

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Ms Dawn Cooper
D@C Design Ltd
62 Demesne Road
Whalley Range
Manchester
M16 8PJ

On Behalf Of:

Mr Jack Caplin
Global Property Manchester Ltd
Unit 2, Langley Business Park
Langley Road
Salford
M6 6JP

PART 1 - Particulars of Application

Application Number: 70852

Date of Registration: 27/06/2024

Proposal:

Variation of condition no. 2 (approved plans) of planning permission 66779: Amendment to cill heights, omission of some windows and balcony; reduction in the length of the boundary retaining wall and change from brickwork to a white render

Location:

10 Butterstile Lane, Prestwich, Manchester, M25 9PW

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 alterations to the fenestration of the building are neither appropriate to, nor sympathetic with the existing structure, and would be detrimental to the visual amenity of the area. The proposed development would neither preserve nor enhance the character of the Conservation Area and therefore conflicts with the following policies of the Development Plan:
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
JP-P1 - Sustainable Places
EN2/1 - Character of Conservation Areas
EN2/2 - Conservation Area Control
National Planning Policy Framework
- 2 The application and submitted plans contain insufficient information to enable them to be properly assessed in relation to the residential amenity space requirements proposed for current and future occupiers. The proposal therefore conflicts with the following policies of the Development Plan:
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
JP-P1 - Sustainable Places
National Planning Policy Framework

- 3 The access and parking arrangements constructed are sub-standard and are highly likely to lead to conflicts between vehicles carrying out manoeuvres on the adjacent adopted highway at the junction of the site access with Butterstile Lane, to the detriment of the free flow of traffic and road safety. The proposal therefore conflicts with the following policies of the Development Plan:
EN1/2 - Townscape and Built Design
H2/2 - The Layout of New Residential Development
JP-C5 - Streets for All
JP-C6 - Walking and Cycling
- 4 The parking arrangements and boundary details constructed are sub-standard and are highly likely to lead to conflicts between parked vehicles at the front of the property and pedestrians on the adjacent adopted highway and lead to the obstruction of visibility at the adjacent site access, to the detriment of pedestrian safety and the free flow of traffic and road safety. The proposal therefore conflicts with the following policies of the Development Plan:
EN1/2 - Townscape and Built Design
H2/2 - The Layout of New Residential Development
JP-C5 - Streets for All
JP-C6 - Walking and Cycling

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority offered solutions to the applicant in order to make the development acceptable. The applicant was however unwilling to amend the plans. Without these amendments the development would not improve the economic, social and environmental conditions of the area and therefore does not comprise sustainable development. 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
H2/1 H2/1 - The Form of New Residential Development
H2/2 H2/2 - The Layout of New Residential Development
H2/4 H2/4 - Conversions
EN1/2 EN1/2 - Townscape and Built Design
EN2/1 EN2/1 - Character of Conservation Areas
EN2/2 EN2/2 - Conservation Area Control
EN6/3 EN6/3 - Features of Ecological Value
EN8/2 EN8/2 - Woodland and Tree Planting
HT2/4 HT2/4 - Car Parking and New Development
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
JP-P1 Sustainable Places

JP-C5 Streets For All
JP-C6 Walking and Cycling
JP-C8 Transport Requirements of New Development
JP-H3 Type, Size and Design of New Housing
JP-H4 Density of New Housing
JP-G7 Trees and Woodland
JP-G8 A Net Enhancement of Biodiversity and Geodiversity

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:

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: 16/08/2024