

DELEGATED REPORT

Report by Claire Booth	Date of report: 08/04/2026	Ref: 72747/LBC
Registration: 16/02/2026	LDFC: 10/03/2026	Expiry Date: 13/04/2026
Site Visit:	Site Notice: 02/04/2026	Press Date: 26/02/2026
Objections: 0	Con Area: BURY	Adv Type: LBCA
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: LBAL

Proposal: Listed building consent for a fabricated safety walkway and external staircase including alteration to existing window to form doorway

Location: Two Tubs Inn, 19 The Wylde, Bury, BL9 0LA

Description

This application relates to the Two Tubs Public House, formerly the Globe Inn, located on the junction of Castle Street and The Wylde. The Public House is a Grade II listed building located within Bury Town Centre Conservation Area. To its front/ east is the Grade I listed building, St Mary's Parish Church. To its rear/ west is Castle Armoury, a Grade II listed building. A Grade II* War Memorial exists to the south-east of the property and further to its south is a Grade II listed statue of Sir Robert Peel.

The listed building has 19th century render on 18th century brick cladding to a partial or complete timber frame, possibly dating from the 17th century or earlier. It is two storey original building, with a single storey 20th century courtyard infill development at the rear. Its frontage has three sash windows (lower left-hand a double width pair). The central doorway is framed by early C19 canopy on slender Ionic columns to right of paired window, backing on chimney. Two small sliding sash windows in left gable. It has a stone slab roof and tall chimney stacks including gable ones. The property has a beer garden area to its northern gable which contains pub tables and umbrellas. From this beer garden the side area a rear flat roof extension

Listed building consent is sought for the alteration of a first floor window located at the top of the internal staircase to form a doorway and for the installation of a fabricated safety walkway over the existing flat roof extension and for an external staircase on the north facing elevation of the Public House. The proposed development is to provide an over roof means of escape in case of fire. The requirement has been identified by the Applicants' estate survey showing a need for an alternative means of escape for the occupants of the public house who occupy as living space the first floor.

The development consists of the replacement and opening up of a non-historic window opening on the rear elevation of the listed building at the first floor with a thirty minute fire door, a mild steel door exit landing plate, 1200mm x 1200mm, a single key clamp handrail to the right of the exit plate 1100mm high with a length of 1200mm, a mild steel walkway north along the single storey flat roof to the north elevation terminating at a caged drop down ladder with pin action constructed from galvanised steel.

The reason for the proposals follows an internal fire safety audit carried out by Thwaites, the brewery who own the Two Tubs P.H, on their estate. The existing situation, with no escape other than through the ground floor of the Public House, presents a significant risk to the safety of the existing occupants (Landlord/ Landlady).

A separate application, no. 72746, seeks planning permission for the above-mentioned

proposals.

Relevant Planning History

47715 - PROPOSED SMOKING CANOPY CONSISTING OF 4 UMBRELLAS - Approve with Conditions, 23/05/2007

56627 - 6 No. non-illuminated fascia signs and 4 no. internally illuminated fascia signs; 2 No. externally illuminated projecting signs; 2 No. menu displays and 4 no. lanterns - Approved with Conditions, 10/10/2013

56682 - Listed building consent for replacement signage/lighting - Approved with Conditions, 10/10/2013

57877 - Listed Building Consent for render repairs / re-rendering - Approved with Conditions, 11/09/2014

60175 - Relocation of gravestones from north & east of church to areas to north & south of church; Provision of seating area including relocation of sundial; Re-surfacing to north & east of church - Withdrawn by Applicant, 20/07/2016

72746 - Installation of a fabricated safety walkway and external staircase; Alteration to existing window to form doorway - Recommended for approval subject to conditions.

Publicity

Due to the application being a Grade II listed building located within Bury Town Centre Conservation Area and the setting of the Grade I listed St Mary's Parish Church this application has been publicised both in the Bury Times and by Site Notices erected on street poles located at either end of the front elevation of the Public House.

Press Notice Published - 26/02/2026

Site Notices Published - 20/02/2026

No representations have been received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objections, subject to a condition requiring the door, handrails and escape ladder are painted black.

Listed Buildings - National Amenity Societies - No comments or observations received.

Pre-start Conditions - Not relevant.

Development Plan and Policies

EN2/3	Listed Buildings
JP-P2	Heritage
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guide

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.

The first consideration in the assessment of this application is the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66(1) of the Act states that in considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

PfE Policy JP-P2: Heritage states: "We will proactively manage and work with partners to positively conserve, sustain and enhance our historic environment and heritage assets and their settings. Opportunities will be pursued to aid the promotion, enjoyment, understanding and interpretation of heritage assets, as a means of maximising wider public benefits and reinforcing Greater Manchester's distinct character, identity and sense of place."

UDP EN2/3 states the Council will actively safeguard the character and setting of Listed Buildings by not permitting works, alterations or changes of use which would have a

detrimental effect on their historical or architectural character and features. Proposals for demolition will be opposed and will only be considered where it is demonstrated conclusively that the building(s) cannot be retained. In considering applications for Listed Building Consent, the Council will have regard to the following criteria: a) the impact of the proposal on the historic fabric of the building;

- the impact of the proposal on the historic fabric of the building;
- the relationship of any extension to the Listed Building in terms of its height, size, design, and roofscape;
- the need to protect the setting of the Listed Building;
- the impact of associated ancillary facilities and infrastructure work.

Paragraph 202 of the National Planning Policy Framework (NPPF) states that heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 210 of the NPPF states in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 212 of the NPPF states 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 213 of the NPPF states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 214 states where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 215 of the NPPF 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.

The submitted heritage assessment and statement of significance has identified which parts of the building are historic and what significance in its current much altered state, the building possesses.

The proposed development would not involve harm, alteration or loss of historic fabric and would be reversible. As such the proposed development would be neutral in its impact and as such acceptable.

The proposal also represents a reversible development that would promote the longevity the building in a use compatible with its conservation for future generations.

It is recommended the proposed door shall be externally painted black as shall all the visible external metalwork for the ladder and handrail. A condition is recommended to secure this.

Subject to the above-mentioned condition being imposed on any subsequent decision notice, it is recommended that listed building consent is granted for the proposed alterations and additions.

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 the expiration of three years beginning with the date of this permission.
Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 The works hereby permitted shall be carried out only in accordance with the following approved plans and associated documents:

- Drawing Ref. 2272/03: Location Plan;
- Drawing no. 2272/01: Existing Floor Plans & Elevations;
- Drawing no. 2272/02: Proposed Floor Plans & Elevations; and,
- Document Reference: 2717 - HIA: Dickinson Waugh Conservation, Heritage Statement and Impact Assessment, dated December 2025;

The development shall not be carried out except in accordance with the drawings and documents hereby approved.

Reason. For the avoidance of doubt, to ensure that the works take the agreed form envisaged by the Local Planning Authority when determining the application and to ensure the works preserve the special architectural and historic interest of the listed building.

3 The key clamp handrail, escape ladder and new door hereby approved shall all be painted black and shall be maintained as such thereafter.

DELEGATED REPORT

Reason. To ensure an appropriate finish which is sympathetic to the character and appearance of the listed building and its surroundings in accordance with the requirements of Policies EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control and EN2/3 - Listed Buildings of the Bury Unitary Development Plan, Policy JP-P2: Heritage of the Greater Manchester Places for Everyone Joint Development Plan and the National Planning Policy Framework.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB	8/4/26	DM	8/4/26