

DELEGATED REPORT

Report by Helen Pressley	Date of report: 24/08/2026	Ref: 73353/FUL
Registration: 29/06/2026	LDFC: 07/08/2026	Expiry Date: 24/08/2026
Site Visit: 09/07/2026	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Retention of changes to shop front to create a floor to ceiling window and entrance door; retention of an existing external powder-coated steel security roller shutter to the front elevation.

Location: 309 Tottington Road, Bury, BL8 1SZ

Description

The application relates to an end terraced property located on the junction of Tottington Road and Goodlad Street. The ground floor of the premises is in Class E(a) - Display or retail sale of goods other than hot food.

Planning permission is sought for the retention of changes to shop front to create a floor to ceiling window and entrance door and retention of an existing external powder-coated steel security roller shutter to the front elevation. The existing security shutter housing is located approximately 2.3 metres above the highway. The site is located within a Local Shopping Centre as allocated under UDP Policy S1/4.

The application is retrospective.

Relevant Planning History

None

Publicity

Letters sent to neighbouring properties 29/06/2026

1 objection received in relation to:

- Advertisements and colour of shop out of character.

Following amendments to the description of development further neighbour letters sent 17/07/2026

No further representations received.

Statutory/Non-Statutory Consultations

Traffic Section - box should be sited 2.4 metres above highway.

Greater Manchester Police - designforsecurity - No response

Pre-start Conditions - Not relevant.

Development Plan and Policies

EN1/2 Townscape and Built Design
EN1/8 Shop Fronts

HT5/1	Access For Those with Special Needs
JP-P1	Sustainable Places
JP-C5	Streets For All
JP-C6	Walking and Cycling
S1/4	Local Shopping Centres
NPPF	National Planning Policy Framework

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

UDP Policy EN1/2 seeks to ensure that proposals do not have an adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements. PfE Policy JP-P1 Sustainable Places aims to promote a series of beautiful, healthy and varied places. UDP Policy EN1/8 further seeks to ensure that proposals for new and altered shop front properly respect the architectural elements of the building and the character of the surrounding street scene.

The existing timber cladding to the front has been retained, but painted from red to yellow.

The former window to the front elevation has been extended to pavement level, to provide floor to ceiling glazing and an access door to the unit. This provides a clear, and level entrance to the shop. An area of signage above the door and roller shutters have been retained.

The roller shutter proposed is a solid type which replicates the perforated and solid roller shutters that make up the frontages within the row. This would also replicate the style of the shutter that was previously in place at the shop.

It should be noted that the advertisements that are currently at the site do not have permission and additional advertisement consent may be needed for these elements should the applicant wish to retain them.

Given the surrounding properties, the previous shop front and roller shutter and the siting of the property within a Local Centre the proposal is considered to be acceptable.

Access

UDP Policy HT5/1 encourages the provision of satisfactory access for the mobility impaired and those with special needs. Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport.

The roller shutter housing would be located 2.3metres above the adopted highway/pavement. The Local Highway Authority would usually require this to be raised to 2.4 metres however the housing appears to be at the same height as the housing that was at the site prior to the introduction of the new shop front, and replicates the height of the roller shutter housing at the post office on the opposite side of the junction. Given that the deficit is 1000mm it is considered that this would not warrant refusal of the scheme on highway safety grounds.

A level access from the pavement, to the shop has been introduced. The doors to the shop open inwards preventing obstruction of the pavement.

Carbon and Energy and Digital Connectivity

PfE Policy JP-S2 sets out the steps required to achieve net zero carbon emissions.

Policy JP-C2 requires all new development to have full fibre to premises connections unless technically infeasible and / or unviable.

Given the nature of the proposal it is considered that these policies would not be applicable.

Response to representations

The impact of the proposal in terms of visual amenity have been assessed within the main body of the report.

The management of the shop would fall outside of Planning control.

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 the drawings received on 29th June 2026 and the Existing Front Elevation and Section A - A drawing received 11th August 2026 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	24/08/2026	HL	24/08/2026