9 0LQ

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 drawings numbered -
Red edge location plan received 23/2/24
Revised proposed site plan 12BR3
Revised proposed floor plans 12BR3
Revised proposed front and rear elevations 12BR3
Revised proposed left and right side elevations 12BR3
Noise Impact Assessment Report ref P6759-R2-V1, Version 1 dated 3 May 2024.
Carbon and Energy Statement and Digital connectivity statement in the Design, Access and Heritage 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 listed.
- 3 The internal bin storage facilities indicated on the approved plans shall be made available 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 Development Policies EC4/1 - Small Businesses and EN1/2 - Townscape and Built Design.

- 4 The development hereby approved shall be carried out in accordance with the recommendations in Section 5 of the Noise Report ref:P6759-R2-V1 dated 3rd May 2024 by NoiseAir and any subsequent requirements of Section 5 of the report.
Reason. To protect the amenity of adjacent occupiers pursuant to Policies EN7/2 Noise Pollution and EC4/1 - Small Businesses.

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
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
EN2/3	EN2/3 - Listed Buildings
S1/1	S1/1 - Shopping in Bury Town Centre
S2/3	S2/3 - Secondary Shopping Areas and Frontages
S2/6	S2/6 - Food and Drink
EN7/2	EN7/2 - Noise Pollution
JP-S2	Carbon and Energy
JP-S3	Heat and Energy Networks
JP-C2	Digital Connectivity

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:

Red edge location plan received 23/2/24

Revised proposed site plan 12BR3

Revised proposed floor plans 12BR3

Revised proposed front and rear elevations 12BR3

Revised proposed left and right side elevations 12BR3

Noise Impact Assessment Report ref P6759-R2-V1, Version 1 dated 3 May 2024.

Carbon and Energy Statement and Digital connectivity statement in the Design, Access and Heritage Statement

NOTES TO APPLICANT

- . This recommendation relates to the revised plan received by this section on 28 March 2024

- . 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 7010/6621, regarding the operation of this system.
- . The applicant's attention is drawn to the fact that the adopted highway should not be used for the storage of bins.
- . INFORMATIVE - The Control of Noise (Appeals) Regulations 1975, 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 1975.

Signed:



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On behalf of the Council

Date of Decision: 08/05/2024