

DELEGATED REPORT

Report by Tom Beirne	Date of report: 17/06/2026	Ref: 73141/FUL
Registration: 14/05/2026	LDfC: 15/06/2026	Expiry Date: 09/07/2026
Site Visit: 16/06/2026	Site Notice: N/A	Press Date: 21/05/2026
Objections: 0	Con Area: BURY	Adv Type: CA
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: COUS

Proposal: Change of use of part of ground, first and second floors from Class E (Offices) to Class F1(a) (Provision of education).

Location: 13-15 Broad Street, Bury, BL9 0DA

Description

The application relates to a three storey terraced commercial property within Bury Town Centre/ Conservation Area. The property is currently in use for education purposes. Properties either side are in commercial use.

The educational use of the building was approved in 2018 (ref: 62839). At that time, part of the ground, first and second floor were left for use as offices. The success of the educational provision has meant that the applicant have since expanded to use the former office areas.

This proposal now seeks retrospective approval to change the use of the offices to educational use. The car parking provision (8 spaces) at the rear would be as previously approved

There would be a maximum of 45 students and 10 staff (formerly 35 students and 6 staff). Opening hours would be 7am - 6pm with students attending between 9am - 2.30pm.

Relevant Planning History

62839 - Change of Use to Education facility- Approved 05/07/2018.

Publicity

Immediate neighbours notified by letter dated 15/05/2026. Site and press notices in posted. No objections received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection.
Traffic Section - No objection received.
Waste Management - No objection received.
Planning Policy Manager - No objection received.

Pre-start Conditions - N/A

Development Plan and Policies

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN1/2	Townscape and Built Design
CF2	Education Land and Buildings
TC3	Bury Town Centre

HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
NPPF	National Planning Policy Framework
JP-P5	Education, Skills and Knowledge
JP-P1	Sustainable Places

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 - The principle of the educational use of the building has been established by the previous approval in 2018. The NPPF and the Joint Development Plan - Places for Everyone supports the educational use within the town centre site. The following UDP Policies are also relevant.#

UDP Policy CF2 Education land and buildings states that, where appropriate proposals for the provision of educational facilities will considered favourably.

As the site is within the Town Centre Conservation Area, policies EN2/1 and EN2/2 are considered relevant. These state that only proposals that preserve or enhance the character of the conservation area should be allowed.

Policy S2/3 Secondary Shopping Areas and Frontages indicates that the Council should seek to retain retailing as the predominant land use at ground floor level.

Education - The proposal is for the extended educational facilities within the town centre site is supported and complies with UDP Policy CF2.

Shopping - The area is not a prime shopping area but a secondary area characterised by a mix of retail and non-retail uses. The proposed use is acceptable in respect of Town Centre and policies.

Visual Amenity and Character of Conservation Area - The application does not involve any material external alterations. As such the proposed change of use is considered to be acceptable in relation to townscape and the conservation area and would comply with UDP Policies EN1/2, EN2/1 and EN2/2.

Parking - There are eight shared parking spaces at the rear of the premises and the town centre site is extremely sustainable. The proposal is acceptable and complies with Policy HT2/4 Car Parking and New Development and SPD 11 Parking Standards in Bury.

Disabled Access - There is an existing level access and disabled toilet facilities at the ground floor. This complies with policy HT5/1 Access for those with Special Needs.

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 recieved 14/05/2026 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.

DELEGATED REPORT

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	17/06/2026	DM 16.06.26	