

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Hoy

3

Dumers Lane

Bury

BL9 9PE

PART 1 - Particulars of Application

Application Number: 68456

Date of Registration: 13/05/2022

Proposal:

Proposed dropped kerb with associated landscaping for driveway.

Location:

3 Dumers Lane, Bury, BL9 9PE

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 design of the proposed hardstanding is neither appropriate to, nor sympathetic with the existing streetscene, and would be detrimental to the visual amenity of the area. 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
- 2 The proposal would result in the creation of a sub-standard access onto a classified road from a property that cannot provide suitable accommodation for vehicles to enter and leave the site in a forward gear, which would lead to vehicles reversing at an angle across the footway and into oncoming traffic, leading to unacceptable conflicts with pedestrians and vehicles at a hazardous point on the highway network and would therefore be detrimental to highway safety and maintaining the free flow of traffic on the A6053 Dumers Lane. 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
- 3 The hardstanding would be sub-stand in length and the potential remains for vehicles not to be able to be maintained clear of the adopted highway, which will lead to the reduction in available width the footway on Dumers Lane and would therefore be detrimental to pedestrian safety. The proposed development therefore conflicts with the following policy of the Bury Unitary Development Plan:

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:

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:

Plans received on 07/06/2022

NOTES TO APPLICANT

1. The applicants attention is drawn to the fact that the submitted plans contain insufficient information to ensure that adequate arrangements are proposed to ensure that the existing street lighting column would not be adversely affected by the proposed development or that surface water would not be discharged from the new hardstanding onto the adjacent adopted highway

Signed:



2 of 2

.....
On behalf of the Council

Date of Decision: 28/07/2022