

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Nasaar Ishfaq
JAAN Architects
37 Sudbury Drive
Heald Green
Stockport
SK8 3BT

On Behalf Of:

Mr Krenar Pashaj
88 Rochdale Road
Bury
BL9 7AY

PART 1 - Particulars of Application

Application Number: 69114

Date of Registration: 14/12/2022

Proposal:

Two storey rear extension with mansard roof at rear and front/rear dormers to form 3 no. additional flats to 1st/2nd floors

Location:

88 Rochdale Road, Bury, BL9 7AY

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 would, by reason of its size, massing and design, be out of character with the existing building and constitute an incongruous feature within the street scene and would therefore, be seriously detrimental to the visual amenities of the area. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: EN1/2 Townscape and Built Design, EN1/7 Throughroutes and Gateways, H2/3 Extensions and Alterations and guidance in SPD6 Alterations and extensions and SPD16 Design and Layout of New Development in Bury.
- 2 The size of the site is inadequate to accommodate the proposed additional residential development whilst satisfying reasonable requirements for residential amenity space. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: H2/3 Extensions and Alterations and H2/1 The Form of New Residential Development and guidance within SPD6 Alterations and Extensions.
- 3 The proposal would result in the intensification of use of a property with no off-street parking facilities, which is likely to lead to vehicles parking and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and road safety. The proposal is therefore contrary to UDP Policies H2/3 Extensions and Alterations, HT2/4 Car Parking and New Development and guidance in supplementary documents SPD6 Alterations and Extensions and SPD11 Parking

Standards in Bury.

- 4 The proposal does not provide adequate refuse collection facilities for the number dwellings and mix of uses on the site, which is likely to lead bins being stored on the adjacent adopted highway, to the detriment of highway safety. The proposal is therefore contrary to UDP Policies H2/3 Extensions and Alterations, EC4/1 Small Businesses and HT2/4 Car Parking and New Development and guidance in supplementary documents SPD6 Alterations and Extensions.

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:

Area	Area BY10 - Rochdale Road/Lord Street/York Street
BY10	
S2/3	S2/3 - Secondary Shopping Areas and Frontages
EN1/2	EN1/2 - Townscape and Built Design
EC4/1	EC4/1 - Small Businesses
EN1/8	EN1/8 - Shop Fronts
EN1/7	EN1/7 - Throughroutes and Gateways
H2/1	H2/1 - The Form of New Residential Development
H2/3	H2/3 - Extensions and Alterations
HT2/4	HT2/4 - Car Parking and New Development
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
H2/2	H2/2 - The Layout of New Residential Development
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:

Drawings dated 21 November and received 15 December 2022.

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'P. H. H.', written in a cursive style.

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On behalf of the Council

Date of Decision: 27/01/2023