

DELEGATED REPORT

Report by Helen Pressley	Date of report: 24/07/2026	Ref: 73330/FUL
Registration: 15/06/2026	LDfC: 22/07/2026	Expiry Date: 10/08/2026
Site Visit: 01/07/2026	Site Notice: 01/07/2026	Press Date: N/A
Objections: 0	Con Area:	Adv Type: PI
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: COUS

Proposal: Change of use of land at former fire station to vehicle storage yard (Sui Generis)

Location: Former Bury Fire Station, The Rock, Bury, BL9 0NJ

Description

The application relates to the former site of Bury fire station at the junction of The Rock, Peel Way and Moorgate in Bury town centre. The site is currently vacant, with the slabs of the former Fire Station visible. The site is secured by a 2.1 metre chain link fence. The site is accessed from The Rock.

The proposal seeks a temporary, three year change of use of the land formerly occupied by Bury Fire Station to vehicle storage. The site is located within Bury Town Centre, to the north of the Main Shopping Area of Bury Town Centre allocated under UDP Policy S1/1.

Relevant Planning History

Site

37238 - 1 x Internally Illuminated Wall Mounted Sign - Approve 21/12/2000

57009 - Prior approval for the proposed demolition of former fire station and restoration of the site. - Prior Approval Required and Granted 29/01/2014.

57032 - Erection of a 2.1m high security fence to a section of the site boundary (comprising standard 2.1 metre high chain link fencing system fully galvanised and plastic coated in green (ral 6005) (Following demolition of the existing building). - Approve with Conditions 03/02/2014

72745 - Change of use of land at the former fire station to vehicle storage yard (Sui Generis) - Refused 27/03/2026

181 - 183 The Rock

39037 - Illuminated Fascia Signs - Approve 07/05/2002

55073 - Change of use from tanning studio (Sui Generis) to restaurant (Class A3); Extraction flue at rear - Approve with Conditions 15/05/2012

56563 - Internally illuminated fascia sign at front and side - Approve with Conditions 05/09/2013

56371 - Change of use from tanning studio (Sui Generis) to retail (Class A1) - Approve with Conditions 17/07/2023

71518 - Prior approval for proposed demolition of former office/retail showroom and adjacent workshop building - Prior approval required and Granted 05/02/2025

Former Paradise Mill

59809 - Demolition of existing buildings and formation of public pay and display car park including resurfacing works and boundary treatments (temporary period of 3 years) at Paradise Mill, John Street, Bury. Approved with conditions - 13/10/2016.

60750 - Variation of condition 2 following grant of application 59809 - Proposal to extend the temporary consent from 3 years to 5 years at Paradise Mill, John Street, Bury. Approved with conditions - 23/02/2017

62599 - Variation of condition no. 2 of planning permission 59809 to extend the period of time for use of the car park until 2023, and regularisation of development works at Paradise Mill, John Street, Bury. Approved with conditions - 13/07/2018

73009 - Change of use of land to create a pay and display public car park with associated site works (temporary period of 5 years) - Pending Decision

Publicity

Neighbour letters 23/06/2026

Site Notice 01/07/2026

No representations received

Statutory/Non-Statutory Consultations

Traffic Section - Recommendation for refusal due to insufficient information in relation to delivery of vehicles to site, substandard access arrangements, uneven surfaces, surface water drainage and insufficient information in relation to staff car parking.

Property & Technical Services - Estates Consultancy - No response

Environmental Health - Pollution Control - No response

Greater Manchester Ecology Unit - Insufficient information provided to support the submitted metric and no assessment provided for the impacts to protected species such as nesting birds, hedgehogs and other species present on site.

Environmental Health - Contaminated Land Based on the site history (foundries, fire station, paper works and electricity sub-station), it is considered likely that contamination exists that the site. Additionally, fire stations, fire training centres and paper works have been listed as a potential source of the emerging pollutant, poly- and perfluoroalkyl substances (PFAS) in various research documents.

A preliminary risk assessment, as a minimum, would normally be required. However, it is understood that the proposal will not include any intrusive works and it is not proposed to change the surface treatment of the site. Additionally, it is understood that proposed use of the site to store cars will be temporary for a maximum of three years

Drainage Section The submitted drainage plan indicates that surface water runoff from the proposed vehicle storage yard would be directed to a proposed soakaway within the site. However, no supporting drainage calculations, infiltration testing results, or soakaway design details have been provided to demonstrate that the proposed drainage arrangements are adequate.

United Utilities (Water and waste) Condition requested in relation to the implementation of the proposed drainage.

Pre-start Conditions - Not relevant

Development Plan and Policies

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Area	The Rock/Peel Way
BY5	
EN1/2	Townscape and Built Design
EN1/7	Throughroutes and Gateways
EN6/3	Features of Ecological Value
EN7/3	Water Pollution
EN7/5	Waste Water Management
EC4/1	Small Businesses
EC6/1	New Business, Industrial and Commercial
EC2/1	Employment Generating Areas
S1/1	Shopping in Bury Town Centre
HT2/4	Car Parking and New Development
JP-J2	Employment Sites and Premises
JP-J4	Industry and Warehousing Development
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-P1	Sustainable Places
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-S5	Clean Air
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.

Principle (use)

The proposal seeks a temporary, three year change of use of the land formerly occupied by Bury Fire Station to vehicle storage. The site is located within Bury Town Centre, to the north of the Main Shopping Area of Bury Town Centre allocated under UDP Policy S1/1

UDP Policy EC4/1 confirms that proposals for small businesses will be acceptable where the scale of the development is appropriate to and the use environmentally compatible with the surrounding area in which it is to be located. This is further supported by UDP Policy EC6/1 expects new industrial, commercial and business development to be of a high standard of design and appearance and take into account the surrounding environment, amenity and safety of employees, visitors and adjacent occupiers. Factors which are considered include -

- scale, size, density, layout, height, materials
- access and parking
- landscaping and boundary treatment
- effect on neighbouring properties
- safety

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

The site is located within Area BY5 - The Rock/Peel Way as allocated within the Bury UDP. This allocation states that the Council will encourage and promote proposals for retailing and ancillary uses, business (B1) office and car parking uses within the Rock/Peel Way area of the town centre. The justification of this Policy confirms that the area is a mix of town centre uses, forming an important gateway to the town. This also acknowledges that there are a number of opportunities to improve the area's overall appearance.

The proposal would seek to change the use of the site to vehicle storage yard, for a business on a separate site. This is considered to be an employment use. It is unknown where this business is located. The Design and Access Statement states that the storage is required to allow for continued operation of the business. The cars to be stored are for credit hire purposes aged up to 5 years old.

On balance however, as the proposal is temporary for a 3 year period, and would bring a currently unused and untidy piece of land back into use it is considered that a condition could be utilised to secure the temporary use of the site in accordance with the aspirations

of Area BY5 as an opportunity to improve the area's overall appearance.

Design and Layout

In addition to the policies set out above 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. This is further supported by UDP Policy EN1/7 that states that the council is concerned to improve the quality of development along throughroutes and at gateways, and will require new proposals fronting major throughroutes and at the identified gateways to display a high standard of design and landscaping. Policy JP-P1 aims to promote a series of beautiful, healthy and varied places.

As set out above the site is located on a key gateway to the town centre and shopping areas. Peel Way is considered to be a strategic throughroute. The site itself is very prominent on the junction of The Rock, Peel Way and Moorgate in Bury town centre. The site has become unkempt and it is acknowledged that bringing the site back into use would allow for some of the vegetation that has grown within the site to be cleared.

Given the prominent location of the site is considered that some sort of screening would be appropriate to ensure that the storage use would not have a detrimental impact on the character of the area, particularly considering its position in relation to the main shopping area for the town. The lack of screening was re fenced in reason for refusal 1. for application 72745. The applicant has submitted details of fencing proposed around the boundary of the site, proposing a PVC coated chain link fence. This is the same as the fencing that currently bounds the site and as such provides no additional screening and does not address the previous reason for refusal. Conversely the Design and Access Statement states that privacy fencing rolls would be interwoven along the existing and proposed boundary fencing however this has not been shown, or annotated on any of the submitted drawings.

The information submitted in relation to screening of the site is therefore considered to be conflicting however it is acknowledged that this detail could be secured by condition should the remaining application be considered to be acceptable.

In addition the existing site is very uneven in parts with slabs still on site from the former use. The submitted planning Design and Access Statement states that no new surfacing works are required beyond potential surface marking, but also states that the site will be levelled off with concrete. Drawing 201 E is annotated to state "Existing site levels to be retained where possible and existing concrete to be laid to fall towards proposed surface water drainage connections."

The existing and proposed site plans, include spot levels through out the site however this information is limited and it does not appear a full and accurate site survey has been undertaken to ascertain the extent of works that may be required to facilitate the proposed change of use. A walk over by the case over confirms that there are raised iron works within the site associated with drains/manholes, areas of old internal flooring associated with the fire station use and slabs of concrete with differences of up to 360mm in level in areas depicted to be utilised for car storage. In addition there is extensive damage in some areas caused by vegetation growth. It is unclear how vehicles utilising the site would maneuver, and how cars could be stored in the areas indicated without the need to resurface and it is unclear from the drawings submitted the extent or method of concrete levelling that would be required.

This will be further expanded on below.

Access

In addition to UDP Policy EC6/1, UDP Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. 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.

Access to the site would be gained from The Rock, utilising the former apron area associated with the Fire Station. This has been amended from the previously approved scheme that sought to share access to the site with the unauthorised car park to the south (application 73009 pending). The Traffic section have reviewed the proposed access arrangements and consider that use of the unmodified former fire station open apron are sub-standard, which would result in the creation of conflicts on the adopted highway in close proximity to the Derby Way junction and at the interface with the busy pedestrian route on the northerly side of The Rock between vehicles, and between vehicles and pedestrians, to the detriment of highway safety.

During the course of determination of application 72745 sought clarity on a number of issues, including more information in relation to how the site would be operated, what the cars are being stored in relation to, why is it needed, how vehicles would be delivered to site. The applicant has sought to utilise their Design and Access Statement to expand on this in a limited capacity and have confirmed that it is intended that the cars being stored on site would be driven there and not delivered on another vehicle. The proposal however does not incorporate measures to control the delivery of vehicles to the site, which could result in delivery vehicles (car transporters) servicing the site from the adopted highway directly opposite/in close proximity to the existing service yard for Marks & Spencer located opposite the site, obstructing and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and road safety.

In addition, as set out above the proposal does not include a clear method for the removal of uneven areas within the site to form a level surface suitable for the storage of or movement of vehicles, or the demarcation of those areas, to ensure adequate off street car storage arrangements and compliance with the proposed plans can be accommodated. This has a potential to impact the use of the site as intended and could have impacts outside of the site in terms of highway safety if vehicles can not be turned within the site.

Parking

In terms of parking standards UDP Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements . Supplementary Planning Document 11 (SPD11) provides parking standards for developments.

The site is located within Zone 1. Within this zone, for B8 Storage and distribution 1 space per 500 square metres is required. The application site is 4525.70 square metres which would equate to 9 spaces. 2 spaces are proposed for staff, and 1 for visitors.

The applicant has stated within their supporting statement that the staff parking spaces are allocated purely for the purposes of opening and waiting at the site for deliveries by others. As such this is considered to be adequate for the proposed use.

Whilst acknowledged that highways have recommended refusal on the lack of clarity for the need for staff parking, given that the above this has not been included within the LPA's recommendation.

Ecology and Biodiversity Net Gain

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 180 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. Policy EN8/2 supports and encourages new woodland and tree planting within the borough. This is further supported by 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.

Greater Manchester Ecology Unit have identified a number of issues with the Biodiversity Net Gain Metric and supporting information submitted namely:

- The report contains no surveyor information such as the name, credentials and experience the surveyor has with undertaking BNG assessments. As per the Statutory Biodiversity Metric user guide - the full metric must be completed by a competent person such as a qualified and experienced ecologist. The small sites metric can be filled in by a 'non-ecologist' but this hasn't been provided for this application.
- The metric appears to have been completed by and reviewed by P. Horrell but there is no further information provided as to P. Horrell's credentials or who they work for.
- No Habitat Condition Assessment (HCA) sheets have been provided but these will be required to evidence the condition of the habitats on-site.
- Section 5.2.4 refers to 'knotweed' being present on-site, but it has not been confirmed whether this is Japanese knotweed given that this is an Invasive Non-Native Species listed on Schedule 9 of the Wildlife and Countryside Act.
- GMEU would expect the report to detail the botanical and tree species found which appears to have only partially been included for the scrub species only.
- In the document overview table, it says that the metric shows a loss of 0.34 habitat units. This isn't in accordance with the submitted metric which shows a loss of 0.27 habitat units and a unit deficit of 0.34 units.
- There appears to be no assessment provided for the impacts to protected species such as nesting birds, hedgehogs and any other species which could be present on-site.

Given the above deficiencies it is considered that the application and submitted plans contain insufficient information to enable them to be properly assessed in relation to Biodiversity Net Gain and the loss of existing habitats on site. The proposal would therefore fail to comply with Schedule 7A of the Town and Country Planning Act 1990 and Policies JP-G8 A Net Enhancement of Biodiversity and Geodiversity, EN8/2 - Woodland and Tree Planting and JP-G7 Trees and Woodland of the adopted Development Plan.

Contaminated Land

Paragraphs 187 and 196 of the NPPF seek to ensure that sites are suitable for its proposed use taking into account ground conditions, any risks arising from land instability and contamination.

Based on the site history (foundries, fire station, paper works and electricity sub-station), it is considered likely that contamination exists at the site. Additionally, fire stations, fire training centres and paper works have been listed as a potential source of the emerging pollutant, poly- and perfluoroalkyl substances (PFAS) in various research documents.

A preliminary risk assessment, as a minimum, would therefore normally be required.

The Environment Section have based their comments on the understanding that it is not proposed to change the surface treatment of the site. As set out above however, no clear method to level, or make good the damaged areas of the site has been set out by the applicant. Without this strategy or method it is considered that the applicant has failed to demonstrate that the site would not have a detrimental impact in terms of contaminated land.

Drainage

PfE Policy JP-S4 and UDP Policies EN7/3 and EN7/5 seek to protect the water courses and other water features within the Borough, and limit surface water pollution.

The submitted drainage plan indicates that surface water runoff from the proposed vehicle storage yard would be directed to a proposed soakaway within the site. However, no

supporting drainage calculations, infiltration testing results, or soakaway design details have been provided to demonstrate that the proposed drainage arrangements are adequate.

Carbon and Energy and Digital Connectivity

PfE Policy JP-S2 sets out the steps required to achieve net zero carbon emissions. PfE Policy JP-C2 requires development to have full fibre to premises connections unless infeasible or unviable, with multiple-ducting.

Given the proposal, that would not require any construction of buildings it is considered that these Policies would not apply.

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

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The application fails to demonstrate how the existing site levels would be dealt with to enable the site to be used for the intended purpose. As a result of the lack of demonstrable information over surfacing, this has a potential to impact the use of the site as intended and would have a detrimental impact outside of the site in terms of highway safety whereby vehicles can not be turned within the site . The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Framework EN1/2 - Townscape and Built Design, EN1/7 - Throughroutes and Gateways, EC6/1 - New Business, Industrial and Commercial Development, JP-P1 - Sustainable Places. JP-C5 Streets for All and JP-C6 Walking and Cycling.
- 2 No supporting drainage calculations, infiltration testing results, or soakaway design details have been provided to demonstrate that the proposed drainage arrangements are adequate. The application and submitted plans contain insufficient information to ensure that adequate surface water drainage arrangements are proposed within the curtilage of the site, which also has the potential to discharge onto the adopted highway from the proposed vehicle storage yard, to the detriment of maintaining the integrity of the adjacent adopted highway. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Framework EN1/2 - Townscape and Built Design, EN1/7 - Throughroutes and Gateways, EN7/3 - Water Pollution, EN7/5 - Waste Water Management, EC6/1 - New Business, Industrial and Commercial Development, Flood Risk and the Water Environment, JP-P1 - Sustainable Places. JP-C5 Streets for All and JP-C6 Walking and Cycling.
- 3 The proposal does not incorporate measures to control the delivery of vehicles to the site, which would result in delivery vehicles (car transporters) servicing the site from the adopted highway directly opposite/in close proximity to the existing service yard for Marks & Spencer located opposite the site, obstructing and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and road safety. The proposed development therefore conflicts with the following policies of

the Bury Unitary Development Plan and Places for Everyone Joint Development Framework EN1/2 - Townscape and Built Design, EN1/7 - Throughroutes and Gateways, EC6/1 - New Business, Industrial and Commercial Development, JP-P1 - Sustainable Places. JP-C5 Streets for All and JP-C6 Walking and Cycling.

- 4 The proposed access arrangements and use of the unmodified former fire station open apron are sub-standard, which would result in the creation of conflicts on the adopted highway in close proximity to the Derby Way junction and at the interface with the busy pedestrian route on the northerly side of The Rock between vehicles, and between vehicles and pedestrians, to the detriment of highway safety. The application and submitted plans contain insufficient information to enable them to be properly assessed. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Framework EN1/2 - Townscape and Built Design, EN1/7 - Throughroutes and Gateways, EC6/1 - New Business, Industrial and Commercial Development, JP-P1 - Sustainable Places. JP-C5 Streets for All and JP-C6 Walking and Cycling.
- 5 The application fails to demonstrate a clear method or strategy to level and make good the existing surfacing within the site. Based on the site history (foundries, fire station, paper works and electricity sub-station), it is considered likely that contamination exists that the site. Additionally, fire stations, fire training centres and paper works have been listed as a potential source of the emerging pollutant, poly- and perfluoroalkyl substances (PFAS) in various research documents. The applicant has failed to demonstrate that the proposal would not have a detrimental impact on human health, controlled waters and the wider environment contrary to Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).
- 6 The application, submitted plans and Biodiversity Net Gain metric contain insufficient information to enable them to be properly assessed in relation to Biodiversity Net Gain and the loss of existing habitats on site. The proposal would therefore fail to comply with Schedule 7A of the Town and Country Planning Act 1990 and Policies JP-G8 A Net Enhancement of Biodiversity and Geodiversity, EN8/2 - Woodland and Tree Planting and JP-G7 Trees and Woodland of the adopted Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	24/07/2026	DM	27/07/2026