

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Gary Walker
18 Brightsmith Way
Swinton
Manchester
M27 9GE

On Behalf Of:

Mr Mohammed Amirinejad
53 Hulton Lane
Bolton
BL3 4JD

PART 1 - Particulars of Application

Application Number: 71444

Date of Registration: 04/02/2025

Proposal:

Erection of 2 no. dwellings

Location:

Land at Harper Fold Road & Canute Street,
Radcliffe, M26 3BX

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 and appearance of the proposed development is not suitable and would not be in keeping with the existing streetscene and as such would be seriously detrimental to the visual amenity of the area. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: H2/1, H2/2 and EN1/2 relating to design and visual amenity and Section 12 of the National Planning Policy Framework - Achieving Well Designed and Beautiful Places.
- 2 The proposed access and resultant car parking arrangements indicated on submitted plan reference HF001 001 Revision D do not take into consideration the presence of the existing street lighting column or parked vehicles on Canute Street are sub-standard and are likely to lead to vehicles parking, reversing onto and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and road safety. The proposal is therefore contrary to UDP Policy H2/2 The Layout of New Residential Development, HT2/4 Car Parking and New Development and HT6/2 Pedestrian/Vehicular Conflict and Development Control Policy Guidance Note 16 - Design and Layout of New Development in Bury and Places for Everyone Joint Development Plan Document policies JP-C5 and JP-C6.
- 3 Due to the conflicting details submitted, the proposals indicated on plann reference GW-HFR-R-10-01 Revision A do not provide suitable accommodation for vehicles to enter and leave the site in a forward gear, which would therefore be detrimental to road safety and maintaining the free flow of traffic on the adjacent adopted highway.

The proposal is therefore contrary to UDP Policy H2/2 The Layout of New Residential Development, HT2/4 Car Parking and New Development and HT6/2 Pedestrian/Vehicular Conflict and Development Control Policy Guidance Note 16 - Design and Layout of New Development in Bury and Places for Everyone Joint Development Plan Document policies JP-C5 and JP-C6.

- 4 The application and submitted plans contain insufficient, topographical survey-based information in order to properly assess the following:
- proposed access arrangements from Canute Street taking into consideration the presence of the existing street lighting column;
 - physical impact of the development and proposed extents of the proposed waney lap fencing on the adjacent adopted and unadopted highways that abut three sides of the site;
 - measures to ensure that the proposed parking spaces located adjacent and parallel to the back of the abutting footways do not lead to vehicles coming into conflict with passing pedestrians or straddling the unadopted and adopted highways;
 - measures to ensure that adequate visibility splays and visibility at the back edge of the footway can be provided at the junction of the site access with Canute Street, taking into consideration parked vehicles on the adopted highway;
 - measures to ensure that adequate refuse collection facilities for the two dwellings can be provided within the curtilage of the site clear of and without detrimental impact on the adjacent adopted and unadopted highways or proposed parking facilities.

The proposal is therefore contrary to UDP Policy H2/2 The Layout of New Residential Development, HT2/4 Car Parking and New Development and HT6/2 Pedestrian/Vehicular Conflict and Development Control Policy Guidance Note 16 - Design and Layout of New Development in Bury and Places for Everyone Joint Development Plan Document policies JP-C5 and JP-C6.

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:

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
EN1/2	EN1/2 - Townscape and Built Design
EN1/5	EN1/5 - Crime Prevention
EN1/7	EN1/7 - Throughroutes and Gateways
OL3/1	OL3/1 - Protection of Urban Open Space
HT2/4	HT2/4 - Car Parking and New Development
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
SPD16	Development Control Policy Guidance Note 16 - Design and Layout of New Development in Bury
JP-H3	Type, Size and Design of New Housing

JP-H4 Density of New Housing
JP-P1 Sustainable Places
JP-S1 Sustainable Development
JP-S2 Carbon and Energy
JP-C2 Digital Connectivity
JP-C5 Streets For All
JP-C6 Walking and Cycling
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:

GW-HFR-R-10-01A, 001D, 002C, 003C, 004C and 005C.

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in dark 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: 03/03/2025