

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Richard Shuttleworth
Equilibrium Architects Ltd
Bank Chambers
Bank Street
Bury
BL9 0DL

On Behalf Of:

Mr Sid Sethi
Specscart
10 Union Street
Bury
BL9 0NY

PART 1 - Particulars of Application

Application Number: 69914

Date of Registration: 18/07/2023

Proposal:

Modifications to existing window openings

Location:

10 Union Street and 40 The Rock, Bury, BL9 0NY

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 window alterations by virtue of their design would introduce a disharmonious 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. The proposed window alterations would neither preserve nor enhance the conservation area within which the site is located. The proposal would cause an unacceptable loss of architectural significance to Non-Designated Heritage Assets 40 The Rock and 10 Union Street. The proposal therefore conflicts with the following policies of the Unitary Development Plan: EN2/1 Character of Conservation Areas, EN2/2 Conservation Area Control, EN1/1 - Visual Amenity, EN1/2 - Townscape and Built Design and paragraphs 199, 202 and 203 of the NPPF

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:

EN2/1 EN2/1 - Character of Conservation Areas
EN2/2 EN2/2 - Conservation Area Control
EN1/1 EN1/1 - Visual Amenity
EN1/2 EN1/2 - Townscape and Built Design
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:

C-0544-SLP, C-0544-15 Revision A, C-0544-20 Revision A, C-0544-05 Revision A,
C-0544-10 Revision A

NOTES TO APPLICANT

Not Applicable

Signed:

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

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On behalf of the Council

Date of Decision: 08/09/2023