

Our Ref: 73220
Your Ref:
Date: 10 June 2026
Please ask for: Helen Leach
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Mrs Suzanne Asher
Hive Land & Planning
47 North Star Drive
Salford
M3 5LJ

Dear Mrs Asher

Proposal: Non-material amendment following grant of planning permission 71532 (Variation of condition no. 2 (approved plans) and condition 15 (drainage design) of planning permission 70015 - removal of louvres from windows of the houses, bungalows and cottage flats; amendments to landscaping and additional information added to drainage design and layout):
(i) substitution of a small number of drawings under Condition 2 to regularise minor plan-based refinements, and
(ii) an update to the drainage drawing/reference under Condition 15 to reflect a below-ground surface water pumping chamber required by a third-party constraint

Location: Kemp Heaton Avenue, situated between Bury Cemetery & Peachment Place, Bury

Non Material Minor Amendment under Section 96A(4) of the Town and Country Planning Act 1990.

This application has now been considered by this Authority and we **refuse** the proposal for the following reason.

- 1 The proposed amendments to the parking at the rear of plots 1 - 5 would not provide sufficient turning facilities, which is likely to lead to vehicles parking and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and road safety. 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 in-curtilage parking would result in the creation of sub-standard pedestrian and vehicular access arrangements on and at the interface the access road, which have a detrimental impact on the pedestrian and road safety and do not maintain the integrity of the adopted highway. 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 proposed car parking provision is inadequate and is likely to lead to vehicles parking and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and road safety. 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 amendment to the drainage scheme would result in a variation to the approved scheme which cannot be considered as a non-material amendment pursuant to s96A of the Town and Country Planning Act and as such an application should be made pursuant to s73 of the Town and Country Planning Act 1990 as amended.

Please note there is no right of appeal against this decision.

Yours sincerely

The Development Management Team