



Portland House – Block D
New Bridge Street West
Newcastle upon Tyne
NE1 8AL

07454 040 145

nathan.puckering@icplanning.co.uk

Development Management
Bury Council
Town Hall
Knowsley Street
Bury
BL9 0SW

8th May 2026

Dear Sir/Madam,

Application for a Certificate of Lawfulness (existing) in relation to the use of a former car tyre shop as an indoor padel facility - Unit 7, Globe Industrial Estate, Darbyshire Street, Radcliffe, Manchester, M26 2TA

This cover letter accompanies an application made to Bury Council ('the Council') under Section 191 of the Town and Country Planning Act 1990 ('TCPA') for a Certificate of Lawfulness relating to the use of a former car tyre shop ('the former use') at Unit 7, Globe Industrial Estate, Darbyshire Street, Radcliffe, Manchester, M26 2TA ('the site') as an indoor padel facility ('the current use').

This letter includes details of the site, the former and proposed uses, and an assessment of why a Certificate of Lawfulness should be issued paying heed to the relevant sections of the TCPA and the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 ('TCPA UCR').

This application follows discussions with the Council's Planning Enforcement Officer, Mr Paul Knight, with regard to a planning enforcement complaint that was received by the Council in relation to the site.

Site and Background Context

The site comprises a building located on the corner of Spring Lane and Darbyshire Street in the town of Radcliffe approximately 3.5km to the south west of Bury. The surrounding area is a mix of industrial and leisure facilities to the south and south east and residential to the west and south west. Aerial imagery of the site is shown in Figure 1 below.

Figure 1 – Aerial Site Imagery



Prior to the occupation of the unit as an indoor padel facility, the building was operated as part of a car tyre business which sold tyres to members of the public. The unit was therefore trading with a direct retail function, involving visiting customers, sales transactions and associated comings and goings typical of a commercial premises serving the public. This is evidenced by imagery from Google Streetview dated August 2025 which advertises the supply of car tyres at the premises.

Figure 2 – Google Streetview Imagery of the Site – August 2025



In recent months, the unit has been used as an indoor padel facility. Padel is a racket sport that blends elements of tennis and squash, typically played in doubles on an enclosed court measuring 10 metres wide by 20 metres long, which is slightly smaller than doubles tennis court.

For the avoidance of doubt, no physical external works have been undertaken to facilitate the new use of the site.

Assessment

Section 191 of the TCPA states: “(1) If any person wishes to ascertain whether— (a) any existing use of buildings or other land is lawful...he may make an application for the purpose to the local planning authority specifying the land and describing the use, operations or other matter.”

It goes on to state that “(2) For the purposes of this Act uses and operations are lawful at any time if—(a) no enforcement action may then be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason)”.

As outlined above, the previous use of the site was as a car tyre shop trading with a direct retail function, involving visiting customers, sales transactions and associated comings and goings typical of a commercial premises serving the public.

This previous use would’ve fallen under Use Class E of the TCPA UCR, i.e. a “commercial, business and service” use.

Similarly, the current use as an indoor padel facility would also fall under Use Class E of the TCPA UCR as “indoor sport and recreation”.

As a result, it is clear that there has been no change of use of the site and therefore no development has occurred for the purposes of the TCPA and planning permission would not be required.

It is on this basis that it is considered that a Certificate of Lawfulness should be granted under Section 191 of the TCPA.

Summary

This letter accompanies an application for a Certificate of Lawfulness relating to the use of a former car tyre shop as an indoor padel facility.

As set out above, it is clear that as both the former and current use of the site fall within Use Class E of the TCPA UCR and therefore no change of use has occurred. Consequently, it follows that no development has taken place for the purposes of the TCPA and therefore planning permission was not required.

On this basis it is respectfully requested that the Council grant the Certificate of Lawfulness at the earliest opportunity.

I trust the above is clear but should you have any queries then please don't hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'NPuckering', written in a cursive style.

Nathan Puckering MRTPI

Senior Planner