

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 12/02/2025	Ref: 71220/FUL
Registration: 19/11/2024	LDfC: 17/12/2024	Expiry Date: 14/01/2025
Site Visit: 06/12/2024	Site Notice: 06/12/2024	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: COUS

Proposal: Alterations to fenestration, replace existing windows and add additional windows, demolition of car port, replace existing roof with hidden valley gutter removed, reconfiguration of the car park

Location: Albion Mill Industrial Estate, Albion Street, Bury, BL8 2AD

Description

The application relates to two mill buildings, Albion Mill and Albion House which are located to the west of Bury Town Centre within Bury Bridge/Daisyfield Employment Generating Area defined under Policy EC2/1/6. The area surrounding the site comprises similar mill type buildings, other industrial units and workshops.

The site is located at the end of Albion Street which leads from a major junction serving routes to and from the town centre.

Albion Mill is a rectangular 4 storey building with a basement area and has a chimney feature to the south elevation. It has been added to by an extension on the western side and a single storey addition to the northern elevation. The building is constructed of red brick and fenestration and the timber window patterns are symmetrical with stone heads and cills. The mill is an early example of a brick industrial building with important detailing and is on the Council's draft local list.

The building is split internally into different unit types, comprising storage and retail (showrooms) with associated offices.

Albion House is located opposite the mill building and is built in the same style with similar features as the Mill and is also a Non-Designated Heritage Asset.

It is two storeys in height and comprises a basement used for storage, retail shop and offices at the ground floor and storage and offices at the first floor.

Planning permission was granted in May 2024 for alterations to the elevations of Albion Mill only, to create new openings, change existing window/door openings, replace all existing windows with aluminium frames, remove the hidden valley roof gutter and replace the existing roof of the main mill building.

This application similarly seeks the same alterations to Albion Mill as previously approved but now also includes Albion House with proposals to add windows to the front, rear and south elevation and change the retained windows to aluminium openings.

The application also proposes removal of a car port at the rear of the mill building and reorganisation of the parking area to formalise and demarcate spaces to provide 45 bays in total (31 standard, 11 EV chargepoints, 3 accessible bays).

Relevant Planning History

70306 - Alteration to fenestration; Replace existing windows; Replace existing roof with

hidden valley gutter removed - Approved 8/5/24

Publicity

Letters sent to 29 properties on 26/11/24.

Site notice posted 6/12/24

No response received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions.

Conservation Officer - No objection

Pre-start Conditions - Not relevant

Development Plan and Policies

NPPF	National Planning Policy Framework
EC2/1	Employment Generating Areas
EN1/2	Townscape and Built Design
EC4/1	Small Businesses
EC6/1	New Business, Industrial and Commercial
EN6/3	Features of Ecological Value
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
JP-S2	Carbon and Energy
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development

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

EC6/1 - Assessing New Business, Industrial and Commercial Development seeks high standards of design and appearance takes account of the surrounding environment and amenity. Ensuring good design in terms of scale, size, density, layout, height and materials is important in maintaining and improving the image of the Borough.

EN1/2 - Townscape and Built Design will give favourable consideration to proposals which would not have an unacceptable adverse effect on the particular character and townscape and factors considered when assessing proposals include the external appearance and design and choice and use of materials.

In terms of the alteration proposals to the elevations and roof, and the formalisation of the car park, in principle these works would be acceptable and would ensure the continued maintenance and future viability of the mill buildings.

Heritage

Paragraph 207 of the National Planning Policy Framework (NPPF) states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Paragraph 208 of the NPPF states local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 209 of the NPPF states where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

Paragraph 216 of the NPPF states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The applicant has submitted a Heritage Statement and Statement of Significance which provides an understanding of the building's heritage values and the potential impacts of the proposals on the significance of it.

The external alterations to the roof do not require planning permission but would not be visible from normal vantage points and as such are acceptable in heritage conservation terms.

The applicant has proposed heritage style thin profile aluminium windows to match the existing design and set within the existing reveal. This would retain the character of the building and be acceptable in principle. The applicant has provided detailed design plans of the windows which would be fitted within the existing reveal.

Glazed aluminium frames would also be acceptable for the proposed new doors subject to the same design detail requirements.

A condition for the submission of a sample frame and stonework prior to installation would be included.

Demolition of the small single storey non-historic carport would be acceptable.

The proposed roof lights would be acceptable, and a manufacturers design specification has been submitted for them which is acceptable, and which will part of the approved plans.

The car park reconfiguration would improve the general arrangements around the site.

The proposal will either comply with or not be contrary to paragraphs 200, 201, 202 and 209 of the NPPF and Heritage Policy JP-P2.

Layout

The main change would involve the arrangement to the car park areas which serve both Albion Mill and Albion House which are at present unmade surfaces and where cars and vehicles park currently tend to park more haphazardly.

The application proposes to formalise these areas through resurfacing works and demarcating the car park to provide a total of 45 spaces (31 standard bays, 11 EV chargepoints and 3 accessible spaces).

There would be some internal alterations made within Albion Mill and Albion House but there would be no changes to the existing uses.

It is therefore considered the proposed development would be acceptable and comply with EC6/1.

Highway issues

The applicant has confirmed that the windows would open inwards so as not to obstruct or impact on pedestrian and vehicular safety.

It is also proposed to resurface and formalise the parking area by demarcating the spaces which would increase the provision on site and be better in highway safety terms in improving areas for vehicles to manoeuvre and enter and exit the site.

There would be a total of 45 bays - 31 standard, 11 EV charge bays and 3 accessible bays.

The works to formalise the parking would not require planning permission in itself but there would be a benefit in terms of highway and pedestrian safety in making this improvement to the overall operations of the site.

The highway section have raised no objection to the proposals subject to the surfacing of the car park in permeable material.

It is therefore considered the proposed development would be acceptable and comply with HT2/4 and JP-C8.

Impact on the surrounding area

The site is located at the end of Albion Street with the car park and servicing areas furthest away from the adjacent properties.

There are no proposed changes of use and as such the mill buildings would continue to operate as they have previously, albeit with more organised parking.

It is therefore considered there would not be a detrimental impact on the occupiers of the adjacent properties or units and the development would comply with EC6/1 and EN1/2.

Ecology

It is proposed to demolish a small area at the rear of the mill which consists of a metal shelter.

A preliminary bat roost assessment has been carried out and the building was found to contain negligible potential to support roosting bats and no further emergence surveys were deemed to be required for this building.

It is therefore considered the proposed development would be acceptable and accord with policy EN6/3.

Digital connectivity JP-C2.

The applicant states that the building would be upgraded to have full fibre. As such, it is considered the proposed development would comply with JP-C2.

Carbon and energy JP-S2.

The applicant has provided a statement to address policy JP-S2.

The proposed replacement windows would comply with the building regulations requirements of 1.4W/(m²K) and will make a significant improvement to the energy efficiency of the building.

A new heating system will be installed, High Heat Retention Storage Heaters, this is to be confirmed via SAP calculations in order to achieve a compliant and energy efficient design.

Lights will be energy saving and will be fitted with timers whilst water saving devices will be fitted to all sanitary ware. The applicant will undertake the works with local contractors and use local materials. Waste will be recycled as far as possible and recycling provision will also be provided.

11 new EV charging stations are proposed.

As such, the proposed development is considered to comply with JP-S2.

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 decision relates to drawings -

Location plan 2-Oct-2024

Project number - GSS24089.2 -

Proposed site plan 503 rev 2

Albion House -
Proposed elevations 003 D
Proposed basement floor plan 003A
Proposed ground floor plan 003B
Proposed first and second floor plan 003C

Albion Mill -
Proposed ground floor plan 007 rev 1
Proposed first floor plan 007A
Proposed second floor plan 007B
Proposed third floor plan 007C
Proposed roof plan 007D
Proposed front and left side elevations 008A
Proposed rear and right side elevations 008B

Albion Mill rear -
Proposed part ground floor and part first floor plans 003A
Proposed part rear elevations 003B

Proposed window section 501

JP-S2 - Carbon and energy statement
JP-C2 - Digital connectivity statement
Bat roost report Feb 2025 by ecology services
Updated parking statement 4/2/25

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 car parking indicated on approved plan reference GSS23089.5 503 rev B shall be resurfaced in a porous/permeable material, demarcated and made available for

use prior to the use development hereby approved being brought into use and thereafter maintained at all times

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 4 The turning and servicing facilities indicated on the approved plans shall be resurfaced in a porous/permeable material and be provided before the areas of the development to which they relate are brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to PfE Policy JP-C8 and UDP Policy EC6/1.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	12/2/25	DM	20/02/2025