

72243 – 12 Bolton Street, Bury

Change of use from a sports bar (Sui Generis) to a convenience store (Class E) and restore front elevation to original state

The application site is within the Bury town centre conservation area. The conservation area is on Historic Englands' Heritage at Risk register (HAR).

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

In the exercise, with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Paragraph 202 of the National Planning Policy Framework (NPPF) states that heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 210 of the NPPF states in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 212 of the NPPF states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 213 of the NPPF states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 215 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 219 of the NPPF states that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Paragraph 220 of the NPPF states that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 214 or less than substantial harm under paragraph 215, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

Change of use –

No objection to the change of use from a conservation area point of view.

Restoration of shop front –

The previously existing shop front, which dated from the Art Deco period of the 20th century, was removed and replaced with a contemporary, fully glazed and flat shop front, without planning permission.

I am not aware of any elements of the shop front that have been retained for reference with regard to executing its restoration or any level of building recording that has been carried out.

The proposed plan and elevation are an approximation of the previously existing Art Deco shop front which has been removed. The proposed restoration is not of the same proportions as the previously existing, so would not represent a restoration or a like for like replacement of the previously existing shop front. This issue would need addressing.

In terms of general design and materials the submitted plan has specified a hardwood timber which is acceptable. Sections of the timber frame and window has been shown on the submitted plan and appear to be indicative rather than specified with regard to the external profile detail of the timber frame. More

detail on this is required and could be set by condition. There is a plan from a previous application which I believe shows the correct timber, glazing and layout proportions of the previous Art Deco shop front. This plan is copyright protected and as such the applicant would need the permission of its author to use the plan or extract or its survey data for reproduction.

As pointed to the applicant on site the stall riser would need to be Speckled Black Fusion Granite of which part is still remaining in situ.

The two timber double front doors are also not of the correct proportions and this also need to be addressed.

The colour of the shop front is not an issue.

The metal gates are not an issue as they are not historic, being installed in 2015, although if they are to be restored also, further details of their design in terms of profiles will be required and again could be set by condition.

It is recommended the applicant instructs and appropriately qualified and or experienced heritage architect who can achieve the desired outcome.

Conservation Officer

26/9/25