

NOTICE OF REFUSAL OF PLANNING PERMISSION

Town and Country Planning Act 1990 Town and Country Planning (Development Management Procedure) (England) Order 2015

To:

Mr Stephen Herraghty
JCDecaux
991 Great West Road
Brentford
TW8 9DN

On Behalf Of:

Mr Nathan Still
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991 Great West Road
Brentford
Middlesex
TW8 9DN

PART 1 - Particulars of Application

Application Number: 70776

Date of Registration: 17/06/2024

Proposal:

Installation of multifunctional communication hub including defibrillator and advertisement display

Location:

Pedestrian area adj 2 Central Street/4 Clerke Street, The Rock, Bury, BL9 0JN

PART 2 - Particulars of Decision

The Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **REFUSED** for the carrying out of the development referred to in Part 1 hereof for the following reasons:-

- 1 The proposed development by reason of its siting and position within The Rock would introduce a piece of street furniture which would interrupt the visual rhythm and pattern of the existing street furniture and layout of the street scene, causing an unnecessary obstruction in the area which would be seriously detrimental to the visual amenity and appearance of the street scene and free pedestrian movement. The proposed development would therefore be contrary to Policies EN1/2, EN1/4, EN5/1, EN1/9 and JP-C5 and JP-C6.
- 2 The proposal would result in an unnecessary obstruction of the existing adopted highway and the creation of additional street clutter for an installation that primarily consists of an advertisement screen, without agreement for the placement of such equipment on the adopted highway with the Highway Authority, which would be detrimental to pedestrian safety, maintaining existing pedestrian desire lines on The Rock and contrary to the active travel aspirations of the Council. The proposed development would therefore be contrary to Policies EN1/2, EN1/4, EN5/1, EN1/9 and JP-C5 and JP-C6.
- 3 The application and submitted plans contain insufficient information to properly assess the proposal in relation to a wider strategy for the need for and provision of defibrillators throughout the Borough. The proposed development would therefore be contrary to Policy EN1/9.

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.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

EN1	EN1 - Built Environment
EN1/2	EN1/2 - Townscape and Built Design
EN1/9	EN1/9 - Advertisements
EN1/10	EN1/10 - Telecommunications
EN1/4	EN1/4 - Street Furniture
HT5/1	HT5/1 - Access For Those with Special Needs
CF1/1	CF1/1 - Location of New Community Facilities
HT6/1	HT6/1 - Pedestrian and Cyclist Movement
S1/1	S1/1 - Shopping in Bury Town Centre
JP-C2	Digital Connectivity
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:

Red edge location plan received 17/6/24; Site plan, images and elevations A02528_Rev B; Hub Unit details Appendix B; Unit Management Plan V2 September 2022;

NOTES TO APPLICANT

1. It is brought to the attention of the applicant that the proposal affects existing adopted highway and that the necessary permit for the placement of such equipment on the adopted highway is highly likely to be refused by the Highway Authority.

Signed:

A handwritten signature in black ink, appearing to read "for haw", written in a cursive style.

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On behalf of the Council

Date of Decision: 09/08/2024