

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Michael Ainsworth
MADP
11 Woodvale Crescent
Bingley
West Yorkshire
Keighley
BD16 4AJ

On Behalf Of:

Mr Raza Habib
Titan Holdings Corporation Ltd
The Car Depot
Derby Way
Bury
Lancashire
BL9 0NJ

PART 1 - Particulars of Application

Application Number: 72745

Date of Registration: 30/01/2026

Proposal:

Change of use of land at the former fire station to vehicle storage yard (Sui Generis)

Location:

Former Bury Fire Station, The Rock, Bury, BL9 5AH

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 development would, by reason of its size, position and lack of screening, be a prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Framework EN1/2 - Townscape and Built Design, EN1/7 - Throughroutes and Gateways, EC6/1 - New Business, Industrial and Commercial Development and JP-P1 - Sustainable Places
- 2 The application fails to demonstrate how the existing site levels would be dealt with to enable the site to be used for the intended purpose. As a result of the lack of demonstrable information over surfacing, this has a potential to impact the use of the site as intended and would have a detrimental impact outside of the site in terms of highway safety whereby vehicles can not be turned within the site. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Framework EN1/2 - Townscape and Built Design, EN1/7 - Throughroutes and Gateways, EC6/1 - New Business, Industrial and Commercial Development, JP-P1 - Sustainable Places. JP-C5 Streets for All and JP-C6 Walking and Cycling.
- 3 The application and submitted plans contain insufficient information to ensure that

adequate surface water drainage arrangements are proposed within the curtilage of the site to prevent the discharge of surface water onto the adopted highway from the proposed vehicle storage yard, to the detriment of maintaining the integrity of the adjacent adopted highway. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Framework EN1/2 - Townscape and Built Design, EN1/7 - Throughroutes and Gateways, EC6/1 - New Business, Industrial and Commercial Development, JP-P1 - Sustainable Places. JP-C5 Streets for All and JP-C6 Walking and Cycling.

- 4 The application and submitted plans contain insufficient information to confirm why visitor parking provision is required for the use proposed. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Framework EC6/1 - New Business, Industrial and Commercial Development, HT2/4 - Car Parking and New Development and Supplementary Planning Document 11.
- 5 The application, submitted plans and Biodiversity Net Gain metric contain insufficient information to enable them to be properly assessed in relation to Biodiversity Net Gain and the loss of existing habitats on site. The proposal would therefore fail to comply with Schedule 7A of the Town and Country Planning Act 1990 and Policies JP-G8 A Net Enhancement of Biodiversity and Geodiversity, EN8/2 - Woodland and Tree Planting and JP-G7 Trees and Woodland of the adopted Development Plan.

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

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. 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:

Area	Area BY5 - The Rock/Peel Way
BY5	
EN1/2	EN1/2 - Townscape and Built Design
EN1/7	EN1/7 - Throughroutes and Gateways
EN6/3	EN6/3 - Features of Ecological Value
EC4/1	EC4/1 - Small Businesses
EC6/1	EC6/1 - New Business, Industrial and Commercial Development
EC2/1	EC2/1 - Employment Generating Areas
S1/1	S1/1 - Shopping in Bury Town Centre
HT2/4	HT2/4 - Car Parking and New Development
JP-J2	Employment Sites and Premises
JP-J4	Industry and Warehousing Development
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-P1	Sustainable Places
JP-G7	Trees and Woodland

JP-G8 A Net Enhancement of Biodiversity and Geodiversity
JP-S2 Carbon and Energy
JP-S5 Clean Air
SPD11 Development Control Policy Guidance Note 11 - Parking Standards in Bury
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:

100 B, 101 B, 201 C, 202 A, 203

NOTES TO APPLICANT

Not Applicable

Signed:

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

3 of 3

.....
On behalf of the Council

Date of Decision: 27/03/2026