

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Stewart Rothwell
564 Botton Road
Bury
BL8 2DU

On Behalf Of:

Mr Mohammed Jameed
2 Skegness Close
Bury
BL8 1EQ

PART 1 - Particulars of Application

Application Number: 70302

Date of Registration: 05/12/2023

Proposal:

Erection of boundary wall/pillars to front/side/rear (maximum height of 2.4 M) with new vehicular access/dropped kerb

Location:

2 Skegness Close, Bury, BL8 1EQ

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 boundary fence 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(ies) of the Bury Unitary Development Plan: UDP Policy H2/3 and associated guidance in SPD6.
- 2 The proposal would result in the creation of a sub-standard additional vehicular access onto Hunstanton Drive at a position immediately at the junction with Skegness Close, served from an existing dropped crossing intended to be used only by pedestrians crossing at the junction and from a property already adequately and safely accessed from Skegness Close, all of which would be detrimental to road and pedestrian safety and to the detriment of the free flow of traffic on the highway.
- 3 The application and submitted plans contain insufficient information to properly assess the physical impact of the proposed development on the adopted highway and do not include sufficient highway remedial works to rectify damage caused to it or form the widened vehicular access onto Skegness Close, to the detriment of ensuring that the integrity of the adopted highway is maintained

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:

SPD11 Development Control Policy Guidance Note 11 - Parking Standards in Bury
SPD6 Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
H2/3 H2/3 - Extensions and Alterations

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:

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 29/01/2024