

NOTICE OF DECISION TO DISPLAY ADVERTISEMENTS

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

To:

Mr. Sid Sethi
HRM International Limited T/a Specscart.
40 The Rock
Bury
BL9 0NX

PART 1 - Particulars of Application

Application Number: 70707

Date of Registration: 02/05/2024

Proposal:

Proposal A: 2 no. internally illuminated
projecting signs; 5 no. internally illuminated
digital posters; 1 no. non-illuminated
information poster

Location:

10 Union Street and 40 The Rock, Bury, BL9
0NX

Proposal B: 3 no. internally illuminated fascia
signs

PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **GRANTED** for the carrying out of the development referred to in Part 1 Proposal A hereof in accordance with the application and plans submitted subject to the following conditions and permission has been **REFUSED** for the carrying out of the development referred to in Part 1 Proposal B hereof for the following reason:-

Proposal A - Conditions **Standard Conditions**

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to -
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason for standard conditions: In the interests of amenity and in accordance with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Specific Conditions (If Applicable):

- 1 The luminance of the projecting sign(s) shall not exceed 20 cd/m² (each).
Reason. To avoid undue distraction to traffic in the interests of road safety pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan.
- 2 The luminance of the internal digital window posters shall not exceed 100 cd/m² (each).
Reason. To avoid undue distraction to traffic in the interests of road safety pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan.

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

Proposal A 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.

Proposal B 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.

Proposal B - Reason(s) for refusal.

- 1 Signs under proposal B are by reason of their size, siting and design incompatible to the location of the site within Bury Town Centre Conservation Area and would neither preserve or enhance the character of the Conservation Area. They would be seriously detrimental to both the building on which they would be located and would be seriously detrimental to the character and appearance of the Conservation Area. Therefore they would be contrary to the following policies of the Bury Unitary Development Plan:
EN1/9 - Advertisements., EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control, paragraph 141 of the National Planning Policy Framework and policy JP-P2 of Places for Everyone.

The following policies of the Bury Unitary Development Plan, National and Regional

Government were considered relevant:

EN1/9 EN1/9 - Advertisements
EN2/1 EN2/1 - Character of Conservation Areas
EN2/2 EN2/2 - Conservation Area Control
JP-P2 Heritage
NPPF National Planning Policy Framework

This decision relates only to the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Applicant Plan Numbers:

Unreferenced and undated document containing images, technical details and specifications titled - Request for Advertisement Consent to put shop signage.

NOTES TO APPLICANT

1. In accordance with S93G of the Town and Country Planning Act 1990 (As amended by Section 111 Levelling Up & Regeneration Act 2023) there is a legal requirement for you to inform the Council of the date when you intend to commence the development on site via submission of a Commencement Notice. This notice is mandatory for all developments and came into effect on 31 March 2024. You can find more information and download a copy of the Commencement Notice under the Before Starting Work section on our website at <https://www.bury.gov.uk/planning-building-control/planning-permission/planning-application-process>

Signed:



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On behalf of the Council

Date of Decision: 13/06/2024