

DELEGATED REPORT

Report by Helen Pressley	Date of report: 10/09/2026	Ref: 73256/FUL
Registration: 27/05/2026	LDFC: 24/06/2026	Expiry Date: 22/07/2026
Site Visit: 10/06/2026	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Construction of car park, erection of electric vehicle charging points and associated infrastructure, including CCTV and lighting.

Location: Land adjacent to Lidl, off Victoria Street, Bury, BL8 1LE

Description

The application relates to a site located between Bolton Road and Victoria Street. Bolton Road (A58) is a principal route between Bolton and Bury. The site is currently used by local businesses for informal parking with access gained from Victoria Street.

Planning permission is sought for the formation of a car park , accessed from Victoria Street. The proposed car park has 9no. standard spaces and 8no. Electric Vehicle Charge Point Spaces.

A further advertisement application has been submitted and will be considered under application 72357.

Relevant Planning History

44513 - Car showroom with associated valet bays and body shop - Withdrawn

59851 - Formation of staff car park to serve Lidl store - Approve with Conditions 27/06/2016

59852 - 2 No. replacement externally illuminated double sided advertising hoardings - Approve with Conditions 27/06/2026

73257 - Installation of freestanding signage to comprise 3 no. Electric Vehicle Rapid Charging Dual-Post signs and 1 no. 4m Totem (internally illuminated) - Pending

Publicity

Letters sent to neighbouring properties 02/06/2026. No representations received.

Statutory/Non-Statutory Consultations

Traffic Section - Conditions requested in relation to submission of details of highways works, submission of a construction traffic management plan and implementation of access and parking arrangement.

Environmental Health - Contaminated Land - Condition requested in relation to the installation of the proposed EV chargepoints.

United Utilities (Water and waste) - No response

Greater Manchester Ecology Unit - Would raise no overall objections to the proposals on Ecology grounds; the application site has low ecological value.

Transport for Greater Manchester - Comments provided in relation to reinstatement of any redundant vehicular access and contact details if the existing bus stop on Bolton Road is affected.

Pre-start Conditions - Email with pre-start conditions issued to the agent on the 25th August 2026. Pursuant of The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 more than 10 days has passed and as such the Local Planning Authority has progressed to a decision.

Development Plan and Policies

EC1/1	Land for Business (B1) (B2) (B8)
EC2/1	Employment Generating Areas
HT2/4	Car Parking and New Development
HT2/5	Public Car Parks
EN1/2	Townscape and Built Design
EN6/3	Features of Ecological Value
EN8/2	Woodland and Tree Planting
HT2/1	The Strategic Route Network
JP-P1	Sustainable Places
JP-S2	Carbon and Energy
JP-S5	Clean Air
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
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 proposed site is located within an Employment Generating Area as defined within the UDP. Policy EC2/1 of the UDP states that certain sites have been identified for business (B1), general industrial (B2) and warehousing uses (B8). Other business uses will only be permitted in exceptional circumstances. The policy also specifies that other uses will only be permitted where they constitute limited development or do not substantially detract from an areas value as an EGA.

The site is located adjacent to the former gasworks on Victoria Street a development that was allowed by appeal. The appeal inspector noted that Policy EC2/1 does not indicate how limited development should be defined, and that the scheme in question would represent a limited development within the context of a large EGA.

It should also be noted that whilst this proposal does include the creation of a car park, this would not involve the creation of any buildings and therefore the land could be developed in the future in line with Policy EC2/1. Taking into account the appeal decision, and the proposed use of the site it is considered that the development is acceptable in principal.

Principle (Sustainable Location)

NPPF Policy TR3 confirms that development should be located where it can support sustainable patterns of movement and enable good accessibility. UDP Policy HT2/5 confirms that the Council will seek to ensure adequate level of car parking provision within town and district centres.

There are a mixture of uses within the immediate vicinity of the site with retail and food outlets located to the north and south of the site, and commercial and warehousing to the east and west. The A58, Bolton Road runs along the front of the site and a Local Shopping Centre is located to the west.

The site is currently unkempt, and whilst utilised informally for parking has no formal use. The proposal would therefore bring into use a vacant site, that is located within a settlement and in close proximity to existing amenities. It is therefore considered that the proposal site is located within a sustainable location and would provide provision for car parking for the nearby Local Shopping Centre.

Visual Amenity

EN1/2 states that council will give favourable consideration to proposals which do not have an unacceptable adverse effect on the particular character and townscape of the town. PfE Policy JP-P1 Sustainable Places aims to promote a series of beautiful, healthy and varied places. NPPF Policy DP3 confirms that Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

There are a mixture of uses within the immediate vicinity of the site with retail and food outlets located to the north and south of the site, and commercial and warehousing to the east and west. There are a number of areas of hardstanding which are used for parking and commercial uses.

The site is currently occupied by unmaintained vegetation and is utilised as an informal parking area. It is considered that the provision of a hardstanding with soft landscaping elements, ev chargepoints, CCTV lighting and associated advertisements would not be out of character with the established street scene and would not be detrimental to the character of the area. The proposed charging points and associated equipment and enclosure would be located within the car park. The proposal would be viewed within the context of this car park and the wider commercial/retail character of the area and as such would not have an adverse impact on the character of the area.

The proposal is therefore considered to be acceptable in terms of visual amenity.

Highways and Access

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. NPPF Policy TR4 confirms that transport considerations should be integral to the design of development.

The entrance to the new car park would be via an existing access located 25 metres to the south of the retail access. The proposed access would be formalised and a keep clear marking is proposed on Victoria Street to ensure the access would not be blocked from cars queuing at the Victoria Street/Bolton Road Traffic Lights.

The Traffic Section has raised no objection in principle to the development, subject to conditions that require the scope and specification of the highways works proposed to be submitted for approval, and the implementation of the parking and turning facilities.

In terms of the impact on junction capacity or the Key Route Network the traffic created by an additional 17 no. car parking spaces is insignificant and therefore no objection has been raised by TfGM.

Biodiversity Net Gain (BNG)

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. Policy N2 - Improving the Natural Environment from the NPPF states that development proposals should contribute positively to the natural and local environment. UDP Policy EN8/2 supports and encourages new woodland and tree planting within the borough.

The proposal would result in a small loss in biodiversity, contrary to statute which requires a net gain in biodiversity of at least 10%. Off-site biodiversity units would therefore need to be obtained from a suitably registered habitat bank in order to meet the BNG requirement. GMEU have advised a Biodiversity Gain Plan would be required to be provided

pre-commencement by the statutory biodiversity gain condition which would apply to any permission which may be granted to the application. The Biodiversity Gain Plan would need to give details of how and where the necessary biodiversity gains will be obtained

Carbon and Energy

PfE Policy JP-S2 sets out the steps required to achieve net zero carbon emissions. This is further supported by PfE Policy JP-S5 that seeks to implement a comprehensive range of measures to support improvements in air quality, focusing particularly on locations where people live, where children learn and play, where there are impact on the green infrastructure network and where air quality targets are not being met. This is further supported by NPPF Policy CC2 that confirms that where relevant opportunities should be sought to improve infrastructure to support the transition to zero-emission vehicles.

SPD 11 confirms that a key method to achieve decarbonisation of transport is to encourage residents to make the transition to electric vehicles, which this proposal would help to support. The proposal therefore complies with the policy considerations set out above.

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 numbered EBD V1 - Location Plan received 27th May 2026, EBD V1 - Existing Site Plan received 31st July 2026, EBD V1 - Site Plan proposed received 31st July 2026, 8B4DC Kempower Elevation Plan received 27th May 2026, CCTV - Lighting Plan - Postreceived 27th May 2026, 8B4DC Kempower Elevation Plan received 27th May 2026, Timber Fence Plan received 27th May 2026, 8B4DC Equipment Elevation Plan received 27th May 2026 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 Notwithstanding the details shown indicatively on approved plan reference 'Site Proposed Plan' Revision V1, no development shall commence unless and until full details of the following have been submitted, to a scope and specification to be agreed, to the Local Planning Authority on a topographical survey of the site and adjacent adopted highways:
 1. Position of the limited waiting bay on Olive Street adjacent to the site, incorporating the remarking and resigning (as appropriate) of the facility as part of the proposed development.
 2. Formation of the revised site access onto Victoria Street, incorporating adequate, tracked kerb radii that can accommodate all vehicles likely to be

served by the electric vehicle charging points, reconstruction and/or refurbishment of the footways that abut the site to a scope and specification to be agreed to accommodate the proposed access alterations and address the previous illegal crossing of the footway by fly-parking on the site, demarcation of the limits of the adopted highway, tactile paved crossing points, any alterations to existing footway chambers on the affected footway and all associated highway remedial/accommodation works required as a result of the proposed development and any statutory undertakers connections to the site.

3. Provision of 2.4m x 33m visibility splays at the junction of the site access onto Victoria Street with no obstructions above the height of 0.6m within them, incorporating full details of proposed low level boundary treatments/fence lines and details of any foundations required confirming no projections under/encroachment on the adjacent adopted highway.
4. Revised, level pedestrian connection position from the site onto the adjacent adopted highway, clear of the existing street lighting column and tactile paved crossing point, incorporating adequate arrangements at the interface with the adopted highway and the demarcation of the limits of the adoption.
5. Measures and scheme of works to ensure that surface water is not discharged from the car park hardstanding onto the adjacent adopted highways.
6. Replacement/remarking of all carriageway markings abutting the perimeter of the site, including the provision of new 'Keep Clear' markings in a position to be agreed and to suit the revised site access position.

The details subsequently approved shall be implemented to an agreed programme and to the satisfaction of the Local Planning Authority with all highway works completed prior to the development hereby approved being brought into use.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure the intervisibility of the users of the site and the adjacent adopted highways, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to Unitary Development Plan Policy pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design, Places for Everyone Joint Development Plan Policies JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development and JP-P1 - Sustainable Places and Policy TR4: Street design, access and parking of the of the National Planning Policy Framework (August 2026).

4. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:
 1. Photographic dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following construction of the development and as a result of statutory undertakers connections to the site.
 2. Access route for all vehicles to the site from the Key Route Network.
 3. Access point(s) for construction traffic from Victoria Street and all temporary works required to facilitate access for ground works/construction vehicles.
 4. If proposed, details of site hoarding/gate positions clear of required visibility splays onto the adjacent adopted highway.
 5. The provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted highway.
 6. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto Victoria Street.
 7. Confirmation of hours of operation and number of vehicle movements.
 8. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres.
 9. Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials.

10. 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 construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials.

Reason. To maintain the integrity of the adopted highway, mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, ensure adequate off-street car parking provision and materials storage arrangements for the duration of the construction period and ensure 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 Policy EN1/2 - Townscape and Built Design, Places for Everyone Joint Development Plan Policies JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development and JP-P1 - Sustainable Places and Policy TR4: Street design, access and parking of the of the National Planning Policy Framework (August 2026).

- 5 The vehicular and pedestrian access arrangements and turning facilities within the curtilage of the site indicated on the approved plans/as a result of compliance with the above condition shall be provided before the development is brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
Reason. In the interests of highway safety and to minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design, Places for Everyone Joint Development Plan Policies JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development and JP-P1 - Sustainable Places and Policy TR4: Street design, access and parking of the of the National Planning Policy Framework (August 2026).
- 6 The car parking indicated on the approved plans/as a result of compliance with the above condition shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use and thereafter maintained at all times.
Reason. To ensure adequate off-street car parking and to allow adequate space to maintain a vehicle clear of the highway in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan and Policy TR2: Local parking standards of the of the National Planning Policy Framework (August 2026).
- 7 Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted to Local Planning Authority for approval prior to the development being brought into use. The infrastructure shall be maintained and operational in perpetuity.
Reason. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and quality of life with respect to Local Air Quality, in accordance with Policy CC2: Mitigation of climate change of the National Planning Policy Framework (August 2026) and Places for Everyone Policy JP-S5 (Clean Air).

DELEGATED REPORT

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	10/09/2026	DM	10.09.26