

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mrs Deborah Day
64 Pinfold Hill
Lichfield
Staffordshire
WS14 0JP

On Behalf Of:

Mr M Blum
Crompton Living Ltd
c/o Agent

PART 1 - Particulars of Application

Application Number: 72861

Date of Registration: 12/03/2026

Proposal:

Construction of a brick wall, fencing & gates to the front; Brick wall to the side and change of use of land from open space to create secure courtyard amenity space with cycle and refuse storage provision in association with 5 Crompton Street

Location:

5 Crompton Street, Bury, BL9 0AD

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 applicant has failed to demonstrate that adequate compensatory provision, or significant benefits are derived from the enclosure or change of use of land to ensure protection of the identified town centre open space. The proposal is therefore considered to be contrary to Unitary Development Policy TC1/1 - Open Space in Town Centres and Places for Everyone Joint Development Framework Policy JP-G6: Urban Green Space.
- 2 The submitted plans do not scale consistently, and provide conflicting information in relation to the extent of the proposed wall. It is therefore considered that the application contains insufficient information to allow the application to be fully considered in terms of visual amenity, impact on the Conservation Area and impact on the allocated Open Space in Town Centre contrary to Unitary Development Plan and Places for Everyone Joint Development Framework Policies EN1/2 - Townscape and Built Environment, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control, TC1/1 - Open Space in Town Centres, JP-P1 - Sustainable Places, JP-P2 - Heritage and JP-G6 - Urban Green Space.
- 3 The design, material and number of gates facing Crompton Street would introduce a discordant feature into Bury Town Centre Conservation Area where it is the intention of the Local Planning Authority to secure a high standard of development in relation

to alterations and additions by requiring the use of sympathetic and compatible building forms and materials. It is therefore considered that the proposal would neither preserve nor enhance the Conservation Area. The proposal therefore conflicts with the following policies of the Unitary Development Plan and Places for Everyone Joint Development Framework EN2/1 Character of Conservation Areas, EN2/2 Conservation Area Control, EN1/2 - Townscape and Built Design, Bury Town Centre Conservation Area Appraisal, JP-P2: Heritage and the National Planning Policy Framework.

- 4 The proposal would result in the creation of a vehicular access onto Crompton Street at a hazardous location, which, due to a lack of adequate turning facilities within the site, would lead to unacceptable conflicts between vehicles reversing from the proposed parking area and pedestrians and approaching vehicles and would therefore be detrimental to highway safety and maintaining the free flow of traffic on the adjacent highway. The proposed development would therefore be contrary to the following policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Framework EN1/2 - Townscape and Built Design, JP-P1 - Sustainable Places, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.
- 5 The applicant has failed to demonstrate the proposal would ensure that adequate off-highway bin storage arrangements can be provided for the number of associated flats, in order to ensure that the adjacent adopted highways are not used for refuse collection purposes or the storage of communal bins contrary to Bury Unitary Development Plan and Places for Everyone Joint Development Plan Policies EN1/2 - Townscape and Built Design, JP-P1 - Sustainable Places, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.

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:

TC1/1	TC1/1 - Open Space in Town Centres
EN1/2	EN1/2 - Townscape and Built Design
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
RT1/1	RT1/1 - Protection of Recreation Provision in the Urban Area
EN7/2	EN7/2 - Noise Pollution
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-G6	Urban Green Space
JP-P1	Sustainable Places
JP-P2	Heritage
JP-P7	Sport and Recreation
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential

Properties.
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:

Location Plan, 502 Rev 1, Existing Block Plan 1:200, P(100), P (101), P (102),

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'J. H. H.', is written over a dotted line.

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On behalf of the Council

Date of Decision: 01/05/2026