

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr David Bitan
Debtal Architecture
72 Bury New Road
Prestwich
Manchester
M25 0JU

On Behalf Of:

Mr Z Nabir
29 Ferndale Avenue
Whitefield
M45 7GP

PART 1 - Particulars of Application

Application Number: 68049

Date of Registration: 01/03/2022

Proposal:

Single storey rear extension; Two storey side extension; First floor front extension; Loft conversion with roof extension

Location:

29 Ferndale Avenue, Whitefield, Manchester, M45 7GP

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 would, by reason of its size, position and design, be a prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area. The proposed development therefore conflicts with the following policy of the Bury Unitary Development Plan: H2/3 – Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 2 The proposal would require significant demolition works that would not maintain the existing fabric of the dwelling and therefore the application cannot to be adequately assessed as a householder application.
- 3 The application and submitted plans contain insufficient information regarding the impact of the proposed development on bats, which are a protected species under the 1981 Wildlife & Countryside Act (as amended) and The Conservation of Habitats and Species Regulations 2010.
The proposal is therefore contrary to Policy EN6 - Conservation of the Natural Environment of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

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
EN6 EN6 - Conservation of the Natural Environment
SPD6 Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
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:

001, 002, 003 Rev 3, 204, 205, 206 Rev 1

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 19/05/2022