

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

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

On Behalf Of:

Mrs Maryam Bibi
253 Market Street
Bury
BL9 9JW

PART 1 - Particulars of Application

Application Number: 70959

Date of Registration: 20/09/2024

Proposal:

Demolition of existing dwelling and erection
of replacement attached dwelling

Location:

253 Market Street, Bury, BL9 9JW

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 would, by reason of its size, position, materials and design, be a prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area. The proposed development therefore conflicts with the following policies of the Development Plan.
H2/1 - The Form of New Residential Development
H2/2 - The Layout of New Residential Development
EN1/2 - Townscape and Built Design
JP-P1 - Sustainable Places
National Planning Policy Framework
- 2 The application and submitted plans contain insufficient information in relation to the existing outbuilding to the rear of the property to enable the provision of associated residential amenity space to be properly assessed. The proposed development therefore conflicts with the following policies of the Development Plan:
H2/1 - The Form of New Residential Development
H2/2 - The Layout of New Residential Development
EN1/2 - Townscape and Built Design
JP-P1 - Sustainable Places
National Planning Policy Framework
- 3 The application and submitted plans contain insufficient information to enable them to be properly assessed in relation to bat roosting potential. The proposal would

therefore fail to provide sufficient information to ensure that no harm would be caused to a Protected Species contrary to Development Plan Policies JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and EN6/3 – Features of Ecological Value and Section 11 of the National Planning Policy Framework.

- 4 The application and submitted plans contain insufficient information to ensure that the existing footway crossing would be utilised by the new dwelling and not result in the creation of an overly wide access, or hardstanding incorporates porous/permeable materials and/or measures to prevent the discharge of surface water onto the adopted highway. The proposed development therefore conflicts with the following policies of the Development Plan:
- H2/2 - The Layout of New Residential Development
 - EN1/2 - Townscape and Built Design
 - 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 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
EN6/3	EN6/3 - Features of Ecological Value
EN7/5	EN7/5 - Waste Water Management
EN8/2	EN8/2 - Woodland and Tree Planting
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
H2/3	H2/3 - Extensions and Alterations
HT2/4	HT2/4 - Car Parking and New Development
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-P1	Sustainable Places
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S1	Sustainable Development
JP-S5	Clean Air
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:

NOTES TO APPLICANT

Not Applicable

Signed:

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

3 of 3

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On behalf of the Council

Date of Decision: 28/10/2024