

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr N Butterworth
89 Higher Ainsworth Road
Radcliffe
Manchester
M26 4JJ

On Behalf Of:

Mr Stuart Sivvery
Brandlesholme Hall
Brandlesholme Road
Bury
BL8 4LS

PART 1 - Particulars of Application

Application Number: 71821

Date of Registration: 02/06/2025

Proposal:

Erection of two storey retail unit

Location:

Land between 7 and 11 Bolton Street, Bury,
BL9 0EY

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, by virtue of its scale, massing and design would result in the introduction of an incongruous and discordant addition into the Bury Town Centre Conservation Area and setting of the designated and Non-designated Heritage Assets where it is the intention of the Local Planning Authority to secure a high standard of development and design in relation to new building by requiring the use of sympathetic building forms and design. The proposal would neither enhance or preserve the character and appearance of the Bury Town Centre Conservation Area and would have an adverse impact on the special architectural merit of the Heritage Assets and non-Designated Heritage Assets. The proposal therefore conflict with the following policies of the Unitary Development Plan: EN2/1 Character of Conservation Areas, EN2/2 Conservation Area Control and principles of the NPPF.
- 2 The proposed development would, by reason of its height and position within the streetscene and design, would be an intrusive and incongruous 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 policy : EN1/2 - Townscape and Built Design and the principles of the NPPF.
- 3 The application and submitted plans contain insufficient information in order to properly assess the following highway aspects of the proposed development:
 - Physical impact of the proposed development and its foundations and surface

- water drainage arrangements on the adjacent adopted highway;
- Confirmation that vehicular access to the site can be achieved on land within the applicant's control and that the proposed parking can be accommodated within the curtilage of the site, clear of the adopted highway;
- Confirmation that adequate levels of visibility at the back edge of the footway can be achieved on land within the applicant's control;
- Confirmation that adequate bin storage facilities and access to those facilities can be accommodated within the curtilage of the site, clear of the adopted highway.

The proposed development would therefore be contrary to Policies JP-S4, JP-C5, JP-C8, HT2/4 and the principles of the NPPF.

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

NPPF	National Planning Policy Framework
S1/1	S1/1 - Shopping in Bury Town Centre
S2/3	S2/3 - Secondary Shopping Areas and Frontages
EN1/2	EN1/2 - Townscape and Built Design
EN1/8	EN1/8 - Shop Fronts
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
HT2/4	HT2/4 - Car Parking and New Development
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-P1	Sustainable Places
JP-P2	Heritage
JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-S5	Clean Air
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury

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:

Location plan
 Existing elevations/plans dwg 1
 Proposed elevations and plan dwg 2
 Existing site plan dwg 3
 Proposed site plan dwg 4

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'P. H. H.', written in a cursive style.

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On behalf of the Council

Date of Decision: 24/07/2025