

DELEGATED REPORT

Report by Helen Pressley	Date of report: 30/07/2026	Ref: 73148/FUL
Registration: 16/06/2026	LDfC: 24/07/2026	Expiry Date: 11/08/2026
Site Visit: 01/07/2026	Site Notice: 01/07/2026	Press Date: 02/07/2026
Objections: 0	Con Area: BURY	Adv Type: CA
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Reconfiguration of shopfront to include new access door, window and installation of new fascia

Location: 11-13 The Rock, Bury, BL9 0JP

Description

The application relates to a mid-terraced, ground floor unit located on The Rock. The site is located within the Bury Town Centre Conservation Area. The existing shop front has a offset, recessed front door with glazing either side. A tiled stall riser is located beneath the glazing, with tiled pilasters either side. An area of signage is located above the existing shop front.

Planning permission is sought for the reconfiguration of shopfront to include new access door, window and installation of new fascia. The proposal seeks to remove the existing recessed entrance and provide a new glazed entrance door , with a yellow powder coated aluminium surround. The height of the stall riser would be removed, and a single area of glazing introduced. Pilasters would be retained to the sides of the shop front and finished in a high pressure laminate cladding.

Relevant Planning History

18029 - New Shop Front - Approve 13/03/1986

73149 - 1 no. Internal Illuminated Fascia Sign; 1 no. Internal Illuminated Double sided projecting sign - Refused 19/06/2026

Publicity

Letters sent to neighbouring properties 29/06/2026

Site notice posted 01/07/2026

Press notice 02/07/2026

No representations received.

Statutory/Non-Statutory Consultations

Conservation Officer The new shop front cannot be supported in heritage conservation terms because of its harmful impact on that part of the conservation area

Traffic Section The outward opening gate from the 'outside courtyard' onto North Back Rock indicated on the submitted plans does not comply with the requirements of Section 153 of the Highways Act 1980 that prohibits the opening of doors, gates or bars outwards onto the adopted highway, and as such, would pose a risk to passing pedestrians and would therefore be detrimental to pedestrian safety.

Pre-start Conditions - Not relevant

Development Plan and Policies

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
S1/1	Shopping in Bury Town Centre
S2/3	Secondary Shopping Areas and Frontages
EN1/8	Shop Fronts
EN1/2	Townscape and Built Design
JP-P2	Heritage
HT5/1	Access For Those with Special Needs
JP-P1	Sustainable Places
JP-S2	Carbon and Energy
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
NPPF	National Planning Policy Framework

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within

the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Visual Amenity

UDP Policy EN1/2 seeks to ensure that proposals do not have an adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements. PfE Policy JP-P1 Sustainable Places aims to promote a series of beautiful, healthy and varied places. UDP Policy EN1/8 further seeks to ensure that proposals for new and altered shop front properly respect the architectural elements of the building and the character of the surrounding street scene.

As the site is located within Bury Town Centre Conservation Area it is necessary to consider the proposal in terms of UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control that seek to preserve and enhance the special character or appearance of an area. PfE Policy JP-P2 - Heritage also applies, and ensures that the LPA will work proactively to conserve, sustain and enhance our historic environment.

As set out above, the application site is within Bury town centre conservation area. The building is also considered to be a Non-Designated Heritage Asset (NDHA). The existing shop front is not original. Planning permissions for the shops' change of use from a shop to an amusement centre, new shop front and associated signage was granted in 1986. These pre-date the publication of the Bury Town Centre Conservation Area Appraisal and Management Plan, The National Planning Policy Framework (NPPF) and the Unitary Development Plan (UDP).

It is considered that due to the existing alterations to the ground floor of the premises it is only the upper floors elevations that retain local heritage value with regard to their architectural interest and contribution to the character and appearance of the conservation area. Unfortunately the ground floor has been altered to introduce a large fascia, with panel above that does not reflect the proportions of the original building. This has been replicated on the neighbouring properties to some extent. Part of the original frontage is visible within Figure 28 and Figure 53 of the Bury Town Centre Conservation Area Appraisal which indicates the original proportions of the ground floor shop front in relation to the upper floors. The existing modern shop front is also noted in the Conservation Area Appraisal, with a reference to good buildings being spoiled by crude shop front signage and fascias. Overall, the design and appearance of the existing shop front is not appropriate within the conservation area when assessed against present planning policy as it does not preserve or enhance the character or appearance of the conservation area contrary to section 72(1) of the Planning (Listed Building & Conservation areas) Act 1990 or comply with the relevant policies of the NPPF and UDP.

Paragraph 219 of the NPPF states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

The Conservation Area Appraisal notes that Bury has very few or original historic shopfronts. Within the conservation area there are good examples of reproduction shop fronts which maintain the character of the historic centre (8-12 Bolton Street, for example).

The proposed new shop front would represent a further contemporising of the building and that part of the conservation area. The existing shop front whilst an incongruous and contemporising feature within that part of the conservation area, does have some architectural references to a more traditional design, proportions and materials of an historic shop front such as the centrally placed, recessed doorway, retention of the stall riser feature. The loss of these features under the proposed new shop front which would comprise loss of the centralised recessed entrance, loss of the stall riser, retention of overly large and dominant fascia panel and the introduction of a large flush feature door would not preserve or enhance the character or appearance of that part of the conservation area.

The materials proposed, with high pressure laminate cladding, a large yellow aluminium door surround and powder coated aluminium gray unframed glazing would also fail to replicate the traditional materials that should be utilised for shop fronts with the Conservation Area.

It is considered that the proposal would represent a missed opportunity contrary to the aims of paragraph 219 of the NPPF. As such the proposal would represent less than substantial harm without any identified public benefit(s) that could be weighed against the harm to character and appearance of the conservation area identified. As such the new shop front cannot be supported in heritage conservation terms because of its harmful impact on that part of the conservation area

The proposed development would 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 to shop fronts by requiring the use of sympathetic and compatible building forms and materials. The proposal represents a missed opportunity to enhance or better reveal the significance of the Conservation Area and would therefore fail to preserve or enhance the Conservation Area in which it is sited. The proposal therefore conflict with Bury Unitary Development Plan Policies EN2/1 Character of Conservation Areas, EN2/2 Conservation Area Control, EN1/8 - Shop Fronts, Places for Everyone Joint Development Framework Policy JP-P2: Heritage and the NPPF.

Access

UDP Policy HT5/1 encourages the provision of satisfactory access for the mobility impaired and those with special needs. Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport.

The proposed new entrance would provide a ramp up to a level access, with full automated sliding doors. This would replace the existing outward opening doors and internal lobby. It is considered that the access arrangements to the front of the shop would be acceptable.

It is acknowledged that Traffic have objected to the proposal due to the opening gate from the 'outside courtyard' onto North Back Road indicated on the submitted plans that does not comply with the requirements of Section 153 of the Highways Act 1980 that prohibits the opening of doors, gates or bars outwards onto the adopted highway. This is an existing arrangement and would therefore need to be enforced by the Local Highway's Authority.

Carbon and Energy

PfE Policy JP-S2 sets out the steps required to achieve net zero carbon emissions.

No information has been submitted to state how the proposal would comply with this Policy consideration.

Digital Connectivity

Policy JP-C2 requires all new development to have full fibre to premises connections unless technically infeasible and / or unviable.

Given the nature of the proposal it is considered that this policy would not be applicable.

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.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed development would by reason of scale, proportions, extent involving the use of unsympathetic and incompatible building forms and materials would introduce a discordant and unsympathetic shop front alteration which would fail to preserve or enhance architectural features of the host building at a prominent street level into the Bury Town Centre Conservation Area. The proposal therefore would conflict with Bury Unitary Development Plan Policies EN2/1 Character of Conservation Areas, EN2/2 Conservation Area Control, EN1/8 - Shop Fronts, Places for Everyone Joint Development Framework Policy JP-P2: Heritage and the National Planning Policy Framework paragraphs 207, 208, 212, 213, 215, 216 and 219.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HO	30/07/2026	DM	30/07/2026