

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 12/08/2026	Ref: 73297/ADV
Registration: 26/06/2026	LDfC: 21/07/2026	Expiry Date: 21/08/2026
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: BURY	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: ADVT

Proposal: 1no. fascia sign (externally illuminated)

Location: 12 Bolton Street, Bury, BL9 0LQ

Description

The application relates to a two storey mid terraced property located on a shopping street in Bury Town Centre which is within the Conservation Area.

This side of the shopping street comprises a restaurant, bars/pubs and a mix of Class E uses.

At the rear of the site is a paved area used as a servicing area where most of the premises on this row of store bins.

The premises originally operated as a retail sport shop at ground floor with associated storage rooms above.

Following its closure, the premises remained vacant for a period of time and was granted consent for a change of use of the ground floor to a sports bar (sui generis) with storage above (May 2024) and following that, the change of use of the whole building to a sports bar (17/1/25).

The permission for the sports bar was implemented but the bar only operated for a short period of time before closing.

Works had also been carried out unlawfully to remove the entire shop front and fascia and replacement fully glazed flat aluminium framed frontage installed which was entirely different to the historic and unique shop front which had originally characterised the building. (The original shop front was art deco in style and comprised recessed entrances, bay and side quarter glazed shop frontages with a timber frame).

Following enforcement intervention, an application was thereafter received to restore the front elevation to emulate the original shop front and change the use from a sports bar to a convenience store (planning ref 72243).

This has now been implemented and the shop has opened.

This application seeks advertisement consent for 1 no. fascia sign (externally illuminated). The sign would span across the full length of the shop front and portray the name of the business.

The sign would be 9.4m in length, 0.65m high and 0.8m deep and the height of the text would be 0.45m.

The sign would have white lettering against a black background with a centrally positioned coloured logo.

The proposed fascia sign would be a like for like replacement in terms of its size and position within the shop frontage.

Relevant Planning History

69796 - Prior approval for proposed change of use from commercial, business and service (Class E) to mixed use including 2 No. Flats (Class C3) - Prior Approval Required and Granted 08/02/2024

70545 - Change of use of ground floor shop (Class E) to sports bar with first floor offices (Sui Generis) - Approve with Conditions 08/05/2024

70841 - Installation of extraction flue and 2 no air conditioning units - Approve with Conditions 08/08/2024

71158 - Internally illuminated fascia sign - Refused 14/11/2024

71159 - Change of use of the building from a mixed use to a sports bar - Approve with Conditions 17/01/2025

72243 - Change of use from a sports bar (Sui Generis) to a convenience store (Class E) and restore front elevation. - Approve with Conditions 20/02/2026

73369 - Installation of an ATM -

73385 - Installation of 2 no. non-illuminated sign to ATM -

25/0252 - Change of use of business to convenience store and installation of new shop front - 28/08/2025

Publicity

n/a

Statutory/Non-Statutory Consultations

Conservation Officer - No objection

Pre-start Conditions - Not relevant

Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
EN1/8	Shop Fronts
EN1/9	Advertisements
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
JP-P2	Heritage

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.

The site is in the Bury Town Centre Conservation Area.

Para 141 of the NPPF states that the quality and character of places can suffer when advertisements are poorly sited and designed.

Para 79 of the NPPG states that local planning authority should always consider the local characteristics of the neighbourhood: for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the local planning authority would consider whether it is in scale and in keeping with these features.

Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control policies only support proposals where it can be demonstrated that development would preserve or enhance the special character of the area. In the case of re-use of buildings or the introduction of new uses, the impact of the proposal on the character or appearance of the area and the fabric of the building will be considered.

Policy EN1/9 - Advertisements states that the Council will seek to control advertisements in the interests of amenity and public safety in order to enhance the quality of the Borough's environment.

Amenity

The proposed sign would have a flat panel base and would be mounted flush to the existing shop fascia. The sign would not project beyond the face of the building.

The sign would have white lettering on a black background which are considered heritage

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colours and as such considered acceptable and appropriate within the Conservation Area.

The proposed fascia sign would be a replacement of the existing in terms of its size and positioning within the shop frontage.

the Conservation Officer has raised no objection.

It is therefore considered the proposed sign would preserve the character and appearance of the conservation area and comply with policies EN1/9, EN2/1, EN2/2 and the principles of the NPPF.

Safety

The sign should incorporate a minimum underside clearance of 2.4m from the adjacent footway.

The sign would be 2.7m from ground level at the shortest point and as such would not cause an obstruction or danger to pedestrians using this part of the footway or on entering the shop premises.

The sign would be externally illuminated by 3 individual lights at an illumination levels of 500cd/m². The site is located on a main shopping street in the Town Centre where there are other premises open in the hours of darkness with similallry lit frontages.

It is therefore considered the proposed development would be acceptable and comply with EN1/9.

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 Location plan, existing and proposed front elevation IPS/R/12/BL90LQ SHT 1 of 1
- 2 The external lighting shall not exceed illumination levels of 500cd/m².
Reason. In the interests of residential and visual amenity and highway safety pursuant to policies EN1/2 and EN1/9.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	12/8/26	HL	14/08/2026