

DELEGATED REPORT

Report by Helen Pressley	Date of report: 19/06/2026	Ref: 73149/ADV
Registration: 29/04/2026	LDFC: 04/06/2026	Expiry Date: 24/06/2026
Site Visit: 16/06/2026	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: BURY	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: ADVT

Proposal: 1 no. Internal Illuminated Fascia Sign; 1 no. Internal Illuminated Double sided projecting sign

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.

Advert consent is sought for:

- 1 no. Internal Illuminated Fascia Sign 1150mm x 6750mm;
- 1 no. Internal Illuminated Double sided projecting sign 900mm x 1000mm x 100mm

Relevant Planning History

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

Publicity

N/A

Statutory/Non-Statutory Consultations

Conservation Officer - The proposed replacement of the illuminated fascia and projecting sign along with the proposed new illuminated door surround would, by virtue of their siting, size, colour, design and illumination, not preserve the character or appearance of the conservation area.

Traffic Section - Condition requested in relation to luminance of the signs.

Pre-start Conditions - N/A

Development Plan and Policies

EN1/9	Advertisements
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
JP-P2	Heritage
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.

Policy

UDP Policy EN1/9 relates to adverts and signage and states that proposals should have regard to the character of the locality, scale of the existing building and land use and be considered on their impact on amenity and safety. Paragraph 141 of the NPPF confirms that "The quality and character of places can suffer when advertisements are poorly sited and designed."

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.

Amenity

The application site is within Bury town centre conservation area and the building is considered to be a Non-Designated Heritage Asset (NDHA). 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. As such, any alteration to the shop front, or in this application proposed new illuminated signs will impact on the character and appearance of the conservation area.

It would appear the current shop front signage does not benefit from the express consent required for illuminated signs within the conservation area.

The proposed plans show alterations to the shop front, that have not yet been applied for through the submission of a valid planning application. The applicant's agent has been written to prior to the decision being issued to ask them to enter into pre-application discussions in relation to the changes proposed but a response has not been received to date.

The proposed fascia and projecting sign would be located at the same level as the existing advertisements at the site, and are aligned with the adjacent shop fronts to the north. As discussed above the location of the fascia is considered to be at odds with the proportions of the building however this is an existing situation. The design of the proposed signage includes internally illuminated LED lettering, and illuminated yellow bands. An area of illumination is also shown on the plans around the new entrance door. Generally speaking the more discrete the lighting, the less cluttered the shopfront appears. It is considered that the proposed internal illumination would be an overly contemporising feature that would not be acceptable within a conservation area particularly when viewed in the context of the shop front proposals that have not had consent.

The projecting sign is also considered to be oversized, and rather than being a traditional sign that is hung from the building, the scale and design fails to respect the historicism of the host building and the conservation area in which the proposal is site. The Conservation Area appraisal for Bury Town Centre confirms that the Council will resist inappropriate advertising in the conservation area. It is considered that the proposed signage would contribute to the further erosion of the conservation area creating harm to the townscape quality of the area.

Ultimately the erection of illuminated advertisements proposed in this location represents a poor design solution for this site and would cause harm to the visual amenities of the area. The proposed replacement of the fascia and projecting sign along with the proposed new illuminated door surround would, by virtue of their siting, size, design and illumination, not preserve the character or appearance of the conservation area. They would constitute less than substantial harm with no identifiable public benefit that would outweigh the harm caused to the character and appearance of the conservation area.

Safety

The proposed signs would not be a hazard pedestrians or motorists and a condition has been requested in relation to the luminance of the signs from the Traffic Section.

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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 erection of illuminated advertisements proposed in this location represents a poor design solution for this site and would cause harm to the visual amenities of the area. The proposed fascia and projecting sign along with the proposed new illuminated door surround would, by virtue of their siting, size, design and illumination, not preserve the character or appearance of the conservation area. The proposal would therefore be contrary to Bury Unitary Development Plan Policies EN1/9 - Advertisements, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control, Places for Everyone Joint Development Framework Policy JP-P2: Heritage and the National Planning Policy Framework.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	19/06/2026	DM	19.06.26