

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Martin Brown
Telent
Rutland House
5 Allen Road
Livingston
EH54 6TQ

On Behalf Of:

Mr Simon Warner
BT Group plc
1 Braham Street
London
E1 8EE

PART 1 - Particulars of Application

Application Number: 71502

Date of Registration: 23/12/2024

Proposal:

Installation of 1 no. BT street hub unit with 2 no. digital 75 inch LCD display screens either side of unit

Location:

Pavement adj 65-69 Rochdale Road, Bury, BL9 7AX

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 and unacceptable obstruction of the existing adopted highway on the A58 (Rochdale Road) and the creation of additional street clutter for an installation that primarily consists of an advertisement screen, 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 the adopted highway on Rochdale Road and contrary to the active travel aspirations of the Council. The proposed development therefore conflicts with the following policies of the Development Plan: EN1/9 - Advertisements, EN1/4 - Street Furniture, EN1/2 Townscape and Built Design, JP-P1 Sustainable Places, JP-C5 Streets for All, JP - C6 - Walking and Cycling and the National Planning Policy Framework.
- 2 The proposal would reduce the available width of the existing adopted footway on the A58 (Rochdale Road) to substandard levels, which would be detrimental to pedestrian safety and maintaining existing pedestrian desire lines on the adopted highway on Bury New Road. The proposed development therefore conflicts with the following policies of the Development Plan: EN1/9 - Advertisements, EN1/4 - Street Furniture, EN1/2 Townscape and Built Design, JP-P1 Sustainable Places, JP-C5 Streets for All, JP - C6 - Walking and Cycling and the National Planning Policy Framework.
- 3 The proposed installation would restrict visibility of the signals to the east of the site

at A58 Rochdale Road/York Street/Lord Street junction and would pose a distraction to drivers approaching the signalised junction from the west, to the detriment of highway safety and maintaining the free flow of traffic on the adjacent classified road. The proposed development therefore conflicts with the following policies of the Development Plan: EN1/9 - Advertisements, EN1/4 - Street Furniture, EN1/2 Townscape and Built Design, JP-P1 Sustainable Places, JP-C5 Streets for All, JP - C6 - Walking and Cycling and the National Planning Policy Framework.

- 4 The proposal would restrict visibility to sub-standard levels to the right at the junction of York Street with Rochdale Road in the event of an 'all red'/signal failure, which would be detrimental to highway safety and maintaining the free flow of traffic on the adjacent classified road. The proposed development therefore conflicts with the following policies of the Development Plan: EN1/9 - Advertisements, EN1/4 - Street Furniture, EN1/2 Townscape and Built Design, JP-P1 Sustainable Places, JP-C5 Streets for All, JP - C6 - Walking and Cycling and the National Planning Policy Framework.
- 5 The application and submitted plans contain insufficient information in relation to the removal of existing phone kiosks stated as forming part of and justification for this proposal. The proposed development therefore conflicts with the following policies of the Development Plan: EN1/9 - Advertisements, EN1/4 - Street Furniture, EN1/2 Townscape and Built Design, JP-P1 Sustainable Places, JP-C5 Streets for All, JP - C6 - Walking and Cycling and the National Planning Policy Framework.
- 6 The proposed advertisements, by virtue of their illumination, size and siting would appear as an incongruous addition to the street scene which would be severely detrimental to both the appearance of the streetscene and to the general visual amenities of the area contrary to Development Plan Policies EN1/9 - Advertisements, EN1/2 -Townscape and Built Design, EN1/4 - Street Furniture, JP-P1 Sustainable Places and the National Planning Policy Framework.
- 7 The proposed street Hub, by virtue of its siting and position would appear an alien and incongruous addition on the footway and as a result strident in the streetscene which would be severely detrimental to both the appearance of the streetscene and general visual amenities of the area contrary to Policies EN1/9 - Advertisements, EN1/2 -Townscape and Built Design, EN1/4 - Street Furniture, JP-P1 Sustainable Places and the National Planning Policy Framework.

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

JP-S1	Sustainable Development
NPPF	National Planning Policy Framework
Area	Area BY10 - Rochdale Road/Lord Street/York Street
BY10	
S3/1	S3/1 - New Retail Development Opportunities Within or Adjoining Town Centres
HT2/1	HT2/1 - The Strategic Route Network
HT5/1	HT5/1 - Access For Those with Special Needs
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
EN1/2	EN1/2 - Townscape and Built Design
EN1/4	EN1/4 - Street Furniture
EN1/9	EN1/9 - Advertisements

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:

Existing site plan rev B
Proposed site plan rev B
Existing site elevation rev B
Proposed site elevation rev B
BT Street Hub elevations
Existing and proposed views
Supporting statement
Driver Distraction Assessment

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:

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

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On behalf of the Council

Date of Decision: 10/06/2025