

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Dean King
NK Architectural
19 Hexgaon Icosé
Blackley
Heald Green
Manchester
M9 8RN

On Behalf Of:

Mr Ali Naqvi
Woolfield House
Wash Lane
Bury
BL9 6BJ

PART 1 - Particulars of Application

Application Number: 69366

Date of Registration: 31/05/2023

Proposal:

Erection of two storey building comprising of
4 no. flats

Location:

Woolfield House, Wash Lane, Bury, BL9 6BJ

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 including the proposed boundary fence would, by reason of its siting, size, position and design, be a prominent and intrusive and discordant 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 policies of the Bury Unitary Development Plan: H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design.
- 2 The proposed development by reason of its height, size and position would result in an over-bearing and imposing impact with sub-standard levels of separation distances which would be significantly harmful impact on the amenities of the adjacent properties. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design.
- 3 The proposed development, by virtue of the siting and direct relationship to the existing building would result in sub-standard levels of separation which would be detrimentally harmful to the outlook and living conditions of future occupiers of the proposed development. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development and

EN1/2 - Townscape and Built Design.

- 4 The proposed development would result in the entire loss of the shared amenity space for the previously approved scheme planning reference 66090 and would also fail to provide for any external amenity space in association with the new development which would be harmful to the residential amenity of all future occupiers. The proposed development would therefore conflict with the following policies of the Bury Unitary Development Plan: H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design.
- 5 The application and submitted plans contain insufficient, inaccurate and conflicting information comparative to the layout approved under planning reference 66090 for parking, bin storage, boundary treatment, external amenity space and location of habitable room windows on the existing building. The proposed development is therefore contrary to the following policies of the Bury Unitary Development Plan: H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design.
- 6 The proposal would restrict visibility to sub-standard levels at the junction of the adjacent unadopted access with B6221 Wash Lane and at the back edge of the footway to sub-standard levels, which would be detrimental to highway safety. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.
- 7 The proposal would result in the loss of existing off-street car parking facilities for the adjacent convenience store, which is likely to lead to vehicles parking and carrying out manoeuvres on the adjacent classified roads to the detriment of the free flow of traffic and road safety. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.
- 8 The proposed car parking provision is inadequate and is likely to lead to vehicles parking and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and road safety. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.
- 9 The application and submitted plans contain insufficient information in order for the impact of the proposed property and boundary foundations, surface water drainage arrangements and relative levels between the site and adjacent adopted highway to be properly assessed. The proposed H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design and EN5/1 - New Development and Flood Risk.
- 10 The proposed boundary treatment for the erection of a timber fence to the site frontage would introduce a discordant and incongruous addition which would be out of character within the existing streetscene. As such, the proposed development would be contrary to Bury Unitary Development Plan Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design.

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:

NPPF	National Planning Policy Framework
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
EN1/2	EN1/2 - Townscape and Built Design
EN1/5	EN1/5 - Crime Prevention
EN5/1	EN5/1 - New Development and Flood Risk
HT2/4	HT2/4 - Car Parking and New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
RT2/2	RT2/2 - Recreation Provision in New Housing Development
SPD1	Supplementary Planning Document 1 - Open Space, Sport and Recreation Provision in New Housing Development
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
H4/1	H4/1 - Affordable Housing
SPD5	Development Control Policy Guidance Note 5: Affordable Housing Provision in New Residential Developments
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

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:

Red edge site plan; Existing site plan A101.1; Proposed site plan A101; Proposed site plan (with topo) A101 rev A; Proposed GF and 1st floor GA plan A100; Proposed elevations A108; 2D Tpop survey 2210 01 A

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: 21/07/2023