

# NOTICE OF REFUSAL OF PLANNING PERMISSION

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

**To:**

Mr Niall Gunn  
Sheepgate Farm Cottage  
Bradshaw Road  
Tottington  
Bury  
BL8 3PL

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### PART 1 - Particulars of Application

**Application Number:** 69581

**Date of Registration:** 24/04/2023

**Proposal:**

Modifications to roof/first floor roof extension to accommodate additional living space to first floor; Porch to front elevation; Reduction in size of existing garage; External alterations to include solar panels to front/rear roof slopes, new stone/render finish to external elevations and alterations to doors/windows/glazing with 2 no. Juliet balconies to rear elevation

**Location:**

Sheepgate Farm Cottage, Bradshaw Road, Walshaw, Tottington, Bury, BL8 3PL

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### 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 its scale, location, design and use of materials would lead to inappropriate development within the Green Belt that erodes the character of the property in question and the openness of the surrounding area. The proposed alterations would result in a disproportionate additions over and above the size of the original dwelling and subsequently harm the openness of the Green Belt and is therefore contrary to the following policies of the Bury Unitary Development Plan: OL1/2 - New Buildings in the Green Belt and associated Supplementary Planning Document 8: New Buildings and Associated Development in the Green Belt, H2/3 - Extensions and Alterations and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties and the National Planning Policy Framework.
- 2 The proposed development would result in unacceptable overlooking of land outside of the applicant's ownership by reason of the sub-standard distances between habitable windows and the directly facing boundary and the increase of glazing. The proposed development therefore conflicts with Unitary Development Plan Policy H2/3 Alterations and Extensions and associated Supplementary Planning Document 6:

Alterations and Extensions to Residential Properties.

**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:**

|       |                                                                                                         |
|-------|---------------------------------------------------------------------------------------------------------|
| EN9/1 | EN9/1 - Special Landscape Areas                                                                         |
| OL1   | OL1 - Green Belt                                                                                        |
| OL7/2 | OL7/2 - West Pennine Moors                                                                              |
| H2/3  | H2/3 - Extensions and Alterations                                                                       |
| OL1/2 | OL1/2 - New Buildings in the Green Belt                                                                 |
| OL1/5 | OL1/5 - Mineral Extraction and Other Development in the Green Belt                                      |
| NPPF  | National Planning Policy Framework                                                                      |
| SPD8  | Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt |

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:**

11245 PL01, 11245 PL04, 11245 PL03, 11245 PL11, 11245 PL02, 11245 PL06, 11245 PL05, 11245 PL09, 11245 PL10, 11245 PL07, 11245 PL08 Rev A,

**NOTES TO APPLICANT**

Not Applicable

Signed:



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On behalf of the Council

**Date of Decision:** 01/11/2023