

DELEGATED REPORT

Report by Jane Langan	Date of report: 16/12/2025	Ref: 72529/LBC
Registration: 07/11/2025	LDfC: 12/12/2025	Expiry Date: 02/01/2026
Site Visit: 12/11/2025	Site Notice: 04/11/2025	Press Date: 20/11/2025
Objections: 0	Con Area: BURY	Adv Type: LBCA
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: LBAL

Proposal: Listed Building Consent - 2 no. non-illuminated projecting / hanging signs; Vinyls to front glazing

Location: Bury Metro Arts Association Derby Hall, Market Street, Bury, BL9 0BW

Description

The site is a Grade 2 Listed Building located within Bury town centre and the Conservation Area. It operates as a venue for arts, music and performance and includes a cafe bar

The application is for Listed Building Consent to accompany advert application 72326 which proposes signage as below:-

- Two double sided 40cm by 50cm aluminium hanging signs of a beige background with red text/logo. They would be attached to existing brackets.
- Vinyls to the top of the front glazing of one front window comprising of text of the same design and beige colour to the hanging signs.

A separate application for advertisement consent 72326 was approved 28/11/25.

Relevant Planning History

There have been various applications on the site. The most recent advert applications are as below.

72326 - 2 no. non-illuminated projecting / hanging signs; Vinyls to front glazing - AC 28/11/25

60591 - Internal hanging sign with neon illuminated lettering; 2 no. non illuminated projecting signs; Vinyls to draught lobby glazing and glazed balustrade; Vinyls to ground floor sash windows - AC 15/12/2016

60701 - Listed Building Consent for internal hanging sign with neon illuminated lettering; 2 no. non illuminated projecting signs; Vinyls to draught lobby glazing and glazed balustrade; Vinyls to ground floor sash windows - AC 15/12/2016

Publicity

A site notice was posted on 12/11/25 and a press notice placed in the Bury Times on 20/11/25. No representations have been received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection.

Joint Committee of The National Amenity Societies - No comments received.

Pre-start Conditions - Not relevant.

Development Plan and Policies

EN2/3	Listed Buildings
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN1/9	Advertisements

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.

UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area

Control seek to preserve or enhance the character and appearance of these areas. Development will only be acceptable if it preserves or enhances these areas with regard to the nature of the development in terms of bulk, height, materials, design, relationship to the surrounding area, and impact of a new use on the character of the surrounding area. Proposals where appropriate should seek to implement measures to retain, replace, restore features of architectural interest, retain and enhance landscaping features, promote environmental enhancement and promote design guidelines to ensure sympathetic development.

EN2/3 - Listed Buildings seeks to actively safeguard the character and setting of Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features.

UDP Policy EN1/9 relates to adverts and signage and states that proposals should have regard to the character of the locality, scale of the existing building and land use and be considered on their impact on amenity and safety.

Impact upon the building and surrounding area - The projecting signs would be located to each side of the cafe bar entrance and attached to existing brackets on the building which have previously been used for hanging baskets. The signs would not be overlarge, simple in design and of a subtle colour scheme. The vinyls would be located to the arched top section of a window adjacent the entrance and fit well within the area. The proposed signs would not appear out of place in their size or design or interfere with the architectural features of the building. They would be reversible and would not alter or cause the removal of any historic fabric of the building. As such the signs would have a neutral impact on the architectural interest of the building and would not represent a level of harm that would constitute less than substantial harm requiring a balancing against public benefit.

It is then considered that the proposed signs will preserve the character of the Listed Building and the Conservation Area and would be in accordance with Policies EN2/1, EN2/2, EN2/3 of the Bury Unitary Development Plan.

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 the expiration of three years beginning with the date of this permission.
Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2 This decision relates to the drawings received on 07/11/25 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.

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<u>Case Officer</u> JL	<u>Date</u> 16/12/25	<u>Sign off Officer</u> DM 18/12/25	<u>Date</u>
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