

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Robert MacKenzie
MacMarshall
112A-116 Hamill House
Chorley New Road
Bolton
BL1 4DH

On Behalf Of:

Mr & Mrs J Packun
12 Higher Ash Hawkshaw Lane
Tottington
Bury
BL8 4LD

PART 1 - Particulars of Application

Application Number: 68772

Date of Registration: 06/06/2023

Proposal:

Erection of two storey garage/garden
outbuilding

Location:

Higher Ash Barn, 12 Hawkshaw Lane,
Tottington, Bury, BL8 4LD

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, by virtue of its siting, scale, massing and height would result in an incongruous and obtrusive incursion which would be a visually prominent feature and therefore detrimentally harmful to the openness of the Green Belt and the landscape qualities of the West Pennine Moors countryside area and the Special Landscape Area.
No Very Special Circumstances have been demonstrated to outweigh the harm caused to the openness of the Green Belt.
As such, the proposed development would be contrary to Bury Unitary Development Plan Policies EN1/1 - Visual Amenity, EN9/1 - Special Landscape Areas, OL1/2 - New Buildings in the Green Belt, OL7/2 - West Pennine Moors and SPD8 and the principles of the NPPF.
- 2 The proposed development by virtue of the scale, design and appearance, and in particular the full height garage door openings and external staircase, would introduce discordant, alien and unsympathetic features which would be seriously detrimental to the rural landscape and character and qualities of the Green Belt, Special Landscape Area and West Pennine Moors and which would have a negative and harmful impact of the setting of the adjacent Non-Designated Heritage Assets and how these Assets are viewed and experienced. The proposed development would therefore be contrary to Bury Unitary Development Plan Policies EN1/1 - Visual Amenity, EN9/1 - Special Landscape Areas, OL1/2 - New Buildings in the

Green Belt and, SPD8 - New Buildings and Associated Development in the Green Belt and the principles of the NPPF.

- 3 The proposed development by virtue of its siting, scale, and massing and position would result in an undue sense of enclosure and detrimental impact on the outlook of the occupiers of the adjacent residential property. The proposed development would therefore be contrary to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, H2/3 - Extensions and Alterations, SPD6 and SPD8.
- 4 The application and submitted plans contain insufficient information to enable them to be properly assessed with regards to the need for the proposed development, the proposed siting, design and appearance of the building and assessment of the impacts of the special qualities of the landscape area and the Green Belt which should include a case for Very Special Circumstances. The proposed development would therefore be contrary to Bury Unitary Development Plan Policies EN1/1 - Visual Amenity, EN9/1 - Special Landscape Areas, OL1/2 - New Buildings in the Green Belt, OL7/2 - West Pennine Moors and SPD8 and the principles of the NPPF.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

NPPF	National Planning Policy Framework
EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN9/1	EN9/1 - Special Landscape Areas
OL1	OL1 - Green Belt
OL7/2	OL7/2 - West Pennine Moors
OL1/2	OL1/2 - New Buildings in the Green Belt
HT2/4	HT2/4 - Car Parking and New Development
SPD8	Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt
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:

Proposed plans dwg C 267-3 rev 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: 31/07/2023