

DELEGATED REPORT

Report by Tom Beirne	Date of report: 16/12/2025	Ref: 72445/FUL
Registration: 03/11/2025	LDfC: 05/12/2025	Expiry Date: 29/12/2025
Site Visit: 09/12/2025	Site Notice: N/A	Press Date: 13/11/2025
Objections: 0	Con Area: BURY	Adv Type: LBCA
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: External alterations to building facade comprising of replacement windows and panels, alterations to existing access, new doorway to bin store and creation of upper floor private garden spaces to utilise existing balcony

Location: Lester House, 21 Broad Street, Bury, BL9 0AW

Description

The application relates to a former office building, above ground floor shops, recently granted a prior approval permission for the conversion to 28 residential apartments. Located at the junctions of Market Street and Broad Street within Bury town centre. The surrounding area comprises a mix of commercial and residential properties. The building is not listed and but lies within Bury Town Centre Conservation Area.

This application seeks approval for external alterations to building facade comprising of replacement windows and panelling (grey). It also includes

- Modified entrances at the Broad Street/Back Market Street junction with new full height recessed glazing behind external metal fins and metal cladding;
- Extension of the existing ramp wall to match existing;
- Installation of a new basement extract duct;
- New external service riser
- New window openings on rear elevation for smoke ventilation
- New window/door to front elevation for access to roof terrace on corner of Broad Street and Back Market Street.
- Conversion of existing upper floor balcony/flat roof space to provide 8 roof terraces with privacy screens, protective barrier and full height glazing and doors.
- Infill of a redundant ground floor rear door opening.
- New entrance with louvre doors to refuse store.
- Alterations to existing access, new doorway to bin store and creation of upper floor private garden spaces to utilise existing balcony

Relevant Planning History

52736 - Erection of plant room on roof; New access ramp and alterations to existing entrance; Renovation of external facade - Approve with Conditions 02/08/2010

72135 - Prior approval for proposed change of use from offices (Class E) to 28 no. flats (Class C3) at part of first floor and second, third, fourth floors - Prior Approval Required and Granted 15/08/2025

Publicity

Immediate neighbours notified by letter dated 06/11/2025. No objections received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection received.

Environmental Health - No objection received.

Pre-start Conditions - N/A

Development Plan and Policies

EN1/2	Townscape and Built Design
Area	Townside/Market Street
BY7	
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
JP-P1	Sustainable Places
JP-P2	Heritage
JP-S2	Carbon and Energy
JP-S1	Sustainable Development
NPPF	National Planning Policy Framework
H5	Housing Improvement

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.

Need - The proposed works are required to upgrade and modernise the current building and to improve its appearance within the streetscape. The works include measures to improve the building's sustainability and energy efficiency in line with government policy and guidance.

Visual amenity, Heritage and Streetscape - The current building appears rather tired and does not have particularly high amenity value within the streetscape of the conservation area. The proposed alterations, following a recent approval to convert the upper floor to apartments, are relatively modest in scale and represent an updating and improvement to the current building facade. Most of the alterations would impact on the side and rear elevations with minor alterations to the pedestrian entrance on the front.

The materials to be used are not out of keeping and would appear appropriate to the existing building. The development will make a positive contribution to the local character and townscape, as well as improve energy efficiency through the use of renewable technologies and sustainable design measures. The proposal in terms of general appearance and streetscape would be acceptable and comply with UDP Policies EN1/2 Townscape and Built Design. In relation to heritage, the character of the conservation area would be maintained and as such the proposal would be acceptable in terms of heritage and complies with the NPPF , Places for Everyone and UDP Policies EN2/1 and EN2/2.

Residential amenity - The proposal represents an upgrade to the building and an improvement to its sustainability and energy efficiency. With privacy screens to the balcony areas, there are no serious overlooking issues arising. In terms of residential amenity, the proposal is acceptable and complies with UDP Policy and guidance.

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 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:
Dwg 0862-P.3A-xx-xx-DR-A-05021 P02
Dwg 0862-P.3A-xx-xx-DR-A-05123 P02,

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Dwg 0862-P.3A-xx-xx-DR-A-05122 P02,
Dwg 0862-P.3A-xx-xx-DR-A-05121 P02
Dwg 0862-P.3A-xx-xx-DR-A-05402 P01
Dwg 0862-P.3A-xx-xx-DR-A-05401 P01
Dwg 0862-P.3A-xx-xx-DR-A-05011 P01
Dwg 0862-P.3A-xx-xx-DR-A-05101 P01
Dwg 0862-P.3A-xx-xx-DR-A-05102 P01
Dwg 0862-P.3A-xx-xx-DR-A-05103 P01
Dwg 0862-P.3A-xx-xx-DR-A-05104 P01
Dwg 0862-P.3A-xx-xx-DR-A-05105 P01
Dwg 0862-P.3A-xx-xx-DR-A-05106 P01
Dwg 0862-P.3A-xx-xx-DR-A-05107 P01
Dwg 0862-P.3A-xx-xx-DR-A-05311 P01
Dwg 0862-P.3A-xx-xx-DR-A-05312 P01
Dwg 0862-P.3A-xx-xx-DR-A-05126 P02
Dwg 0862-P.3A-xx-xx-DR-A-05125 P02
Dwg 0862-P.3A-xx-xx-DR-A-05124 P02
Dwg 0862-P.3A-xx-xx-DR-A-05321 P03
Dwg 0862-P.3A-xx-xx-DR-A-05322 P03

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>
Tom Beirne	16/12/2025	DM	17/12/2025