

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Rico Man
PWA Planning
2 Lockside Office Park
Lockside Road
Preston
PR2 2YS

On Behalf Of:

Joe Brown
MJ Dental Property Ltd
c/o Agent
PR2 2YS

PART 1 - Particulars of Application

Application Number: 73044

Date of Registration: 17/04/2026

Proposal:

Amendment to roof type together with roof extension to increase ridge height to create second floor; Amendment to front/side/rear fenestrations including addition of windows

Location:

5 Back Chapel Street, Tottington, Bury, BL8 4AH

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, and would impact the setting of the Grade II Listed National School to the north-west of the site. The proposed development therefore conflicts with Policy EN1/1 – Visual amenity, EN1/2 – Townscape and Built Design, EN2/3 – Listed Buildings within the UDP as well as Places for Everyone Policy Environment JP-P2 and National Planning Policy Framework paragraphs 207, 208, 210, 212, 213 and 215.
- 2 The height of the proposed, in relation to neighbouring residential properties, would result in an unacceptable reduction in the level of privacy presently enjoyed by the occupiers of that adjoining property, as well as creating an overbearing addition. The development is therefore contrary to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and associated Guidance Note 6 - Extensions and Alterations.

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:

EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN2/3	EN2/3 - Listed Buildings
JP-P2	Heritage
JP-C5	Streets For All
JP-C8	Transport Requirements of New Development
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:

Existing and Proposed Plans, Elevations, Site and Location, drawing number 101 Rev C, dated February 2026

Existing and Proposed Street Scene Elevations, drawing number 102 Rev A, dated April 2026

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 10/06/2026