

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Anwar
RA Design & Project Management Ltd
Suite 4
The White House
42-44 Chorley New Road
Bolton
BL1 4AP

On Behalf Of:

Mr P Sanghani
Green Street
Bury
BL8 1TF

PART 1 - Particulars of Application

Application Number: 70120

Date of Registration: 11/10/2023

Proposal:

Change of use from storage unit to 1 no.
dwelling (Use Class C3)

Location:

Storage unit to the rear of 2C Green Street,
Bury, BL8 1TF

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 the position of the proposed dwelling to the rear of Green Street and Tottington Road with no street frontage and accessed by an unadopted road routed between established residential properties, would constitute an incongruous and inharmonious form of development that would be unsympathetic to the established arrangement of streets, buildings and spaces. The proposed development therefore conflicts with Unitary Development Plan Policies EN1/2 - Townscape and Built Design, H2/1- The Form of New Residential Development, H2/2 - The Layout of New Residential Development, H2/4 - Conversions and H2/6 - Garden and Backland Development of the Bury Unitary Development Plan and the National Planning Policy Framework.
- 2 The application and submitted plans contain insufficient information to enable them to be properly assessed in relation to proposed residential amenity space for the dwelling. The submitted plans do not scale accurately and contain conflicting information in relation to the extent of the land associated with the proposal. The proposed development therefore conflicts with Unitary Development Plan Policies H2/1- The Form of New Residential Development, H2/2 - The Layout of New Residential Development and the National Planning Policy Framework.

- 3 The location of the proposed boundary fencing would be seriously detrimental to the residential amenities of the future occupiers by reason of its overbearing position in relation to the windows for the proposed dwelling. The proposed development therefore conflicts with Unitary Development Plan Policies H1/2 - Further Housing Development, H2/1 - The Form of New Residential Development and Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 4 The proposal would result in the creation of sub-standard access and parking arrangements on/adjacent to Green Street, which would be detrimental to highway safety and maintaining the free flow of traffic on the adopted highway. The proposed development therefore conflicts with Unitary Development Plan Policies H2/4 - Conversions, EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.
- 5 The application and submitted plans contain inaccurate and insufficient information in order to properly assess the impact on access to adjacent properties both fronting Green Street and Tottington Road. The proposed development therefore conflicts with Unitary Development Plan Policies H2/4 - Conversions, EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.

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
H2/2	H2/2 - The Layout of New Residential Development
H2/1	H2/1 - The Form of New Residential Development
H2/4	H2/4 - Conversions
H2/6	H2/6 - Garden and Backland Development
HT2/4	HT2/4 - Car Parking and New Development
EN1/2	EN1/2 - Townscape and Built Design
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
EN6	EN6 - Conservation of the Natural Environment
EN5/1	EN5/1 - New Development and Flood Risk
EN7/3	EN7/3 - Water Pollution
EN7/5	EN7/5 - Waste Water Management
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:
RAD/2934/23/1/RevA

NOTES TO APPLICANT
Not Applicable

Signed:

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

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On behalf of the Council

Date of Decision: 20/11/2023