

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Harry Jackson
harryjacksonsurveyorsltd
Unit 4a Farnworth Park Ind Est
Wellington Street
Farnworth
BL4 7BY

On Behalf Of:

M/s Shabana Begum
The Gatehouse
Woodhill Road
Bury
BL8 1BN

PART 1 - Particulars of Application

Application Number: 68799

Date of Registration: 13/09/2022

Proposal:

Partial demolition and replacement of 1 no. dwelling

Location:

The Gatehouse, Woodhill Road, Bury, BL8 1BN

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(ies) of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
- 2 The proposed development would be detrimental to the amenities of the occupiers of Nos 113 & 115 Canterbury Drive and No. 89 Woodhill Road by reason of its height, size and position. The proposed development therefore conflicts with the following policy(ies) of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
- 3 The design of the proposed dwelling is neither appropriate to, nor sympathetic with the surrounding area and would be detrimental to the visual amenity of the area. The proposed development therefore conflicts with the following policy(ies) of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design

Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.

- 4 The proposed dwelling would result in an unacceptable reduction in the level of privacy currently enjoyed by the occupiers of the adjacent properties by reason of the sub-standard distances between habitable windows on the proposed dwelling and the boundary to the site. The proposed development therefore conflicts with the following policies of the Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
- 5 The size of the site is inadequate to accommodate the development proposed whilst satisfying reasonable requirements for space about the dwelling. The proposed development therefore conflicts with the following policy(ies) of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
- 6 The application and submitted plans contain insufficient information to enable the impact of the rooflights and a second floor upon the amenity of the neighbouring properties to be properly assessed. Therefore, the proposed development would conflict with Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
- 7 The application and submitted plans contain insufficient information to enable the impact of the proposed balcony to be properly assessed. Therefore, the proposed development would conflict with the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy H2/2 - The Layout of New Residential Development.
- 8 The application and submitted plans contain insufficient information to enable the impact of the proposed development upon coal mining to be properly assessed. Therefore, the proposed development would conflict with Policy EN7 - Pollution Control 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:

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
EN1/3 EN1/3 - Landscaping Provision
EN6 EN6 - Conservation of the Natural Environment
EN6/3 EN6/3 - Features of Ecological Value
EN7 EN7 - Pollution Control
EN7/1 EN7/1 - Atmospheric Pollution
EN7/2 EN7/2 - Noise Pollution
EN7/5 EN7/5 - Waste Water Management
EN8 EN8 - Woodland and Trees
HT2/4 HT2/4 - Car Parking and New Development
HT5/1 HT5/1 - Access For Those with Special Needs
HT6/2 HT6/2 - Pedestrian/Vehicular Conflict
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:

001 Rev A
002 Rev B
004
01
02
03
04
06 Rev A
07 Rev A
08 Rev A
09 Rev A
11 Rev A
12 Rev A
14 Rev A
15 Rev A

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 05/12/2022