

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Jay Everett
Addison Planning Consultants Ltd
Armoury House
45A Otley Street
Skipton
BD23 1EL

On Behalf Of:

Property Investment Complete Ltd
c/o Agent

PART 1 - Particulars of Application

Application Number: 70803

Date of Registration: 10/09/2024

Proposal:

Change of use to create 9no. apartments
(Class C3) including internal alterations;
Existing timber framed windows to be
replaced

Location:

Former Barclays Bank, 26 Silver Street, Bury,
BL9 0DH

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 proposal would result in the loss of significant features of a Grade II Listed Building to the detriment of its appearance, character and historic interest, principally within the former banking hall. The proposal would not bring the Listed Building back into a use that would be compatible with its conservation and the harm to the Listed Building is considered to be less than substantial harm. The applicant has failed to demonstrate a clear and convincing justification or balancing of identified public benefit against the harm identified. The proposal would therefore conflict with the following policies of the Development Plan: EN2/3 Listed Buildings, JP-P2 - Heritage and Chapter 16 -Conserving and enhancing the historic environment of the National Planning Policy Framework.
- 2 The proposed windows, by reason of the introduction of blanking panels, are detrimental to the character and special architectural interest of this, the adjacent listed buildings and would fail to preserve the Bury Town Centre Conservation Area. The proposal would therefore conflict with the following policies of the Development Plan: EN2/3 Listed Buildings, JP-P2 - Heritage, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control and Chapter 16 -Conserving and enhancing the historic environment of the National Planning Policy Framework.
- 3 Insufficient information has been submitted with the application to enable the Local Planning Authority to fully determine the effect of the proposal upon the appearance,

character and historic interest of a Grade II Listed Building. The information provided does not allow for the Local Planning Authority to carry out its statutory duty, specifically in having special regard to the desirability of preserving the building and any features of architectural or historic interest which it possesses. The proposal would therefore conflict with the following policies of the Development Plan: EN2/3 Listed Buildings, JP-P2 - Heritage and Chapter 16 -Conserving and enhancing the historic environment of the National Planning Policy Framework.

- 4 The applicant has failed to demonstrate that they would be able to provide adequate noise mitigation within the proposed development without detriment to a Grade II Listed Building and the Conservation Area within which the site is located, which would be seriously detrimental to the residential amenities of future occupiers by reason of the noise. The proposed development therefore conflicts with the following policies of the Development Plan: EN1/2 - Townscape and Built Design, EN7/2 - Noise Pollution, JP-P1: Sustainable Places EN2/3 Listed Buildings, JP-P2 - Heritage, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control and Chapter 16 -Conserving and enhancing the historic environment of the National Planning Policy Framework.
- 5 The location of the bedroom window for Unit 05 would result in an unacceptable reduction in the level of privacy currently enjoyed by the occupiers of No. 24 Silver Street by reason of the sub-standard distances between habitable windows and the shared boundary and between existing windows at No. 24 Silver Street. The proposed development therefore conflicts with Development Plan Policies H1/2 - Further Housing Development, EN1/2 - Townscape and Built Design, H2/4 - Conversions, and Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 6 The proposed dwellings would fail to meet Nationally Described Space Standards (NDSS) for in built storage for units 6, 7, 8 and 9. The proposal would therefore fail to comply with Places for Everyone Joint Development Plan Policy JP-H3: Type, Size and Design of New Housing.
- 7 The proposed development by virtue of the insertion of rooflights to serve bedrooms within Units 06, 07 and 08 would provide poor, inadequate and sub-standard living conditions for future occupiers by virtue of very limited natural light and restricted and poor outlook and ventilation. The proposed development therefore conflicts with Development Plan Policies H1/2 - Further Housing Development, EN1/2 - Townscape and Built Design, H2/4 - Conversions, and Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 8 The application and submitted plans and supporting statements contain insufficient information to enable the Local Planning Authority to assess whether the proposal would maximise reductions in carbon emissions, as required by Policy JP-S2 - Carbon and Energy of the Places for Everyone Joint Development Plan.
- 9 The application and submitted plans and supporting statements contain insufficient information to demonstrate that the proposal would comprise high quality digital infrastructure, as required by Policy JP-C2 - Digital Connectivity of the Places for Everyone Joint Development Plan.

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:

EN1/2	EN1/2 - Townscape and Built Design
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
EN2/3	EN2/3 - Listed Buildings
EN6/3	EN6/3 - Features of Ecological Value
EN7/2	EN7/2 - Noise Pollution
EN7/5	EN7/5 - Waste Water Management
EN8/2	EN8/2 - Woodland and Tree Planting
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
HT2/4	HT2/4 - Car Parking and New Development
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-P1	Sustainable Places
JP-P2	Heritage
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S1	Sustainable Development
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
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:

23-062-00, 23-062-SK01, 23-062-SK02, 24272-DR-C-0100 P1, 23-062-SK115 received 6th October 2025, 23-062-SK110 received 6th October 2025 and 23-062-SK116 received 6th October 2025.

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: 22/10/2025