

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Keleghan
JK Technical Services (NW) Ltd
21 Campbell Road
Swinton
Manchester
M27 5QG

On Behalf Of:

Mr Mclean
Elms Bank Specialist Arts College
Bury
Whitefield
M45 8PJ

PART 1 - Particulars of Application

Application Number: 68122

Date of Registration: 06/01/2023

Proposal:

Extension of car park for 19 new parking spaces

Location:

Elms Bank Specialist Arts College, Ripon Avenue, Whitefield, Manchester, M45 8PJ

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 proposal would result in the removal of existing segregated pedestrian facilities from the adopted highway, which would be detrimental to pedestrian safety. The proposed development would therefore be contrary to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.
- 2 The proposed parking arrangements are sub-standard and likely to lead to conflicts between manoeuvring vehicles and vehicles entering the site at the junction with the adopted highway and within the site, which would be detrimental to highway safety and maintaining the free flow of traffic on Ripon Avenue. The proposed development would therefore be contrary to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.
- 3 The proposed development by virtue of the position of the 8 parking spaces and proximity to No 27 Ripon Avenue would have a detrimental impact on the amenity of the occupiers of this property. The proposed development would therefore be contrary to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT2/4 - Car Parking and New Development.
- 4 The application and submitted plans contain insufficient and inaccurate information and plans to enable them to be properly assessed in terms of the existing use of the

proposed site area and provision of pedestrian access and access gates. The proposed development would therefore be contrary to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.

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:

NPPF National Planning Policy Framework
EN1/2 EN1/2 - Townscape and Built Design
EN5/1 EN5/1 - New Development and Flood Risk
HT2/4 HT2/4 - Car Parking and New Development
CF1/1 CF1/1 - Location of New Community Facilities
CF2 CF2 - Education Land and Buildings
SPD11 Development Control Policy Guidance Note 11 - Parking Standards in Bury

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:

Proposed car park scheme dwg 04

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 01/03/2023