

DELEGATED REPORT

Report by Claire Booth	Date of report: 08/10/2026	Ref: 73185/FUL
Registration: 23/06/2026	LDfC: 31/07/2026	Expiry Date: 18/08/2026
Site Visit:	Site Notice: 15/07/2026	Press Date: 09/07/2026
Objections: 0	Con Area: BURY	Adv Type: CA
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIDW

Proposal: Conversion of 1st/2nd/3rd floors of 8 Silver Street from commercial (Class E) to 5 no. flats (Class C3) and 1st/2nd floors of 12 Silver Street to 4 no. flats (Class C3) with change of use of 8a Silver Street rear ground floor from shop (Class E) to associated bin/bike store; External alterations to rear elevation

Location: 8, 8a & 12 Silver Street, Bury, BL9 0EX

Description

The application site relates to Nos. 8, 8A and 10 - 12 Silver Street, which are located within the Bury Conservation Area on the corner of Parks Yard. It backs on to Back Silver Street. The site is adjacent to and opposite other buildings in Town Centre uses.

No 8 Silver Street is currently utilised as a barbers (Class E), No. 8A, accessed from Parks Yard, is currently empty but was last used as a sandwich shop (Class E). Nos 10 - 12 Silver Street relate to the same unit and has been in use as a bar since 2008 (Sui Generis) with a Hairdressers (Class E) operating at first floor.

Planning permission is sought for the conversion of the 1st, 2nd and 3rd floors of 8 Silver Street from commercial (Class E) use to 5 no. flats (Class C3) and to convert the 1st and 2nd floors of 12 Silver Street to 4 no. flats/ apartments (Use Class C3) with the change of use of 8a Silver Street rear ground floor from shop (Use Class E) to associated bin/bike store to serve the apartments. Permission is also sought for external alterations to the rear elevation to both remove the rear external escape staircase, and within the space to provide a proposed bin store.

Relevant Planning History

72693 - Prior approval for change of use of first, second and third floor from Class E to 9 no. apartments (Class C3) - Prior Approval Required and Refused, 18/02/2026

72980 - Prior approval for change of use of from Use Class E to create 8 no. apartments (Use Class C3) - Refused, 16/04/2026

Publicity

Neighbours notified: 02/07/2026

Site Notice erected: 15/07/2026

Press Notice Published: 09/02/2026

No representations have been received throughout the course of this application.

Statutory/Non-Statutory Consultations

Traffic Section - Recommends that the application be refused for the same reasons given under application 72693.

Environmental Health - Pollution Control - No objections, subject to the noise mitigation

measures being secured by planning condition.

Conservation Officer - No objections.

Waste Management - Requested 4 x 1100 litre bins and for these to be stored within the building and not on the public highway.

Housing - Public Protection - No comments or observations received.

Planning & Building Regs consultation Fire Protection Dept Bury Fire Station (Part B)
- No comments or observations.

Greater Manchester Police - design for security - Recommends secure by design measures be installed

Greater Manchester Ecology Unit - Initially raised concerns. On receipt of a Bat Survey, they have raised no objections.

Pre-start Conditions - Not relevant.

Development Plan and Policies

S1/1	Shopping in Bury Town Centre
EN2/1	Character of Conservation Areas
EN2	Conservation and Listed Buildings
EN2/2	Conservation Area Control
TC2/1	Upper Floors
TC1	Town Centres
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN7/2	Noise Pollution
JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-P1	Sustainable Places
JP-P2	Heritage
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C8	Transport Requirements of New Development
JP-Strat1	Main Town Centres
2	
SPD11	Parking Standards in Bury
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.

Principle of Development

The application site is within Bury Town Centre within the Main Shopping Area of Bury Town Centre, as allocated within the adopted Development Plan, under UDP S1/1: 'Shopping in Bury Town Centre'. This policy seeks to protect, maintain and enhance the role of Bury Town Centre as a sub-regional shopping centre and promote the centre as a focal point for further development.

The existing ground floor uses; the drinking establishment and vacant Class E unit will remain. The proposal would result in the loss of one Class E unit which is accessed from Parks yard/ the side elevation of the building. However, Park's yard is not allocated as a main shopping street within the adopted development plan and those the loss of this vacant unit would not cause demonstrable harm to the vibrancy and vitality of Bury Town Centre.

The proposal would also comply with town centre policies UDP TC/1: Upper Floors in promoting the sustainable and viable occupation of upper floors in Town Centres.

Due to the town centre location of the application, any future residential occupiers of the upper floors, would have easy access to both Bury Tram and Bus Stations and would be

within walking distance of employment, shops, leisure, healthcare as well as public transport. It is therefore a suitable location for residential uses. On this basis, the principle of development is acceptable.

Density of Development

The application site is located within Bury Town Centre. In this location PfE Policy JP-H4: Density of Development, in Bury Town Centre at least 120 dwellings per hectare are required.

The floor area of the overall building has not been provided, however, notwithstanding this, the size of each of the proposed apartments utilises the space in the building effectively, providing well sized apartments which are slightly larger than the sizes set out in the nationally prescribed space standards. However, the proposed apartments are not demonstrably over-sized and therefore, the upper floors of the building would be utilised to their full potential. On this basis, the proposal seeks to make the most of the building and for this reason, the proposal accords with the requirements of PfE Policy JP-H4.

Site's location within the Conservation Area

The application site is within Bury Town Centre conservation area. The conservation area is on the Historic England Heritage at Risk Register.

Part of this assessment of risk is caused by inappropriate alterations to buildings, including, amongst other things, inappropriate replacement windows.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states: In the exercise, with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The Noise Assessment recommends secondary double glazing be installed at the site, which would allow the original windows to be retained which is an important consideration when assessing applications within the Conservation Area. The inclusion of secondary glazing would cause no harm to the character and appearance of the building or the conservation area in which the site is located.

No material changes are proposed to the external elevations with the exception of the removal of the existing rear escape staircase. This change is considered to be an enhancement to the character and appearance of the conservation area as the rear elevation of the rear elevation will be revealed.

Whilst the submitted details do not indicate any replacement windows, given the Conservation Area is on the Historic England Heritage at Risk register, a planning condition is considered necessary to ensure any necessary replacement windows would be in timber and of a conservation approved design. This is to ensure that any replacement windows would either preserve or enhance this conservation area, in accordance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, PfE Policy JP-P2 and UDP policies EN2/1, EN2/2 and EN2/3.

Design and Layout and Amenity of Future Occupiers

UDP Policy EN1/2 - Townscape and Built Design seeks to ensure development is suitably designed. UDP H2/1 and H2/2 concern themselves with both the form and layout of new residential development. UDP Policy H2/4 specifically concerns itself with the conversion of buildings into two or more self-contained units. Section 12 of the National Planning Policy Framework seeks LPAs to secure well-designed development.

UDP Policy EN1/5: Crime Prevention and the NPPF Policies TR4: 'Street design, access and parking' and P5: 'Maintaining public safety and security' seeks to secure well designed development that seeks to minimise crime and the fear of crime.

Access to the Apartments

The apartments proposed above 10-12 Silver Street would be accessed from Silver Street. The apartments proposed above 8 Silver Street, seeks to be accessed from the side of the building on the cobbled highway 'Parks Yard'.

The existing access door on Parks Yard is fairly visible from Silver Street, however given this cobbled street is a lot quieter than Silver Street, in the interests of ensuring this access, and indeed both proposed access points, are safe GM Police have advised both proposed access should be externally illuminated. Given the site's location in the conservation area, a condition securing conservation appropriate details and other crime prevention measures be incorporated into the design.

Space Standards

PfE Policy JP-H3: Type, Size and Design of New Housing comply with the nationally described space standards. Each apartment, as amended, exceeds the national minimum space standards and therefore accords with this aspect of PfE Policy JP-H3.

Due to the upper floor nature of the proposals, and due to the fact, no lift is proposed within either of the application properties, the proposals would not be able to accord with the M4(3) accessibility standards set out in PfE Policy JP-H3.

Refuse Storage

The Council's Waste Management team advise this location causes issues to the Council's refuse collection team as the access and egress from Parks Yard is often restricted by 1100 litre bins strewn across the cobbled highway.

As part of these proposals a dedicated refuse storage area with the ground floor unit (8A) off Parks Yard. The Council's Waste Management team have advised of the storage requirements and the plans have been amended to demonstrate that this property is large enough to accommodate sufficient refuse storage to meet the needs of future occupiers of the 9 proposed apartments. Officers have also secured an internal ground floor route to the proposed bin store, so that all apartment occupiers can take their rubbish out through the building without needing to go outside. The part of the building in which the proposed bin store would be located.

Cycle Parking Provision

SPD11: Parking Standards in Bury, requires covered and secure cycle parking provision to be provided on a 1 bedroom/ 1 cycle parking space basis. 9 bedrooms are proposed and therefore a covered and secure bike store would also be accommodated within the former 8a unit.

Impacts of noise from commercial premises on future residential occupiers of the development

The site is located within Bury Town Centre, with a night time economy. Indeed, the ground floor of the application site is in use as a drinking establishment. To safeguard future occupiers from noise from the authorised ground floor use of the application buildings/ site it is recommended a scheme of soundproofing to the floor would be necessary to ensure the amenity of future occupiers would be protected. Vice versa the ground floor business would also be protected. This scheme could be secured by planning condition.

Moving on, the submitted Noise Assessment has been updated following the previous refusal at the site. Whilst it retains the assertion in paragraph 3.6 that "There are several restaurants close to the site but there is no outside drinking or dining associated with them, and most do not operate after approximately 10pm." the Noise Assessment goes on to list 13 venues/businesses that do open beyond 10pm which although contradictory to this statement in paragraph 3.6 have been assessed in terms of their noise impacts.

The noise assessment has identified necessary mitigation measures. These are:

- The minimum standard, tested in accordance with ISO 10140-2:2010 (double skinned external; brick, plaster Rw 55-58dB) for all non glazed elements: facade, walls and roof (noise report section 7.3)
- The following attenuation level for glazed building elements (noise report section 7.4):
 - Bedrooms minimum single figure weighted sound reduction of 38dB
 - Living rooms minimum single figure weighted sound reduction of 34dB
 - including acoustic ventilation trickle vents; and,
- Secondary double glazing (noise report section 7.5 -7.8)

The Council Environmental Health have recommended the above mitigation measures be secured by planning condition.

Subject to the recommended planning conditions, the proposal would provide satisfactory accommodation for future occupiers.

Highway Safety

The application site is identified within SPD11, as being within Parking Zone 1 because of its location within Bury Town Centre which has excellent transport links in the form of both the Tram and Bus Interchange.

The Council's Highways team has raised concerns about no car parking provision being available to serve future occupiers.

In terms of the lack of car parking provision, it is important to note that within Parking Zone 1 (Bury Town Centre), as defined by SPD11, no car parking is required. There is just no policy basis to secure car parking.

The proposed use of 9 flats would not be expected to generate large enough amounts of traffic to cause access or road safety issues when compared with the possible Class E uses which could occur if the two Class E units, one at ground floor and one at first floor were brought back into use. This fallback position is thus a material consideration.

The proposed flats would be accessed via an entrance on Silver Street and an entrance on Parks Yard. As discussed within the section above, to ensure the access points to the proposed apartments within the application buildings are safe, a condition will be imposed to secure satisfactory crime prevention measures.

Impact on nearby businesses and the amenity of nearby residents

UDP Policy H2/1 concerns itself with, amongst other things, the impacts of developments on residential amenity. NPPF NDMP P4: 'Impact of development on existing activities' states, amongst other things, existing businesses should not have unreasonable restrictions placed on their current or permitted operation as a result of development being approved after they were established. It further states that where the operation of an existing activity could have a significant adverse effect on a proposed new development in its vicinity, development proposals should:

- a. Identify the nature of the potential impacts, informed where necessary by early discussions between the applicant (i.e. the 'agent of change') and those existing uses which could be affected by the proposal to inform the scope for mitigation; and
- b. Be able to demonstrate that suitable mitigation can be provided before first occupation of the development, if it is to be acceptable. Planning conditions or obligations should be used to secure agreed mitigation measures.

Carbon and Energy

To accord with the requirements of Policy JP-S2: Carbon and Energy the applicant proposes:

- The conversion will be brought up to current Building Regulations standards for thermal performance and energy efficiency.
- Reuse of an existing building reduces embodied carbon compared to new-build development.
- Secondary double glazing will improve thermal performance and reduce energy demand.

The re-use and retention of buildings embody carbon which is clearly supported by the policy. The necessary secondary double glazing, as advised within the submitted Noise Report, along with securing sound proofing between the ground floor and first floors of the application buildings will enhance the energy efficiency of the buildings. These planning conditions are already recommended.

Digital Connectivity

Policy JP-C2: Digital Connectivity seeks to secure fibre broadband to all new developments. The applicant advises the site is located in a well-served urban area with access to full fibre broadband from multiple providers. A planning condition is recommended to secure this.

Conclusion

The proposed conversion of the upper floors of Nos. 8 and 12 Silver Street to provide 9 residential units would make a positive contribution towards housing provision within Bury Town Centre and secure the productive use of underutilised upper floor accommodation. Subject to appropriate conditions securing noise mitigation and sound insulation measures, the development would provide an acceptable standard of accommodation for future occupiers, preserve the character and appearance of the Bury Conservation Area, and would not result in unacceptable impacts on highway safety or other matters of material planning concern. The proposal is therefore considered to accord with the relevant policies of the adopted Development Plan and planning permission is recommended.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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. PP-14910331v1: Location Plan;
Drawing no. 502: Site - Existing and Proposed;
Drawing no. 005: Rev.7: Proposed Plans - Floors 0 and 1;
Drawing no. 006: Rev.7: Proposed Plans - Floors 2 and 3;
Drawing no. 007: Rev.7: Proposed Elevations;
Drawing no. 009: Rev. Existing and Proposed Roof Plans;
Drawing no. 010: Existing and Proposed Elevations; and,
Document ref: Environmental Noise Assessment for Planning Application, carried out by The Compliance Company, Report Number 2526-971-2-20-11, dated

20/11/2025.

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 National Planning Policy Framework.

- 3 Prior to first occupation of the residential units hereby approved, details of a scheme for sound insulation between the ground floor commercial premises and the first-floor residential accommodation shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to first occupation of the residential units and retained thereafter.

Reason. To protect the amenities of future occupiers and existing commercial premises in accordance with Policies H2/1: The Form of New Residential Development and EN7/2: Noise Pollution of the Bury Unitary Development Plan and the requirements of the National Planning Policy Framework.

- 4 Prior to first occupation of the residential units hereby approved, all noise mitigation measures identified within the approved Noise Assessment shall be installed and operational. The mitigation measures shall include:

- Secondary acoustic glazing;
- Acoustically treated ventilation and trickle vents;
- Glazing specifications achieving the required attenuation levels identified within the approved Noise Assessment; and
- All façade, roof and wall constructions identified within the approved Noise Assessment.

The approved measures shall thereafter be retained and maintained.

Reason. To ensure a satisfactory standard of residential amenity for future occupiers in accordance with Policies H2/1: The Form of New Residential Development and EN7/2: Noise Pollution of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 5 Prior to first occupation of the development, details of crime prevention and security measures shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

- Secure door entry systems;
- Secure mail delivery arrangements; and,
- Secure cycle storage facilities.

The approved measures shall be implemented prior to occupation and retained thereafter.

Reason. In the interests of community safety and crime prevention in accordance with UDP Policy EN1/5: Crime Prevention and the National Planning Policy Framework.

- 6 Prior to the first occupation of any of the approved apartments, the internal doorway

shown on the approved plans between Nos. 10 and 12 Silver Street at first floor level shall be installed and made permanently available for use. The doorway shall thereafter be retained and maintained as an internal means of access for occupiers of the apartments.

Reason. To ensure that future occupiers of the approved apartments have safe, convenient and secure internal access to the approved cycle parking and refuse storage facilities, in the interests of residential amenity, sustainable travel and in the interests of securing well-designed developments, in accordance with the requirements of SPD11: Parking Standards in Bury and Policies JP-C6: Walking and Cycling and JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan and the National Planning Policy Framework

- 7 Prior to first occupation of the development, details of biodiversity enhancement measures for the building shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed prior to occupation and retained thereafter.

Reason. To secure biodiversity gains in accordance with the objectives of the National Planning Policy Framework and Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 8 Prior to first occupation of the development, full-fibre broadband infrastructure shall be installed and made available to all residential units unless otherwise agreed in writing by the Local Planning Authority.

Reason. To ensure adequate digital connectivity in accordance with Policy JP-C2: Digital Connectivity of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 9 The refuse storage facilities shown on the approved plans shall be provided in full prior to first occupation of any apartment and shall thereafter be retained solely for refuse and recycling storage purposes.

Reason. To ensure satisfactory waste storage arrangements and to prevent obstruction of the public highway in accordance with Policies H2/1: The Form of New Residential Development of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 10 The secure covered cycle storage facilities shown on the approved plans shall be provided prior to first occupation of the development and thereafter retained and made available for cycle parking at all times.

Reason. To encourage sustainable modes of transport in accordance with SPD11: Parking Standards in Bury and Policies JP-C6: Walking and Cycling and JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 11 Prior to any installation, details of all external lighting associated with the development shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed before first occupation of any of the apartments hereby approved and thereafter maintained.

Reason. To ensure safe access arrangements whilst preserving the character and appearance of the Conservation Area, in accordance with Policies EN2/1: Character of Conservation Areas and EN2/2: Conservation Area Control of the Bury Unitary Development Plan, Policy JP-P2: Heritage of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 12 No external plant, mechanical equipment, extraction equipment, air-conditioning units, ventilation equipment, ducting, flues, grilles, louvres, housings or associated equipment shall be installed unless full details have first been submitted to and approved in writing by the Local Planning Authority.

The submitted details shall include:

- a) The location, size, design and external appearance of all equipment;
- b) Details of all screening, housings and means of enclosure;
- c) Elevations and sections showing how the equipment would be incorporated into the building; and
- d) Details of the materials, colour and finish of all external equipment and screening.

The approved equipment shall be installed in accordance with the approved details and shall thereafter be retained as such.

Reason. To safeguard the character and appearance of the Bury Town Centre Conservation Area and to ensure that any plant and associated equipment is appropriately designed and integrated into the building in accordance with Policies EN2/1: Character of Conservation Areas and EN2/2: Conservation Area Control of the Bury Unitary Development Plan, Policy JP-P2: Heritage of the Places for Everyone Plan, and the National Planning Policy Framework.

- 13 Notwithstanding the details shown on the approved plans, no replacement windows shall be installed unless details of their design, opening method, materials, finish and sections have first been submitted to and approved in writing by the Local Planning Authority. Any approved replacement windows shall be timber and of a conservation-style design and shall be retained thereafter.

Reason. To preserve the character and appearance of the Bury Conservation Area in accordance with Policies EN2/1: Character of Conservation Areas and EN2/2: Conservation Area Control of the Bury Unitary Development Plan, Policy JP-P2: Heritage of the Places for Everyone Plan, and the National Planning Policy Framework.

- 14 Noise emissions from any plant, mechanical equipment, extraction equipment, air-conditioning units or ventilation equipment associated with the development shall not exceed NR25 within any habitable room of the residential accommodation.

Reason. To safeguard the amenities of occupants of the development, in accordance with Policies H2/1: The Form of New Residential Development and EN7/2: Noise Pollution of the Bury Unitary Development Plan and the National Planning Policy Framework.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB	08/10/2026	DM	8/10/2026