

# NOTICE OF REFUSAL OF PLANNING PERMISSION

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

**To:**

Deborah Day  
64 Pinfold Hill  
Lichfield  
Staffordshire  
WS14 0JP

**On Behalf Of:**

Mr Blum  
Crompton Living Ltd  
c/o Agent

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### PART 1 - Particulars of Application

**Application Number:** 70320

**Date of Registration:** 15/12/2023

**Proposal:**

Replace existing windows and doors -  
Removal of three doors and reinstatement of  
full length windows; Partial removal of  
bricked door with insertion of window; 3 no.  
windows with railings to be removed and  
replaced with larger windows

**Location:**

5 Crompton Street, Bury, BL9 0AD

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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 proposed external alterations, replacement UPVC doors and replacement UPVC windows would by virtue of their design and materials introduce a discordant feature into the Bury Town Centre Conservation Area where it is the intention of the Local Planning Authority to secure a high standard of development in relation to alterations by requiring the use of sympathetic and compatible building forms and materials. The proposed external alterations would neither preserve nor enhance the conservation area within which the site is located and would have an unacceptable impact on a Non-Designated Heritage Asset, that would lead to a development that is neither sympathetic to nor compatible with the historic significance of the building. The proposal therefore conflicts with the following policies of the Unitary Development Plan: EN2/1 Character of Conservation Areas, EN2/2 Conservation Area Control, EN1/2 - Townscape and Built Design, Bury Town Centre Conservation Area Appraisal and the National Planning Policy Framework.
- 2 The application and submitted plans fail to adequately assess the impacts of the proposal on the significance of the identified Non-designated Heritage Asset and Conservation Area through the submitted Heritage Assessment, and have failed to submit details of the proposed front and rear elevations and the design of the windows and doors proposed. The application and submitted plans therefore contain insufficient information to enable them to be properly assessed in relation to the

impact of the proposal on a Non-Designated Heritage Asset and Conservation Area. The proposal therefore conflicts with the following policies of the Unitary Development Plan: EN2/1 Character of Conservation Areas, EN2/2 Conservation Area Control, EN1/2 - Townscape and Built Design, Bury Town Centre Conservation Area Appraisal and the National Planning Policy Framework.

**Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015**

The Local Planning Authority offered solutions to the applicant in order to make the development acceptable. The applicant was however unwilling to amend the plans. Without these amendments the development would not improve the economic, social and environmental conditions of the area and therefore does not comprise sustainable development. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

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

|       |                                           |
|-------|-------------------------------------------|
| EN1/2 | EN1/2 - Townscape and Built Design        |
| EN2   | EN2 - Conservation and Listed Buildings   |
| EN2/1 | EN2/1 - Character of Conservation Areas   |
| EN2/2 | EN2/2 - Conservation Area Control         |
| S2/2  | S2/2 - Prime Shopping Areas and Frontages |
| Area  | Area BY6 - Central Shopping Area          |
| BY6   |                                           |
| S1/1  | S1/1 - Shopping in Bury Town Centre       |
| EN1/1 | EN1/1 - Visual Amenity                    |
| NPPF  | National Planning Policy Framework        |

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:**

**NOTES TO APPLICANT**

Not Applicable

Signed:



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On behalf of the Council

**Date of Decision:** 07/02/2024