

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Nu-Fit Design LTD
Ccc
354a Hollinwood Avenue
Chadderton
M40 OJB

On Behalf Of:

Mustapha
11-19 Bolton Street
Bury
BL9 0EY

PART 1 - Particulars of Application

Application Number: 72418

Date of Registration: 31/03/2026

Proposal:

Second floor/roof extension to form 9 no. apartments and increase in retail space to ground floor

Location:

11-19 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 dormers would by virtue of their design, scale and siting 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. 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, H2/2 The Layout of New Residential Development, H2/1 - The Form of New Residential Development, Places for Everyone Joint Development Framework Policies JP-P1 - Sustainable Places and JP-P2 - Heritage, 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 Conservation Area through the submitted Heritage Statement, and have failed to submit full details of the proposed shop fronts, materials, photovoltaic panels, air source heat pumps and proposed flues. Due to the lack of detail within the proposed elevational drawings and conflicting information supplied within the supporting information it is considered that the applicant has failed to demonstrate that the development as a whole would preserve or enhance the character or appearance of the Conservation Area in which

it is sited. 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, H2/2 The Layout of New Residential Development, H2/1 - The Form of New Residential Development, Places for Everyone Joint Development Framework Policies JP-P1 - Sustainable Places and JP-P2 - Heritage, Bury Town Centre Conservation Area Appraisal and the National Planning Policy Framework.

- 3 The development would be seriously detrimental to the residential amenities of future occupants due to the lack of bathrooms for Units 1, 4 and 7 and the failure to demonstrate compliance with Nationally Described Space Standards (NDSS) through the provision of adequate built in storage and ceiling heights. The proposal would therefore fail to comply with the following policies of the Unitary Development Plan EN1/2 - Townscape and Built Design, H2/2 The Layout of New Residential Development, H2/1 - The Form of New Residential Development, Places for Everyone Joint Development Framework Policies JP-P1 - Sustainable Places , JP-H3 - Type, Size and Design of New Housing and the National Planning Policy Framework.
- 4 The application and submitted plans contain insufficient, topographical survey based information in order for the following to be properly assessed in relation to:
 - 1.Provision of vehicular and pedestrian access to the development from Parks Yard.
 2. Provision of in curtilage servicing, parking and cycle storage arrangements that comply with Supplementary Planning Document 11: Parking Standards in Bury, located clear of the adopted highway and private access route to the south of the site.
 - 3.Bin storage and waste collection arrangements for the existing and proposed uses on site.

The proposed development therefore conflicts with Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 The Layout of New Residential Development, HT2/4 - Car Parking and New Development, Places for Everyone Joint Development Framework Policies JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-P1 - Sustainable Places and the National Planning Policy Framework and Supplementary Planning Document 11: Parking Standards in Bury.

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:

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|-------|---|
| EN1/2 | EN1/2 - Townscape and Built Design |
| EN2/1 | EN2/1 - Character of Conservation Areas |
| EN2/2 | EN2/2 - Conservation Area Control |
| S2/3 | S2/3 - Secondary Shopping Areas and Frontages |

S1/1	S1/1 - Shopping in Bury Town Centre
EN6/3	EN6/3 - Features of Ecological Value
EN7/3	EN7/3 - Water Pollution
EN7/5	EN7/5 - Waste Water Management
EN7/2	EN7/2 - Noise Pollution
H1/2	H1/2 - Further Housing Development
H2/1	H2/1 - The Form of New Residential Development
H2/2	H2/2 - The Layout of New Residential Development
H2/4	H2/4 - Conversions
H3/1	H3/1 - Assessing Non-Conforming Uses
H3/2	H3/2 - Existing Incompatible Uses
H4/1	H4/1 - Affordable Housing
HT2/4	HT2/4 - Car Parking and New Development
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-C3	Our Public Transport
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air
JP-P1	Sustainable Places
JP-P2	Heritage
JP-P6	Health
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
NPPF	National Planning Policy Framework
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
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, BUILDING/26158192-H, BUILDING/26158192-I, BUILDING/26158192-E, BUILDING/26158192-F, BUILDING/26158192-J, BUILDING/26158192-C, BUILDING/26158192-D, BUILDING/26158192-C, BUILDING/26158192-J, BUILDING/26158192-A, BUILDING/26158192-G, BUILDING/26158192-B

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read "Paul Harris", written in a cursive style.

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On behalf of the Council

Date of Decision: 18/06/2026