

# NOTICE OF REFUSAL OF PLANNING PERMISSION

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

**To:**

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Regus  
82 King Street  
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M2 4WQ

**On Behalf Of:**

Mr Browne  
BT Telecommunications Plc  
pp 8.05  
Faraday Building  
1 Knightrider Street  
London  
EC4V 5BT

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### PART 1 - Particulars of Application

**Application Number:** 68449

**Date of Registration:** 12/05/2022

**Proposal:**

Installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of associated BT Kiosks.

**Location:**

Pavement opposite Frankie & Benny's, 15-17 The Rock, Bury, BL9 0JY

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### 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 proposal would result in an unnecessary obstruction of the adopted highway and the creation of additional street clutter for an installation that primarily consists of an advertisement screen that is not a direct replacement for the adjacent telephone kiosks, and 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 Rock Place and contrary to the active travel aspirations of the Council. The proposed development would therefore be contrary to UDP Policies EN1/2, EN1/4, EN5/1, HT6/1, EN1/9 and EN1/10.
- 2 The proposal by reason of its siting and position would introduce a piece of street furniture which would add an obstruction to the public highway which would conflict with pedestrian movement and which would introduce a discordant feature within the streetscene and be seriously detrimental to the visual amenity and appearance of the area. The proposed development would therefore be contrary to UDP Policies EN1/2, EN1/4, EN5/1, HT6/1, EN1/9 and EN1/10.

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

NPPF National Planning Policy Framework  
EN1/2 EN1/2 - Townscape and Built Design

|        |                                               |
|--------|-----------------------------------------------|
| EN1/4  | EN1/4 - Street Furniture                      |
| EN1/5  | EN1/5 - Crime Prevention                      |
| EN1/9  | EN1/9 - Advertisements                        |
| EN1/10 | EN1/10 - Telecommunications                   |
| EN7/2  | EN7/2 - Noise Pollution                       |
| S1/1   | S1/1 - Shopping in Bury Town Centre           |
| S2/3   | S2/3 - Secondary Shopping Areas and Frontages |
| HT5/1  | HT5/1 - Access For Those with Special Needs   |
| HT6/1  | HT6/1 - Pedestrian and Cyclist Movement       |
| CF1/1  | CF1/1 - Location of New Community Facilities  |

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:**

Site location maps 001 rev A; Proposed site plan 002 rev A; Existing and proposed elevations 003 rev A; Street Hub Anti-Social Behaviour Plan Version 2; Street Hub Noise Management Plan Version 2.

**NOTES TO APPLICANT**

- . 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:



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On behalf of the Council

**Date of Decision:** 11/08/2022