

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Cummins
MTPC My Town Planning Consultancy
9 Astley Hall Drive
Ramsbottom
Bury
BL0 9DF

On Behalf Of:

Mr Mcdonald
10 Ainsworth Hall Road
Bury
BL2 5RZ

PART 1 - Particulars of Application

Application Number: 68366

Date of Registration: 18/05/2022

Proposal:

Erection of 1 no. Detached dwelling

Location:

Land adjacent to 17 Settle Close, Bury, BL8 2TP

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 the position of the site between the adopted stairway and gable elevation of the neighbouring industrial building and the position of the proposed dwelling immediately abutting the west, north east boundaries, would constitute an incongruous and inharmonious form and layout of development that would be unsympathetic to the established arrangement of dwelling and spaces in the surrounding locality. The proposed development therefore conflicts with policies EN1, EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan and Section 12 of the National Planning Policy Framework.
- 2 The proposal would result in the creation of sub-standard access and parking arrangements onto/adjacent to Settle Close and would not enable vehicles to be maintained clear of the adopted highway, which would therefore be detrimental to highway safety, contrary to policies EN1/2, HT2/4 and HT6/1 of the Bury Unitary Development Plan.
- 3 The relationship of the proposed development with the industrial building to the west of the site would have a dominating and overbearing impact on the immediate outlook from habitable room windows at the principal elevation of the proposed dwelling, which would be detrimental to the amenities of the occupiers, contrary to Bury Unitary Development Plan policies H1/2 and H2/1.
- 4 The application and submitted plans contain insufficient detailed, topographical

survey based information to enable the physical impact of the proposed development, retaining structures and surface water drainage arrangements on the adjacent adopted highway and adopted stepped pedestrian route to the east of the site to be properly assessed.

- 5 The application contains insufficient information to enable a proper and robust assessment of the potential noise impacts emanating from the commercial/industrial uses at the immediately adjacent Lowercroft Business Park on the amenity of occupiers of the proposed dwelling. The proposed development therefore conflicts with Bury Unitary Development Plan policies H1/2 and EN7/2.
- 6 The application contains insufficient information to enable a proper and robust assessment of the impacts of the proposed development on sewerage infrastructure. The proposed development therefore conflicts with Bury Unitary Development Plan policies H1/2 and EN1/2 and the principles of the National Planning Policy Framework.
- 7 The application contains insufficient information to enable a proper and robust assessment of the impacts of the development on ecology and biodiversity. The proposed development therefore conflicts with Bury Unitary Development Plan Policy EN6/3 and Section 15 of the National Planning Policy Framework.

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
EN6/3	EN6/3 - Features of Ecological Value
EN7/2	EN7/2 - Noise Pollution
HT2/4	HT2/4 - Car Parking and New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
NPPF	National Planning Policy Framework
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

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:

Location & Site Plans (Dwg no. 21.002-P.01 S1), Proposed Site Plan (Dwg no. P.002), Proposed Landscaping (Dwg no. 21.0052 - P.004 S1), Proposed GA Plans & Elevations

(Dwg no. 21.002 - P.006 S1)

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black 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: 10/08/2022