

NOTICE OF PRIOR APPROVAL DETERMINATION

Part 16 of Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

To:

mr Gallivan
Dot Surveying Ltd
14
Inverleith Place
Edinburgh
EH3 5PZ

On Behalf Of:

Cooke
CK Hutchison Networks (UK) Ltd
450 Longwater Avenue
Reading
RG2 6GF

PART 1 - Particulars of Application

Application Number: 69335

Date of Registration: 08/02/2023

Proposal:

Prior approval for proposed 5G telecoms installation: H3G 15m street pole and additional equipment cabinets.

Location:

Grass verge opposite 2 Byron Avenue,
Radcliffe, Manchester, M26 3GU

PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby determine that the prior approval of the local planning authority is **REQUIRED** for the siting and appearance of the development set out in Part 1 of this decision notice.

Bury Metropolitan Borough Council hereby **REFUSE** approval for the siting and appearance of the development proposed in the above-mentioned application for the following reason(s)

- 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 add to the clutter within the streetscene. Therefore, the proposed development would 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 EN1/10 - Telecommunications
- 2 The application and submitted documents contain insufficient information to enable the alternative sites to be discounted. Therefore, the proposed development would conflict with Policy EN1/10 - Telecommunications of the Bury Unitary Development Plan.
- 3 The proposed development would be detrimental to the amenities of the neighbouring properties property 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 EN1/10 - Telecommunications

- 4 The application and submitted plans show two storey properties to the rear of the proposed development, when there are bungalows. As such, the plans are conflicting and there is insufficient information to enable the proposed development to be properly assessed. Therefore, the proposed development conflicts with the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy EN1/10 - Telecommunications
- 5 The application and submitted plans contain insufficient information to properly assess the impact of the proposed installation on the adjacent highway trees and does not provide adequate accommodation works around the perimeter of the whole installation to ensure that the highway verge can continue to be properly maintained. Therefore, the proposed development would conflict with the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy EN1/3 - Landscaping Provision
Policy EN1/10 - Telecommunications

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:

EN1/2 EN1/2 - Townscape and Built Design
EN1/4 EN1/4 - Street Furniture
EN1/10 EN1/10 - Telecommunications
EN7 EN7 - Pollution Control
EN8 EN8 - Woodland and Trees
SPD6 Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
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:

BRY21588 002
BRY21558 215
BRY21588 265

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read "Joe Kahan", is positioned in the upper left area of the page.

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On behalf of the Council

Date of Decision: 10/03/2023