

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
Rawtenstall
Rossendale
BB4 6AT

On Behalf Of:

Mr F Park
8 Nithe Walk
Bury
BL8 1WG

PART 1 - Particulars of Application

Application Number: 68484

Date of Registration: 14/06/2022

Proposal:

Fronch Porch and first floor balconies at front

Location:

8 Nithe Walk, Bury, BL8 1WG

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 balconies to the front elevation would result in an unacceptable reduction in the level of privacy currently enjoyed by the occupiers of numbers 6 and 10 Nithe Walk by reason that the proposed balconies would be positioned directly adjacent to the party walls of both adjacent properties. The proposed development therefore 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 proposed first floor balconies to the front elevation would be seriously detrimental to the residential amenities currently enjoyed by the occupiers of the adjoining dwelling houses, by reason of the size and position of the proposed balconies. 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:

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
H2/3	H2/3 - Extensions and Alterations
OL1	OL1 - Green Belt
OL5/2	OL5/2 - Development in River Valleys
EN6/4	EN6/4 - Wildlife Links and Corridors
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:

Drawings received on 23/05/2022.

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 29/07/2022