

DELEGATED REPORT

Report by Claire Booth	Date of report: 17/11/2025	Ref: 72402/FUL
Registration: 22/09/2025	LDfC: 28/10/2025	Expiry Date: 17/11/2025
Site Visit: 23/10/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: PI
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIOT

Proposal: Reconfiguration of shopfront to include new access door and refurbish existing doors and windows

Location: McDonalds Restaurant Park, Little 66, Bury, BL9 8RS

Description

The application site relates to the McDonalds site at Pilsworth, across from Asda. It is accessed from Roach Bank Road, via Little 66.

It is located within an Employment Generating Area (Pilsworth), as defined within the adopted Development Plan.

Planning permission is sought for the reconfiguration of the shopfront, in order to include a new access door on the western elevation and the change of colour of the existing windows and doors from Khaki Green to Grey (RAL 7022).

The description of development has been amended to remove 'associated works to car park'. The works to the car park relate to the re-marking of parking bays and for replacement signage, which do not need planning permission.

Also noted, is the submitted plans indicate replacement signage is proposed, under deemed consent and therefore the adverts referenced on the submitted plans are not taken into account in the assessment of this proposal.

Relevant Planning History

52759 - 4 no. internally illuminated fascia signs; 6 internally illuminated free standing signs; 4 non illuminated free standing signs - Approved with conditions - 22/07/2010

52760 - External alterations to building; alterations to landscaping; extension of patio; installation of new fencing and patio furniture. Approved with conditions - 22/07/2010

56820 - Reconfigured drive thru layout, pay window, canopies and associated works
- Approved with Conditions, 12/12/2013

56821 - Various internally illuminated and non-illuminated signage around the site
- Approve with Conditions, 12/12/2013

57007 - Relocation of existing freestanding sign on 10 metre pole (resubmission). Approved with conditions - 10/01/2014

57232 - Non-material amendment following grant of planning permission ref. 56820 for reconfigured drive thru layout, pay window, canopies and associated works; relocation of the retaining wall and a reduction to the new signage island. Approved with conditions - 18/02/2014

60922 - Alterations to elevations to include the installation of a new "Folded Roof" concept, comprising of aluminium cladding to the roof and the construction of extensions totalling 27.3sqm and the installation of an additional drive thru booth. The reconfiguration and extension to the corral to accommodate a new freezer /chiller. Alterations to the external seating incorporating new furniture and layout and retractable awnings over the seating area and associated works. Approved with conditions - 27/01/2017

60923 - Relocation of 4 no. existing fascia signs and the installation of 3 no. new fascia signs and 2 no. non-illuminated logo signs to awnings. Approved with conditions - 27/01/2017

65013 - Installation of 4 no. new digital freestanding signs and 1 no. 15" digital booth screen. Approved with conditions - 04/02/2020

Publicity

The neighbouring properties were notified by means of a letter on 7 October 2025. Site Notice erected 23/10/2025.

No representations received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections.

Pre-start Conditions - Not applicable.

Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/7	Throughroutes and Gateways
JP-P1	Sustainable Places
JP-S2	Carbon and Energy
JP-C2	Digital Connectivity
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 - The proposal involves the addition of a door in the existing window on the western elevation. The proposed amendment would not impact upon the overall design of the building and would allow for better pedestrian access to the car park. The colour of the windows would be changed from khaki green to grey, which would match the office building opposite. Therefore, the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan and Policy JP-P1 of the Places for Everyone Joint Development Plan.

Residential Amenity - No issues arising as there are no residential properties in the vicinity of the application site.

Parking and Highway Safety - The proposed amendments to the doors and windows would not increase the number of visitors to the site. Accordingly, the Traffic Section has no objections to the proposals. Therefore, the proposed development would not be detrimental to highway or pedestrian safety and would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan.

Carbon and energy - The agent has confirmed that the proposed works would comply with Part L of the Building Regulations. Given the minor nature of the works, it is considered that this would be acceptable and the proposed development would comply with Policy JP-S2 of the Places for Everyone Joint Development Plan.

Digital connectivity - The agent has confirmed that the existing restaurant has full fibre connectivity and as such, the proposed development would be in accordance with Policy JP-C2 of the Places for Everyone Joint Development Plan.

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

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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 permission relates to the following plans:

Drawing no. 14519_AEW_0946_0001: Location Plan;
Drawing no. 14519_AEW_0946_0002: Block Plan;
Drawing no. 14519_AEW_0946_0004: Proposed Site Plan; and,
Drawing no. 14519_AEW_0946_0005: Proposed Building Elevations.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Development Plan, Places for Everyone Joint Development Plan and Planning Policy Framework.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB - 17/11/2025		HL - 17/11/2025	