

DELEGATED REPORT

Report by Helen Pressley	Date of report: 17/07/2026	Ref: 73198/FUL
Registration: 28/05/2026	LDFC: 26/06/2026	Expiry Date: 23/07/2026
Site Visit: 18/06/2026	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOF

Proposal: Construction of new single storey office building following demolition of existing works.

Location: Former Tetlo & Hutchinson Ltd, Regent Street, Bury, BL9 5AT

Description

The proposal relates to an eclectic series of established single storey buildings to the immediate rear of the neighbouring terraced dwellings at 27 and 29 Raven Street. They are in poor condition and whilst now unoccupied, they were last in use for storage and distribution purposes (Use Class B8) and the OS map extract notes them as 'works'. The surrounding environment is mainly made up of residential properties and the site has a dual frontage to Back Walmersley Road West and Regent Street.

The proposal is for the erection of a single storey office building (Use Class E) with a floor area of around 79 square metres following demolition of existing works. The proposed building would be 'L' shaped, largely pertaining to the existing footprint and single storey and would be finished with white render to elevations and grey profiled aluminium roof. There would be an area for bin storage, but no off-street parking would be provided.

Relevant Planning History

03037/E - Construction of two single storey dwellings following demolition of the existing works- Enquiry completed 27/01/2025

Publicity

Letters sent to neighbouring properties 05/06/2026. No representations received.

Statutory/Non-Statutory Consultations

Traffic Section - Condition requested in relation to the submission of a Construction Traffic Management Plan, implementation of bin storage and pedestrian access and no outward opening windows.

Waste Management - No response

Environmental Health - Pollution Control - No response

Drainage Section - SuDs condition requested

United Utilities (Water and waste) - no further comment on this application.

Greater Manchester Ecology Unit (GMEU) - It appears likely that less than 25m² of other habitat will be removed and therefore GMEU would agree that the proposal is exempt from BNG.

The site is likely to hold very limited ecological value as there appears to only be remains of buildings left with no roof and very sparse vegetation and one small tree in the garden.

Therefore, the application is highly unlikely to impact protected species. Informative requested in relation to protected species. Conditions requested in relation to nesting birds and enhancement of the site through the integration of bat or bird boxes.

Environment Section - Contaminated Land - Conditions requested in relation to submission of a site characterisation and risk assessment, remediation strategy and verification and unexpected contamination.

Pre-start Conditions - Applicant/Agent has agreed with pre-start conditions

Development Plan and Policies

EC2/2	Employment Land and Premises
EC4	Small and Growing Businesses
EC4/1	Small Businesses
EC5/2	Other Centres and Preferred Office Locations
EC5/3	Other Office Locations
EC6	New Business, Industrial and Commercial Development
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
EN6/3	Features of Ecological Value
EN7/2	Noise Pollution
EN8/2	Woodland and Tree Planting
EN7/3	Water Pollution
EN7/5	Waste Water Management
HT2/4	Car Parking and New Development
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-P1	Sustainable Places
JP-J2	Employment Sites and Premises
JP-J3	Office Development
JP-J4	Industry and Warehousing Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
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.

Use

UDP Policy EC2/2 states that the Council will seek retention of existing employment land and purposes outside Employment Generating Areas except where it can be clearly demonstrated that an existing employment site or premises is no longer suited in land use terms to continued employment use.

In support of UDP Policy EC2/2, the Council has also developed SPD14 which again, in basic terms, seeks to retain sites that are suitable in land use terms although it does allow for a greater degree of flexibility than Policy EC2/2 insofar as it gives consideration to viability issues as well as assessing the suitability of the site from a purely land use perspective.

PfE Policies JP-J2 and JP-J4 support a diverse range of employment sites across the Plan area.

Whilst the present buildings have an immediate juxtaposition to neighbouring terraced dwellings, there pertains a lawful B8 use and historically, the buildings were noted as 'works', which probably related to an industrial use. SPD 14 confirms that in terms of "employment" this relates to B1, B2 and B8 uses. B1 is now E(g) Use. As such it is considered that the introduction of Offices at this site would maintain the employment use of the site.

In terms of the proposed office use however, PFE Policy JP-J3: Office Development states that office development in Greater Manchester will focus on town centres, offering a strong local profile and lower cost options with excellent public transport connections and access to services. NPPF paragraph 90d confirms that offices are a main town centre use. This is further supported by UDP Policy EC5/2 - Other Centres and Preferred Office Locations that confirms that the Council will support office developments within district centres.

Paragraph 91 of the NPPF confirms that Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

The NPPF defines Town Centre's as: Area defined on the local authority's policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance. Unless they are identified as centres in the development plan, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres.

The NPPF defines edge of centre for all other main town centre uses (other than retail) as a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.

Bury Council online mapping shows that the site is located 280 metres to the north of Walmersley Road/Moorgate Local Centre.

Paragraph 92 of the NPPF further confirms that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

The site is located within an area that would be defined as edge of centre. The site is approximately 30 metres from Walmersley Road a road located on the Strategic Route Network that leads to the Local Centre referenced above, and Bury Main town centre. The Road is frequented by bus routes. There are also neighbourhood centres located to the north of the site. Given that the site is accessible, and well connected to the local and town centre the location of an office in the area is considered to be acceptable.

Layout and Design

Policy EN1/2 seeks to ensure that development proposals would not have a detrimental effect on the visual amenity and character of a particular area. Policy JP-P1 aims to promote a series of beautiful, healthy and varied places.

The proposal would result in the removal of aged buildings that are starting to deteriorate. The proposed building would be single storey and would have a simple form and appearance, replacing the rather disjointed and haphazard form of buildings presently in situ. Whilst the external finishes would contrast with the predominant red brick of adjacent dwellings, the render finish with profiled grey aluminium roof would not harm visual amenity and would follow the more functional form of the building.

Amenity

UDP Policy EN1/2 - Townscape and Built Design seeks to ensure that the proposals for

development are considered in relation to their relationship to the surrounding area. UDP Policy EN7/2 - Noise Pollution restricts development that would lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users.

The proposed building would be no nearer neighbouring dwellings to the immediate west than those previously at the site and it would be around 500mm lower to ridge and would have blank elevations opposing neighbouring gardens. Furthermore, it would introduce an office use in substitution for a vacant and deteriorating storage and distribution use. The proposal would therefore improve amenity in the locality.

Access, Highways and Parking

UDP Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. PfE Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport. PfE Policy JP-C5 states that proposals should provide appropriate places and routes for servicing, deliveries and "drop-off". PfE policy JP-C6 includes the provision to create, where needed, dedicated separate space for people walking and cycling. In addition when considering layouts PfE Policy JP-P1 states that all development should be functional and convenient, enabling people and uses to act efficiently with minimal effort, and responding to needs relating to servicing, recycling facilities, refuse collection and storage.

In terms of parking standards, in addition to the policies set out above UDP Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements. Supplementary Planning Document 11 provides parking standards for developments.

The proposal would rely on the local highway network for access and parking, akin to the existing lawful use for storage and distribution. The Highway Officer is satisfied the proposal is acceptable subject to the conditions recommended above.

Ecology

PfE Policy JP-G8 states that through local planning and associated activities a net enhancement of biodiversity resources will be sought. This is supported by Policy EN6/3 that seeks to retain, protect and enhance the natural environment and seeks to retain features of ecological or wildlife value. Paragraph 187 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. UDP Policy EN8/2 supports and encourages new woodland and tree planting within the borough. This is further supported by PfE Policy JP-G7 that aims to significantly increase tree cover and requires 2no. replacement trees for each tree lost or other measures that would also result in a net enhancement in the character and quality of the treescape and biodiversity value in the local area.

An Ecology Statement has been provided (PPY Design Ltd, 27/05/26) to detail that the application would be exempt from a Biodiversity Net Gain (BNG) assessment under the de minimis exemption. There appears to be a small tree present in the private garden however as per BNG guidance, small trees in gardens do not need to be included in the baseline BNG assessment. It appears likely that less than 25m² of other habitat will be removed and therefore GMEU would agree that the proposal is exempt from BNG.

No other ecological documents have been provided for this application, however the site is likely to hold very limited ecological value as there appears to only be remains of buildings left with no roof and very sparse vegetation and one small tree in the garden. Therefore, the application is highly unlikely to impact protected species.

In summary, GMEU are satisfied that this application can be forwarded for determination and that any permission if granted is supported by the conditions recommended above. The LPA has not included the provision of a soft landscaping scheme within the conditions given

the limited space retained in and around the proposed property.

Carbon and Energy

Policy JP-S2 sets out the steps required to achieve net zero carbon emissions.

The applicant has confirmed that the proposal would be fully compliant with Part L of the building regulations.

Digital Connectivity

Policy JP-C2 requires all new development to have full fibre to premises connections unless technically infeasible and / or unviable. The applicant has confirmed their intentions to install connections within the property.

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 numbered KH12-00, KH12-01, KH12-02, KH12-03, KH12-04, KH12-05, KH12-06 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.
- 3 The premises shall be used within Use Class E (g) use only and for no other purposes, including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or as subsequently amended.
Reason: To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies EN1/2 and EN7/2 of the Bury Unitary Development Plan and Policy JP-P1 of the Places for Everyone Joint Development Framework
- 4 No materials shall be used on the external elevations or roof of the proposed development other than those referred to on the approved plans / supporting documentation.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
- 5 No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:
 1. Photographic dilapidation survey of the footways and carriageways abutting the site in the event that subsequent remedial works are required following

- demolition works undertaken, construction of the development/boundary wall removal and as a result of any statutory undertakers connections to the new development;
2. Access point/route for construction traffic from the adopted highway network;
 3. Site hoardings (if proposed);
 4. Hours of operation, confirmation of demolition, delivery & construction vehicle sizes that can be accommodated on the residential streets leading to the site and number of vehicle movements;
 5. Storage on site or on land within the applicant's control of demolition/construction materials, including any requisite phasing of the development to accommodate this;
 6. Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and Places for Everyone Joint Development Framework Policies JP-C5: Streets for All and JP- C6:Walking and Cycling.

- 6 The development hereby approved shall not be first occupied unless and until the pedestrian access and bin storage arrangements indicated on approved plan reference KH12-03, incorporating the reinstatement of the adopted footways abutting the site to a scope and specification to be agreed, provision of private footway/hardstanding in a porous/permeable material clear of the adopted highway, demarcation of the limits of the adopted highway, and all associated highway remedial works to reinstate the adopted highway to its former condition prior to demolition/commencement of the development, have been implemented.

Reason. To ensure good highway design, provide adequate in-curtilage facilities for the storage of refuse clear of the adopted highway and maintain the integrity of the adopted highway in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and EC6/1 Assessing New Business, Industrial and Commercial Development and Places for Everyone Joint Development Plan Policies JP-P1: Sustainable Places, JP-C5: Streets for All and JP-C6: Walking and Cycling.

- 7 The roof, guttering and ground floor windows on the easterly elevation adjacent to Back Walmersley Road West shall be installed so they do not project over/open outwards into the adjacent adopted highway.

Reason. In the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and Places for Everyone Joint Development Framework Policies JP-C5: Streets for All and JP- C6:Walking and Cycling.

- 8 Development shall not commence until details of surface water drainage proposals have been submitted to and approved by the Local Planning Authority. The scheme must be based on the hierarchy of drainage options in the National Planning

Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or subsequent revisions of it. This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Design details should comply with guidance contained in the Greater Manchester's Sustainable Drainage Design Guide, March 25. Details of proposed maintenance arrangements should also be provided.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN7/3 - Water Pollution and EN7/5 - Waste Water Management Places for Everyone Joint Development Framework Policy JP-S4: Flood Risk and the Water Environment and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

- 9 No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:
With consideration to human health, controlled waters and the wider environment, the following documents shall be completed to characterise potential risk to sensitive receptors and submitted to the Local Planning Authority for approval:

I. Generic Quantitative Risk Assessment (GQRA). Submission of this document only if PRA requires it.

II. Detailed Quantitative Risk Assessment (DQRA). Submission of this document if GQRA requires it.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 10 No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:
In accordance with the findings of site characterisation and risk assessment as previously approved, documents from the following shall be submitted to the Local Planning Authority for approval:

I. Remedial Options Appraisal.

II. Remediation Strategy.

III. Verification Plan.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 11 The development hereby permitted within any approved phase shall not be occupied/brought into use until the works relating to land contamination detailed below are fully completed:
Where remediation is required, it shall be carried out in full accordance with the approved Remediation Strategy.
A Verification Report must be submitted to the Local Planning Authority for approval upon completion of remediation works. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and

to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 12 The development hereby approved within any approved phase shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:

- I. Risk Assessment (GQRA or DQRA);
- II. Remediation Strategy & Verification Plan;

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 13 No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a precautionary working method statement for nesting birds by a suitably experienced ecologist has been supplied to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be implemented in full accordance with the approved details and measures.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to Bury Unitary Development Plan Policies EN6/2 - Sites of Nature Conservation Interest (LNR's and Grade B and C SBI's), EN6/3 - Features of Ecological Value, EN6/4 - Wildlife Links and Corridors, Places for Everyone Joint Development Plan Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity and Chapter 15 - Conserving and enhancing the natural environment of the National Planning Policy Framework.

- 14 Prior to the commencement of development a scheme for the integration of bat or bird boxes into the new building shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the building hereby approved.

Reason. To secure the satisfactory development of the site and ensure enhancements and net gains for biodiversity pursuant to Places for Everyone Joint Development Framework Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity, Bury Unitary Development Plan Policy EN6/3 - Features of Ecological Value and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP 17/07/2026		HL 17.07.2026	