

NOTICE OF REFUSAL OF CONSENT TO DISPLAY ADVERTISEMENTS

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

To:

Mr Stephen Herraghty
JCDecaux
991 Great West Road
Brentford
TW8 9DN

On Behalf Of:

Mr Nathan Still
In Focus Ltd
991 Great West Road
Brentford
Middlesex
TW8 9DN

PART 1 - Particulars of Application

Application Number: 70423

Date of Registration: 05/02/2024

Proposal:

Advertisement consent for display integrated into multifunctional communication hub unit

Location:

Pavement outside 46 Haymarket, Bury, BL9 0BX

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 siting of the proposed advertisement and associated hfb would be seriously detrimental to the visual amenity of the street scene, nearby occupiers and pedestrians by reason of its siting on the adopted pedestrianised highway and would cause pedestrian movement conflict and conflict with desired sight lines. The proposed development therefore conflicts with the following policy of the Bury Unitary Development Plan: EN1/9 - Advertisements and the NPPF
- 2 The proposal would result in an unnecessary obstruction of the existing adopted highway and the creation of additional street clutter for an installation that primarily consists of an advertisement screen, without agreement for the placement of such equipment on the adopted highway with the Highway Authority, which would be detrimental to pedestrian safety, maintaining existing pedestrian desire lines and contrary to the active travel aspirations of the Council. The proposal therefore conflicts with the following policies of the Unitary Development Plan EN1/9 Advertisements.

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:

EN1/9	EN1/9 - Advertisements
EN1	EN1 - Built Environment
EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN2	EN2 - Conservation and Listed Buildings
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
EN2/3	EN2/3 - Listed Buildings
EN1/10	EN1/10 - Telecommunications
EN1/4	EN1/4 - Street Furniture
HT5/1	HT5/1 - Access For Those with Special Needs
CF1/1	CF1/1 - Location of New Community Facilities
HT6/1	HT6/1 - Pedestrian and Cyclist Movement

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:

A/489467/01 Rev A, Site 2 Existing, Site 2 Proposed, A 0 2 4 2 4

NOTES TO APPLICANT

1. It is brought to the attention of the applicant that the proposal affects existing adopted highway and that the necessary permit for the placement of such equipment on the adopted highway is highly likely to be refused by the Highway Authority.

Signed:



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On behalf of the Council

Date of Decision: 19/03/2024