

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:
Mr C Shiels
CSTEC Ltd
12 Brownhills Close
Tottington
Bury
BL8 3LF

On Behalf Of:
Mr M Caveney
57 Hawkstone Avenue
Whitefield
Bury
M45 7PR

PART 1 - Particulars of Application

Application Number: 68037

Date of Registration: 01/03/2022

Proposal:
Loft conversion with rear terrace/balcony

Location:
57 Hawkstone Avenue, Whitefield,
Manchester, M45 7PR

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 loft conversion with rear terrace/balcony would result in an unacceptable reduction in the level of privacy currently enjoyed by the occupiers of the adjoining properties and their gardens by reason of the sub-standard distances from the proposed terrace/balcony to shared boundaries to the rear of the site. The proposed development therefore conflicts with Unitary Development Plan Policy H2/3 Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 2 The proposed development would be seriously detrimental to the residential amenities currently enjoyed by the occupier(s) of 37 Standmoor Road, by reason of the proposed balcony and its proximity to the first floor habitable room window on the rear elevation.
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.

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:

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:

Drawing number MC-02/01 Revision B

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'J. H. H.', is written over a dotted line.

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On behalf of the Council

Date of Decision: 25/04/2022