

Bury Metropolitan Borough Council
Town Hall
Knowsley Street
Bury
BL9 0SW

5 September 2024

Dear Sir/Madam

APPLICATION FOR FULL PLANNING PERMISSION
9-13 VICTORIA BUILDINGS, SILVER STREET, BURY
PLANNING PORTAL REFERENCE: PP-13368307

Please find enclosed an application for full planning permission at the above address for:

Proposed change of use of upper floors from office use (Class B1(a)) to 14 no. flats (Class C3) including the replacement of the existing windows to all elevations

The application is submitted on behalf of Charlotte James Developments Limited and comprises the following documents:

- A completed application form
- Planning Statement (this letter) prepared by Focus Planning
- Design, Access and Heritage Statement prepared by Four Architects
- Noise Impact Report prepared by Spratt + Hamer
- Existing General Arrangements Plan
- Proposed General Arrangements Plan 1st floor
- Proposed General Arrangements Plan 2nd floor
- Proposed General Arrangements Plan 3rd floor
- Proposed General Arrangements Elevations
- S106 pro forma

Application fee has made via the Planning Portal.

SITE BACKGROUND AND HISTORY

The application site is located within Bury Town Centre, on Silver Street. It is a non-listed building within the Bury Town Centre Conservation Area. The building is therefore considered a non-designated heritage asset.

The building is in single ownership, bought in 2017 and is split over 4 floors, with a bar currently operating from the ground floor. The remaining floors have previously been in office use, occupied predominantly by Bury Carers, as well as an accountancy firm, laser clinic and property management agents. The building is of sandstone construction with timber windows to the front elevation. Traditional red brick is used to the side and rear.

Bury Carers vacated the building in 2019, with the remaining tenants vacating between 2019 and 2023. The building in its current use is no longer viable. The ground floor bar remains open and has undertaken a substantial refurbishment,

including soundproofing work and reopened in July 2023. The property management agents have occupied the refurbished shop since November 2023.

The building owner previously sought Prior Notification under Class O of the GPDO for the change of use from offices (B1) to residential (C3) to deliver 12 residential units. This was granted in August 2019 but never fully implemented, in part because of the Covid19 pandemic.

In December 2023, a further Prior Notification submission, under Class MA for the change of use from commercial, business and service (Use Class E) to dwellinghouses (Use Class C3). A separate full application was also made for the replacement of all windows. Following lengthy discussions with the officer, both applications were withdrawn.

THE PROPOSAL

This application seeks planning permission for a change of use for floors 1 to 3 from commercial, business and service (Use Class E) to dwellinghouses (Use Class C3) and replacement of all windows to the 1st, 2nd and 3rd floors.

The change of use will enable the delivery of 14 residential units, comprising a mix of one and two bed apartments. All the apartments meet the nationally described space standards and include a kitchen, dining and living area, as well as a separate shower room.

Externally, all the windows and doors are to be replaced. Timber sash windows are proposed on the Silver Street elevation, to match the existing on nearby buildings, with double glazing in line with the recommendations from the acoustic consultant. White aluminum, double glazed casement, mock sash windows are proposed to the side and rear elevations.

To provide sufficient ventilation to the new apartments, internal ducting work is required, which results in the need for the installation of external vents. Following discussions with the council, these will be positioned on the rear and side elevations to maintain the existing frontage of the building.

RELEVANT PLANNING POLICY

Local Planning Policy

This section summarises the key planning policies in the local development plan, and relevant guidance in the NPPF that is applicable to the proposal.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The statutory Development Plan for Bury comprises:

- Joint Places for Everyone (PfE) (March 2024)
- Bury Unitary Development Plan (UDP) (August 1997)
- Greater Manchester Minerals Plan
- The Greater Manchester Joint Waste DPD (2012).

Other policies, strategies and evidence base documents are also material and relevant, including the draft Bury Local Plan, Supplementary Planning Documents as well as other documents which form the evidence base to the Local Development Framework, particularly in relation to housing land supply.

Places for Everyone

The Joint Places for Everyone Development Plan Document was adopted by nine Greater Manchester local authorities, including Bury in March 2024. It identifies future needs for housing and employment floorspace, allocates strategy sites to help meet these needs and identifies a revised Green Belt boundary.

In terms of housing, the PfE identifies strategic housing allocations to meet Bury's future housing targets. There is a need to identify additional housing sites through the development plan, albeit limited with a focus on previously development brownfield sites within the existing urban area.

As a result, some of the retained policies within the Unitary Development Plan (UDP) were superseded. The policies within PfE of relevance to this proposal are detailed below.

Policy JP-H1 sets a requirement for an average of 452 homes per year over the plan period, with stepped targets starting from a minimum housing target of 246 homes per year from 2022-2025 (increasing in future years of the plan).

Policy JP-H2 seeks to significantly increase the supply of new housing.

JP-H3 seeks to provide an appropriate mix of dwelling types and sizes.

Policy JP-H4 requires new housing developments to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve the efficient use of land and high-quality design. It also sets a minimum density to be considered.

Bury Unitary Development Plan

The Unitary Development Plan was adopted in August 1997. In 2007, the Council had to decide which policies to save until such time that a new Local Plan was adopted. The Secretary of Statement agreed that all policies should be retained apart from policy OL7/1.

Following adoption of PfE, many of the saved policies have been superseded, of relevance to this development policies relating to existing industrial areas and premises (EC2), improvement of older industrial areas and premises (EC3), housing land provision (H1), housing environment and design (H2), housing need and new development (H4) and new development (HT4).

The general strategic direction of the UDP is to revitalise the sub regional economy, promoting urban regeneration, delivering new dwellings, ensuring Green Belt, open land and environmental quality and focusing shopping facilities within existing town centres, with a maintained transport system.

[Supplementary Planning Documents](#)

SPD 1: Open Space, Sport and Recreation Provision in New Housing Development (2015)

This SPD gives detailed guidance on the Council's approach to the provision and enhancement of open space, sport and recreation facilities as part of new housing developments. It provides advice on developer contributions towards the provision, enhancement and maintenance of open spaces in Bury.

Saved UDP Policy RT2/2 requires all proposal for new housing of 10 units or more to make provision for the recreational needs of the prospective residents. Smaller developments may by negotiation provide a one-off payment to the Council via a Section 106 agreement for the upgrading of an existing public open space or implementation of an outstanding recreation allocation in the nearby area.

SPD3: Planning Out Crime in New Development (2001)

SPD3 provides advice on measures which can be incorporated into the design of new developments to reduce the fear of crime and lessen future opportunities for crime in Bury. Measures include natural surveillance, designing for safety of people and the security of property and using defensible space.

For residential development, where appropriate, developing a mixture of housing types of any one site where possible and consider the grouping of houses. Providing definitive boundary treatments, avoiding landscaping that creates hiding places or obscures the house frontage.

It also advises on providing overlooked pedestrian routes, avoiding communal car parking where possible or make provision to incorporate security measures, ensuring rear gardens adjoin one another, with controlled access to the rear of properties from a frontage with a strong lockable gate, and avoiding deck access landings to properties.

SPD11: Parking Standards in Bury (2007)

The SPD expands upon the parking policies with the UDP and has 4 objectives:

- To ensure the level of car parking associated with development is appropriate, to support a reduction in reliance upon the private car
- To set specific standards for residential development in areas of high accessibility
- To encourage an integrated approach to specific land uses and transport networks by improving physical and social links between them
- To ensure that parking facilities are inclusive and cater for end users in a safe and non-threatening way.

Table 2 sets out the parking standards in Bury. It also identifies areas considered to be high or low access areas. Bury town centre is classed as a high access area.

National Planning Policy Framework

National planning policy is set out within the NPPF and was updated in December 2023. It is supplemented by the NPPG. The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable

development (paragraph 8), through the three overarching objectives of economic, social and environmental sustainability.

At the heart of the NPPF is the presumption in favour of sustainable development through both plan making and decision taking. Paragraph 11 explains that for decision taking, this means that proposals that accord with an up-to-date development plan should be approved without delay.

Section 5 of the NPPF focusses on housing growth. Paragraph 60 states that to support the Government's objective of significantly boosting the supply of homes, it is vital that the sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed.

Paragraph 61 stresses that housing delivery should be reflective of the housing needs of the community, including older people and people with disabilities.

Section 9 considers promoting sustainable transport. Paragraph 109 sets out that significant development should be focused in areas that are sustainable through limiting the need to travel and by offering a choice of transport modes.

Paragraph 191 notes that planning decisions should ensure that new development is appropriate for its location having consideration to the potential sensitivity of the site or wider area to impacts that could arise from the development.

At Paragraph 205 that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

At Paragraph 209, it states that the effects of an application on the significance of a non-designated heritage asset should be considered in determining the application. In weighing applications that directly or indirectly affect non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss to the significance of the heritage asset.

JUSTIFICATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The revised NPPF along with the NPPG and other supplementary and emerging policies are material considerations relevant to the determination of this application.

The proposal seeks to the reuse of an existing vacant building, within Bury town centre. It's use for residential has previously been accepted by the council through the grant of the prior approval in 2019. The use accords with the Bury Town Centre Master Plan which seeks to ensure a mix of uses to ensure a thriving town centre. The NPPF encourages the reuse and repurpose of existing buildings at paragraph 157. The principle of development should therefore be considered acceptable.

The proposed apartments all meet Nationally Described Space Standards. The apartments range in size from 39sqm to 55sqm. 10, one bedroom apartments and 4, two bedroom apartments are proposed, with a central circulation space, utilising the existing building core.

The site is highly sustainable, close to public transport hubs and within walking distance of local facilities. The proposal will deliver 6 cycle spaces internally within the basement of the building. No car parking provision is provided, given the highly sustainable location of the site. The proposal therefore accords with Paragraph 109 of the NPPF.

In addition, Bury Council currently cannot demonstrate a five year supply of housing and therefore the delivery of this development would provide a welcome contribution to the borough's housing supply in accordance with Policy H1 of the UDP. This should be weighed in the balance in favour of the application.

Heritage

Whilst not listed, the building does contribute to the appearance of the Bury Town Conservation Area, particularly the uniformity with the street scene. The external appearance of the building remains largely unchanged on the elevation on Silver Street. The proposed replacement windows are like for like sash timber to match the existing. There are substantial costs involved in renovating and maintaining a building of this nature within the conservation area, therefore aluminum windows are proposed on the side and rear elevations to ensure longevity as well as better thermal and acoustic performance for future residents.

Given that the appearance will largely be retained, particularly on the most significant elevation, the impact on the significance and setting of the conservation area will be less than significant. In accordance with Paragraph 208, the less than significant harm to the heritage asset (conservation area) and must therefore be weighed against public benefits of the proposal. The delivery of much needed residential dwellings is a considerable public benefit, as well as maintaining an existing building which contributes to the setting of the conservation area as a whole.

Noise

The application is accompanied by a noise impact report, which undertook an environmental noise survey to assess the impact from entertainment noise, nearby road, and other general noise within the vicinity on the future residents of the apartments. The NIA makes recommendations in relation to glazing for the bedrooms and living rooms. For ventilation, it is necessary for the building to be mechanically ventilated to ensure that acceptable noise levels are maintained. The proposal meets the requirements set out within the NPPF and is therefore acceptable.

Open Space

Based on the formula set out within Policy SPD1, the development requires a financial contribution of £21,867.30 towards off site open space provision. It is the applicant's intention to submit a viability appraisal to demonstrate that the scheme is not viable with such a significant contribution.

CONCLUSION

The proposed use is compatible with existing uses within the town centre and fully accords with national and local policy. The development reuses and repurposes an existing building, within the conservation area which is currently vacant and falling into disrepair. It will deliver 14 much needed additional homes to the Bury housing market, which is a significant public benefit that should be weighed against any perceived harm to the conservation area.

The proposal fully accords with local and national planning policy, and should be approved without delay.

I trust that this is all that you require, however should you need anything further, please do not hesitate to contact the agent for the application.

Yours faithfully

