

72991 & 72992 – Pavement outside Chicken Cottage, 1 Market Street, Bury.

A - 72991 - Installation of 1 no. BT Street Hub Unit with 2 no. digital 75 inch LCD display screens either side of unit.

B – 72992 - Advertisement consent for 1 no. BT Street Hub Unit with 2 no. digital 75 inch LCD display screens either side of unit.

The two applications are similar to two refused applications (70422 & 70423) for a communications hub and defibrillator and is proposed to be sited approximately 17 metres north of the refused applications site on the same side of the road – Market Street/Haymarket Street outside 46 Haymarket Street. The application refusals were appealed and dismissed, reference APP/T4210/W/24/3343988 on 12/8/24.

The Inspector commented with regard to the impact of the proposals on the character and appearance of the conservation area as follows:

"I therefore conclude on the first main issue that, in respect of Appeal A, the proposal would fail to preserve or enhance the character and appearance of the CA, contrary to the requirements of Section 72(1) of the Act and the relevant provisions of the Framework, PfE policies JP-P1 and JP-P2 and UDP policies EN1/2, EN1/4 and EN1/10. These policies, amongst other things, seek to ensure that new development, including street furniture, is suitably located and well-designed, respects and would not have an unacceptable adverse effect on the particular character and townscape, and conserves the historic environment.

With regards to Appeal B, the proposal would have an unacceptable effect on the amenity of the area. The policies of the development plan have been considered as far as they are material, and in this respect, the proposal would also conflict with the above identified policies and UDP Policy EN1/9 which requires advertisements to have regard to the characteristics of the local neighbourhood".

This proposal would provide a double sided 75 inch screen display which would cause a greater visual impact than the dismissed appeal proposal and would be closer to the listed buildings at 18-20 Market Street and the Derby Hall Market Street with The Kay Monument to the south. It would impact their settings by virtue of its siting and its intervisibility with those buildings and views up to Market Place, further contemporising the immediate vicinity of the listed buildings in which they would be experienced, thus diminishing their significance.

As such the proposal would not, by virtue of its proposed siting, mitigate the harm identified on the previous applications to the setting of the listed buildings. It would not mitigate the contemporising harm to the character and appearance of the conservation area by virtue of its size, siting and visual impact. The harm

caused to the character and appearance of the conservation area and the setting of the listed buildings would constitute less than substantial harm and whilst there may be some public benefit provided by the hub it is not considered it would outweigh the harm identified.

Conservation Officer

30/4/26