

# NOTICE OF REFUSAL OF PLANNING PERMISSION

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

**To:**

Mr Harry Jackson  
harryjacksonsurveyorsltd  
Unit 4a Farnworth Park Ind Est  
Wellington Street  
Farnworth  
BL4 7BY

**On Behalf Of:**

Ms Shabana Begum  
The Gatehouse  
Woodhill Road  
Bury  
BL8 1BN

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### PART 1 - Particulars of Application

**Application Number:** 69706

**Date of Registration:** 12/06/2023

**Proposal:**

Partial demolition and replacement of 1 no. dwelling

**Location:**

The Gatehouse, Woodhill Road, Bury, BL8 1BN

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### 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, position and design, be a prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area. The proposed development therefore conflicts with the following policy(ies) of the Bury Unitary Development Plan:  
Policy EN1/2 - Townscape and Built Design  
Policy H2/1 - The Form of New Residential Development  
Policy H2/2 - The Layout of New Residential Development.
- 2 The proposed development would be detrimental to the amenities of the occupiers of Nos 113 Canterbury Drive and No. 89 Woodhill Road by reason of its height, size and position. The proposed development therefore conflicts with the following policy(ies) of the Bury Unitary Development Plan:  
Policy EN1/2 - Townscape and Built Design  
Policy H2/1 - The Form of New Residential Development  
Policy H2/2 - The Layout of New Residential Development.
- 3 The design of the proposed dwelling is neither appropriate to, nor sympathetic with the surrounding area and would be detrimental to the visual amenity of the area. The proposed development therefore conflicts with the following policy(ies) of the Bury Unitary Development Plan:  
Policy EN1/2 - Townscape and Built Design

Policy H2/1 - The Form of New Residential Development  
Policy H2/2 - The Layout of New Residential Development.

- 4 The proposed dwelling would result in an unacceptable reduction in the level of privacy currently enjoyed by the occupiers of the adjacent properties by reason of the sub-standard distances between habitable windows on the proposed dwelling and the boundary to the site. The proposed development therefore conflicts with the following policies of the Unitary Development Plan:  
Policy EN1/2 - Townscape and Built Design  
Policy H2/1 - The Form of New Residential Development  
Policy H2/2 - The Layout of New Residential Development.
- 5 The size of the site is inadequate to accommodate the development proposed whilst satisfying reasonable requirements for space about the dwelling. The proposed development therefore conflicts with the following policy(ies) of the Bury Unitary Development Plan:  
Policy EN1/2 - Townscape and Built Design  
Policy H2/1 - The Form of New Residential Development  
Policy H2/2 - The Layout of New Residential Development.

**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:**

|       |                                                                                           |
|-------|-------------------------------------------------------------------------------------------|
| H1/2  | H1/2 - Further Housing Development                                                        |
| H2/1  | H2/1 - The Form of New Residential Development                                            |
| H2/2  | H2/2 - The Layout of New Residential Development                                          |
| EN1/2 | EN1/2 - Townscape and Built Design                                                        |
| EN1/3 | EN1/3 - Landscaping Provision                                                             |
| EN6   | EN6 - Conservation of the Natural Environment                                             |
| EN6/3 | EN6/3 - Features of Ecological Value                                                      |
| EN7   | EN7 - Pollution Control                                                                   |
| EN7/1 | EN7/1 - Atmospheric Pollution                                                             |
| EN7/2 | EN7/2 - Noise Pollution                                                                   |
| EN7/5 | EN7/5 - Waste Water Management                                                            |
| EN8   | EN8 - Woodland and Trees                                                                  |
| HT2/4 | HT2/4 - Car Parking and New Development                                                   |
| HT5/1 | HT5/1 - Access For Those with Special Needs                                               |
| HT6/2 | HT6/2 - Pedestrian/Vehicular Conflict                                                     |
| SPD6  | Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties. |
| SPD11 | Development Control Policy Guidance Note 11 - Parking Standards in Bury                   |
| 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:**

Location plan

001 A

002 D

01

02

03

04

06

07 A

08 B

09 B

011 A

012 B

014 A

015 C

016

**NOTES TO APPLICANT**

Not Applicable

Signed:

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

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On behalf of the Council

**Date of Decision:** 26/07/2023