

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Andrew Gaskell
ARG Design
2 Atlas Fold
Bury
BL8 1PD

On Behalf Of:

Elaine Barker
5 Inglewood Close
Bury
BL9 7LD

PART 1 - Particulars of Application**Application Number:** 67821**Date of Registration:** 18/11/2021**Proposal:**

Single storey extension at side/rear with
balcony and glass balustrade

Location:

5 Inglewood Close, Bury, BL9 7LD

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 balcony would result in an unacceptable reduction in the level of privacy currently enjoyed by the occupiers Nos 3 and 7 Inglewood Close by reason of the sub-standard distances between the balcony and garden areas of these properties and the existing habitable room windows on No 7 Inglewood Close. The proposed development therefore conflicts with Unitary Development Plan Policy H2/3 Alterations and Extensions, EN1/2 - Townscape and Built Design and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 2 The proposed balcony would be seriously detrimental to the residential amenities currently enjoyed by the occupiers of the adjacent properties by reason of its size and proximity to adjacent properties in terms of noise and disturbances associated with the use of the proposed development. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: H2/3 – Alterations and Extensions, EN1/2 - Townscape and Built design, EN7/2 - Noise Pollution and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties

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:

H2/3 H2/3 - Extensions and Alterations
SPD6 Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
H1/1 H1/1 - Housing Land Allocations
EN1/2 EN1/2 - Townscape and Built Design
EN7/2 EN7/2 - Noise Pollution

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:

Existing plan 01; Existing elevations 02; Proposed plans 03 S1; Proposed elevations 04 S1

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 07/01/2022