

DELEGATED REPORT

Report by Charlotte Orrell	Date of report: 12/05/2026	Ref: 72811/FUL
Registration: 19/02/2026	LDFC: 31/03/2026	Expiry Date: 16/04/2026
Site Visit: 28/02/2026	Site Notice: 10/03/2026	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Installation of Car Collection Point Pod

Location: Matalan Car Park, Foundry Street, Bury, BL9 7AZ

Description

The application relates to a site sited off the south-east of George Street. The site is open into a car park to the north-east to the south-east and is bound by other car parks to the south/south-west. Towards the north and west is George Street.

The application is retrospective and relates to the installation of a car collection point pod. The pod is 4.8m by 3.2m and has a flat roof, a maximum height of 2.7m. It is green and white in colour, and features the We Buy Any Car logo.

The site is located within the car park of an existing commercial area. Parking at the site is predominantly off road, with large car parks characterising the area however there is also limited on street parking.

Relevant Planning History

03172/E - Conversion of existing building into 4 no. commercial units - Class E -
44707 - ALTERATION TO BIN STORE - Approve with Conditions 29/07/2005
53538 - A:1 No. internally illuminated wall sign.
B:1 No. internally illuminated totem sign. - Split Decision 08/03/2011
53774 - Non-material amendment following grant of planning permission 49672:
1. Additional pedestrian link into the site from Foundry Street
2. Changes to soft landscaping scheme to suit new layout - Approve 26/04/2011
53839 - 1 No. internally illuminated fascia sign; 4 No. non-illuminated poster frames; 2 No. colour window glazing vinyls and 1 no. non-illuminated deliveries sign - Approve with Conditions 17/05/2011
53937 - 1 no. internally illuminated totem sign - Approve with Conditions 27/06/2011
54002 - One internally illuminated fascia sign - Withdrawn by Applicant 24/05/2011
54036 - 3no. internally illuminated fascia signs; 1no. digitally printed vinyl graphic sign - Approve with Conditions 13/07/2011
56423 - 3 No. internally illuminated fascia signs; 1 No. non-illuminated fascia sign; 2 No. Internally illuminated graphic signs to existing totem sign - Approve with Conditions 16/09/2013
56432 - 3 No. internally illuminated fascia signs - Approve with Conditions 26/07/2013
64296 - Installation of new window opening to George Street elevation - Approve with Conditions 11/07/2019
25/0388 - - 12/02/2026

Publicity

4 neighbouring properties were consulted on 19/02/2026. A site notice was erected on 10/03/2026. No comments have been received.

Statutory/Non-Statutory Consultations

Traffic Section - requested the proposed site plan be amended to show the pod slightly moved clear of the Foundry Street Car Park boundary and hooped barriers. Also requested that thermoplastic markings were provided in order to provide the access to the pod door and protect pedestrians and customers. Due to the applicant not owning the land, they requested whether mobile barriers could be used instead which was considered acceptable.

Planning Policy Manager - no comments received

Pre-start Conditions - Not relevant

Development Plan and Policies

S3/1	New Retail Dev Opportunities Within or Adj Town Centres
SPD11	Parking Standards in Bury
EN1/2	Townscape and Built Design
PfE	Places for Everyone
NPPF	National Planning Policy Framework
SPD6	Supplementary Planning Document 6: Alterations & Extensions

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.

Visual Amenity

The pod is sited within the south-western corner of the existing car park serving Matalan to the north-west of Foundry Street. The area is commercial in nature, and is located within an area designated as Shopping Development.

The pod is modest in size, it is 3.2m wide and 4.8m in length with a maximum height of 2.7m. The pod is currently in use by the company We Buy Any Car, and so is coloured green and white together with branding for the company displayed.

Given the existing character of the area, and the site being located within a Shopping Development Area, it is not considered that the pod appears out of character and it represents a modest addition to the car park.

Given the above, the proposal complies with Policy EN1/2 of the UDP and therefore would be considered acceptable.

Residential Amenity

SPD6 provides guidance on aspect standards between developments and residential properties.

The proposed would not be sited nearby any residential uses, and therefore would not have an impact.

Parking

SPD 11 provides guidance on the parking standards for developments within the borough.

The pod is sited over 2 car parking spaces within the existing Matalan car park. The site is located within Zone 1, with Class E uses within this region requiring 1 space per 100sqm of floor space. Matalan which occupies the building this part of the car park serves is 2954.96sqm, equating to a parking provision of 29.5496 spaces.

The existing Matalan Car Park far exceeds this standard and so the loss of 2 car parking spaces will have limited impact in this instance.

Highways Impacts

Highways Officers were consulted and initially requested an updated site plan showing the pod clear of the Foundry Street Car Park boundary and hooped barriers. They also requested that thermoplastic markings were provided around the pedestrian access to the pod in order to protect pedestrians and customers.

Following discussion with the applicant, the applicant requested whether mobile barriers could be used instead of thermoplastic road markings due to the applicant not owning the site. This was considered acceptable.

The Highways Officers therefore had no objections subject to a condition, which has been acknowledged.

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 This decision relates to drawings numbered WBACSOGv1, WBACSOGv2, TQRQM26117131544587 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 pedestrian protection measures indicated on the approved plans shall be provided and implemented to the satisfaction of the Local Planning Authority prior to Car Collection Point Pod hereby approved being brought into use and thereafter maintained.
Reasons: In the interests of pedestrian safety and to comply with Policy JP-C5 of PfE.

<u>Case Officer</u> CO 12.05.2026	<u>Date</u>	<u>Sign off Officer</u> DM 19.05.2026	<u>Date</u>
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