

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 28/01/2026	Ref: 72666/ADV
Registration: 17/12/2025	LDFC: 27/01/2026	Expiry Date: 11/02/2026
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: ADVT

Proposal: Advertisement Consent for 2no. fascia signs and 1no. projecting sign (all internally illuminated)

Location: Site of former Car Time, Bell Lane, Bury, BL9 6BB

Description

The application relates to an existing car sales/showroom, Car Time which is located circa 300m to the east of Bury Town Centre. The site is located on the corner of Bell Lane which is a main route leading to the eastern part of the Borough and Bridge Street which is part of Freetown Employment Generating Area under UDP Policy EC2/1/5. The site lies within this EGA.

Planning permission was granted in March 2024 for the demolition of the existing car sales building and redevelopment of the site for a new petrol filling station (PFS) with an associated shop, a drive-thru unit and a food-to-go unit for 2 retailers (referred to by the applicant as a food-to-go pod).

This application seeks advertisement consent for 2no. fascia signs and 1 no. projecting sign (all internally illuminated).

The fascia signs would be located on the front and north elevations and would be 2.580mm x 600mm.

The projecting sign would be 700mm x 700mm and be attached to the front elevation. It would be set 2700mm from ground floor level.

The signs would depict the shop's logo.

Relevant Planning History

70253 - Demolition of existing car sales building and the redevelopment of the site for a new Petrol Filling Station with associated facilities alongside a drive thru unit and a detached block of 2no. food-to-go convenience pods - Approved 15/3/24

70945 - Variation of condition no. 2 (approved plans) of planning permission 70253: Reduction of the overall height of two retail units, removal of glazing to the north elevation (facing into the site), minor amends to the design of the curtain walling and glazing.

- Approve with Conditions 30/08/2024

72665 - Installation of 2 no. a/c units and extract grille to the rear of the building - current application

Publicity

n/a

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to a condition to control luminance of the signs.

Pre-start Conditions - Not relevant

Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
EN1/9	Advertisements

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.

Policy EN1/9 - Advertisements states that the Council will seek to control advertisements in the interests of amenity and public safety in order to enhance the quality of the Borough's environment.

Amenity

The proposed fascia signs would be located on the front and side elevations. The signs would be proportionate to the fascia and would not appear dominant on the frontage. Luminance levels would not exceed 300 cd/m² which is a common level of lighting for such signs.

The building would be located close to a main road and other commercial shops and businesses and as such the sign would be appropriate within the setting and the setting of the site for its redevelopment for a petrol filling station and retail/food outlets.

The proposed development is therefore considered acceptable and would comply with policy EN1/9.

Safety

The projecting sign would be set more than 2.4m above the footway and would not cause an obstruction or danger to pedestrians using this part of the footway or on entering the shop premises.

The signs would be internally illuminated but would be so positioned on the unit so as not to cause a significant or dangerous distraction to drivers travelling past the site.

The highway section have raised no objection subject to a condition to control luminance levels.

The proposed development would therefore comply with policy EN1/9.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. 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 -
RPEN/S6773/12 rev DR - Location plan
RPEN/S6773/11 rev DR - Existing and proposed plans
RPEN/S6773/13 rev DR - Existing and proposed elevations
RPEN/S6773/14 rev DR - Proposed elevations
RPEN/S6773/15 rev DR- Existing and proposed sections

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 luminance of the signs shall not exceed 300cd/m² each.
Reason. To avoid undue distraction to traffic in the interests of road safety and to protect the amenity of adjoining occupiers pursuant to policies EN1/4 - Street

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Furniture, EN1/7 - Throughroutes and Gateways and EN1/9 - Advertisements.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT 28/1/26		DM 29/01/2026	