

**DELEGATED REPORT**

|                                 |                                   |                                |
|---------------------------------|-----------------------------------|--------------------------------|
| <b>Report by</b> Helen Pressley | <b>Date of report:</b> 13/05/2025 | <b>Ref:</b> 71742/ADV          |
| <b>Registration:</b> 31/03/2025 | <b>LDFC:</b> 02/05/2025           | <b>Expiry Date:</b> 26/05/2025 |
| <b>Site Visit:</b> 13/05/2025   | <b>Site Notice:</b> N/A           | <b>Press Date:</b> N/A         |
| <b>Objections:</b>              | <b>Con Area:</b> BURY             | <b>Adv Type:</b> N/A           |
| <b>Reason for Delay:</b>        |                                   | <b>EIA:</b> NA                 |
| N/A                             |                                   | <b>Dec Level:</b> DEL          |
|                                 |                                   | <b>Stat Class:</b> ADVT        |

**Proposal:** Non-illuminated ATM surround signage

**Location:** 36 The Rock, Bury, BL9 0NT

**Description**

The application relates to Natwest Bank which is located on The Rock. The site is located within Bury Conservation Area.

Permission is sought for a replacement, non-illuminated ATM signage that would measure 1040mm x 210mm and would be sited above one, of the 2no. ATMs that front The Rock.

**Relevant Planning History**

52577 - 2 No. internally illuminated logo and letters signs - Approve with Conditions  
08/06/2010

58028 - 2no internally illuminated fascia signs; 1no internally projecting sign; 1no web/telephone vinyl graphic; 1no bespoke vinyl entrance sign. 1no ATM chevron applied to glazing above ATM; 1 internally illuminated ATM tablet sign; 1no Natwest nameplate - Approve with Conditions 27/10/2014

58880 - 2 No. internally illuminated suspended chevron signs, 1 no. A0 suspended poster sign, 2 no. privacy window vinyls, 1 no. chevron window vinyl above ATM - Approve with Conditions 14/08/2015

**Publicity**

N/A

**Statutory/Non-Statutory Consultations**

**Traffic Section** - Do not wish to restrict the granting of planing permission.

**Conservation Officer** - No objection

**Pre-start Conditions** - Not relevant

**Development Plan and Policies**

|       |                                        |
|-------|----------------------------------------|
| EN1/9 | Advertisements                         |
| S2/3  | Secondary Shopping Areas and Frontages |
| S1/1  | Shopping in Bury Town Centre           |
| EN2/2 | Conservation Area Control              |
| EN2/1 | Character of Conservation Areas        |

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

### **Visual Amenity**

The site is located within Bury Conservation Area. As the site is located within the Conservation Area it is necessary to consider the proposal in terms of UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control of the UDP. Policy EN1/2 - Townscape and Built Design seeks to ensure that any proposals would not

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have an adverse impact on the particular character and townscape of an area.

The proposed signage would replace existing signage above the existing ATM. It is considered that the proposed signage would be suitably aligned in relation to the openings and architectural features of the building and would not be overly dominant within the streetscene.

Given that the signage, largely relates to replacements of existing advertisements it is considered that the proposal would preserve the character of the conservation area.

### **Highway Safety**

The signs would not be located where they would not cause hazard to pedestrians or motorists.

Having regard to the above, the proposal is considered to be acceptable and complies with UDP Policy EN1/9 – Advertisements.

**Recommendation:** Approve with Conditions

### **Conditions and Reasons:**

| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
|---------------------|-------------|-------------------------|-------------|
| HP                  | 13/05/2025  |                         |             |