

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Paul Henderson
Evolve Architectural Design Ltd
2 St Matthews School House
Stanhill Lane
Oswaldtwistle
Accrington
BB5 4PZ

On Behalf Of:

Mr Lorne Entwistle
9 Castle Street
Ramsbottom
Bury
BL9 5NG

PART 1 - Particulars of Application

Application Number: 70765

Date of Registration: 16/05/2024

Proposal:

Alteration to lower cill height of one existing window to form larger opening to accommodate patio doors

Location:

9 Castle Street, Bury, BL9 5NG

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 opening up of the ground floor window on the south elevation and the installation of full length patio style doors would represent an incongruous and discordant alteration on the building that would detract from the original dwelling and the terrace to which it forms part, thereby failing to either preserve or enhance the character and appearance of the Conservation Area. The proposed alteration therefore fails to accord with the requirements of S72 of the Planning (Listed Building and Conservation Areas) Act. The proposal would provide no public benefits to override the harm identified and therefore the proposals fail to accord with policies EN2/1 Character of Conservation Areas, EN2/2 Conservation Area Control and EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan and the National Planning Policy Framework.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

Where appropriate the council will seek to engage with applicants to resolve concerns over development proposals either before the application is submitted as promoted by paragraph 39, or during the consideration of the application as promoted by paragraph 38 of the NPPF. However, in some circumstances it will not be possible to resolve these concerns and so a refusal of the application is necessary due to the environmental / social / economic harm

that will be caused by the development as identified in the reasons for refusal. In these circumstances an application is refused to enable the overall speed and quality of the council's decisions to be maintained.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

OL1/2	OL1/2 - New Buildings in the Green Belt
EN1/2	EN1/2 - Townscape and Built Design
EN2/2	EN2/2 - Conservation Area Control
H2/3	H2/3 - Extensions and Alterations
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD8	Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
JP-G9	The Green Belt
JP-P2	Heritage
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

1. In accordance with s93G of the Town and Country Planning Act 1990 (As amended by Section 111 Levelling Up & Regeneration Act 2023) there is a legal requirement for you to inform the Council of the date when you intend to commence the development on site via submission of a Commencement Notice. This notice is mandatory for all developments and came into effect on 31 March 2024. You can find more information and download a copy of the Commencement Notice under the Before Starting Work section on our website at:
<https://www.bury.gov.uk/planning-building-control/planning-permission/planning-application-process>

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: 11/07/2024