

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mrs Tammy Durban
Durban Design Studio
8 Park Lane
Whitefield
Manchester
M45 7PB

On Behalf Of:

Property Holdings
1 Park Hill Drive
Whitefield
Bury
M45 7PD

PART 1 - Particulars of Application

Application Number: 69437

Date of Registration: 20/03/2023

Proposal:

Erection of wall and fencing to side boundaries

Location:

1 Park Hill Drive, Whitefield, Manchester, M45 7PD

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 wall and fencing, by reason of its height, position, design and materials, is a prominent and intrusive feature in the street scene, out of character with the area and therefore seriously detrimental to the visual amenities of the area. The development therefore conflicts with the following policy of the Bury Unitary Development Plan: H2/3 – Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 2 The proposal results in the reduction in forward visibility at the bend on Park Hill Drive to sub-standard levels, which would be detrimental to highway safety. The development therefore conflicts with the following policy of the Bury Unitary Development Plan: H2/3 – Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 3 The proposal results in the reduction in visibility at the junction of the access to the property and Park Hill Drive to sub-standard levels, which would be detrimental to highway safety. The development therefore conflicts with the following policy of the Bury Unitary Development Plan: H2/3 – Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.

- 4 The proposal results in the reduction in visibility at the back edge of the footway to sub-standard levels at the driveway to No. 3 Park Hill Drive, which would be detrimental to highway safety. The development therefore conflicts with the following policy of the Bury Unitary Development Plan: 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:

H2/3 H2/3 - Extensions and Alterations
SPD6 Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

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:

002, 202, 203, 204

NOTES TO APPLICANT

1. The proposed wall incorporates weep holes that will lead to the discharge of surface water onto the adjacent adopted highway, which is contrary to the Highway Act 1980 and detrimental to highway safety and maintaining the integrity of the adopted highway.
2. The application and submitted plans contain insufficient information in relation to the physical impact of the wall and its foundations on the adjacent adopted highway or the need to incorporate a scheme of footway remedial works as part of the proposed development.

Signed:

A handwritten signature in black ink, appearing to read "for haw", written in a cursive style.

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On behalf of the Council

Date of Decision: 03/05/2023