

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Steven Jackson
Archtech design solutions
14 Maitland place
Rossendale
Rawtenstall
BB4 6AT

On Behalf Of:

Mr Paul McDonald
35 Bankside Avenue
Radcliffe
Manchester
M26 2QH

PART 1 - Particulars of Application

Application Number: 69467

Date of Registration: 17/04/2023

Proposal:

Erection of decking on raised platform with steps, balustrade and fencing, garden room pod and covered spa area

Location:

35 Bankside Avenue, Radcliffe, Manchester, M26 2QH

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 retention of the decked area in its current form and height would result in an unacceptable reduction in the level of privacy currently enjoyed by the neighbours, particularly No.33 Bankside Avenue. The development would therefore have a seriously detrimental impact on the residential amenity of neighbours and conflicts with Unitary Development Plan Policy H2/3 Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 2 The decking and screen fencing along the boundary with No.31 Bankside Avenue would be seriously detrimental to the visual amenities of the immediate neighbours by reason of their height, size and position. The proposed 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:

Dwgs PCM/01/01/Deck- 09/01/Deck

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harte', is written over a dotted line.

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On behalf of the Council

Date of Decision: 01/06/2023