

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Akeem Taylor
MCK Associates Limited
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48 Watling Street Road
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Preston
PR2 8BP

On Behalf Of:

Hive Homes (Greater Manchester) LLP
2a Derwent Avenue
Chorlton
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Manchester
M21 7QP

PART 1 - Particulars of Application

Application Number: 70827

Date of Registration: 05/06/2024

Proposal:

Variation of condition no. 2 following approval of planning permission 69387: (Formation of car park and erection of boundary fence) - Removal of demarcation of car park lines from proposed site layout

Location:

Land off Arley Avenue, rear of 1 Copse Drive & 2 Spinney Drive, Bury, BL9 5HE

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 removal of demarcated parking spaces would fail to adequately re-provide lost parking facilities for Seedfield football pitches associated with application 69079 which could impact on the number of vehicles that could be reasonably accommodated on the site. The proposed variation of condition would impact the ancillary facilities supporting the principal use of the playing field and could potentially lead to overspill parking on the adjacent highways to the detriment of highway safety. The proposed variation of condition would therefore be contrary to Policies EN1/2 - Townscape and Built Design, HT2/4 - Car Parking and New Development, JP-C5 - Streets for All, JP-C6 - Walking and Cycling, RT1/1 - Protection of Recreation Provision in the Urban Area, RT1/2, Improvements of Recreation Facilities, JP-P7 - Sport and Recreation of the Development Plan and paragraph 103 of the NPPF.

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:

EN1/2	EN1/2 - Townscape and Built Design
JP-P7	Sport and Recreation
RT1/1	RT1/1 - Protection of Recreation Provision in the Urban Area
RT1/2	RT1/2 - Improvement of Recreation Facilities
JP-C5	Streets For All
JP-P1	Sustainable Places
EN7/2	EN7/2 - Noise Pollution
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
JP-C6	Walking and Cycling
HT2/4	HT2/4 - Car Parking and New Development
JP-C8	Transport Requirements of New Development
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:

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 26/07/2024