

NOTICE OF REFUSAL OF PERMISSION IN PRINCIPLE

Town and Country Planning Act 1990 Town and Country Planning (Permission in Principle) Order 2017

To:

Mr David Driver
TECH:D LTD
10 Beechwood Ave
Bury
Lancashire
BL00BH

On Behalf Of:

Mr D & Mrs G White
133 Walmersley Road
Bury
BL9 5AY

PART 1 - Particulars of Application

Application Number: 71606

Date of Registration: 27/02/2025

Proposal:

Application for permission in principle for erection of building containing 4 no. apartments, including car parking and associated works.

Location:

Land adjacent to 133 Walmersley Road, Bury, BL9 5AY

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 development for up to 4no. dwellings on a 0.0315ha site would lead to over intensification of the site that would lead to unsatisfactory design, layout and amenity arrangements at Stage 2. The in principle amount of development proposed would therefore be contrary to Development Plan Policies JP-H4 - Density of New Housing, H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, JP-P1 - Sustainable Places and EN1/2 - Townscape and Built Design.
- 2 The proposal would result in the loss of existing established access, parking and servicing facilities for the retained commercial uses at No. 133 Walmersley Road, which is likely to lead to conflicts on the adjacent adopted highways including the A56 Walmersley Road, and would therefore be detrimental to road safety and maintaining the free flow of traffic on the adjacent classified road contrary to the policies set out above. The in principle amount of proposed development would therefore conflict with Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-P1 - Sustainable Places and JP-C8 - Transport Requirements of New Development.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

EN1/2 EN1/2 - Townscape and Built Design

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
H2/3	H2/3 - Extensions and Alterations
HT2/4	HT2/4 - Car Parking and New Development
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-P1	Sustainable Places
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S1	Sustainable Development
JP-S5	Clean Air
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:

25-01.01 01, 25-01.01 02, 25-01.01 03

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read "for haw", written in a cursive style.

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On behalf of the Council

Date of Decision: 03/04/2025