

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 Wilson
DOT Surveying
2 Anderson Place
Edinburgh
EH6 5NP

On Behalf Of:

Mr Wilson
Ck Hutchison Networks (UK) Limited
450 Longwater Avenue
Reading
RG2 6GF

PART 1 - Particulars of Application

Application Number: 68818

Date of Registration: 24/08/2022

Proposal:

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

Location:

Land opposite Brookshaw Centre, Brook Street, Bury, BL9 6EB

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 application and submitted documents contain insufficient information to enable alternative sites to be discounted. Therefore, the proposed development would conflict with Policy EN1/10 - Telecommunications of the Bury Unitary Development Plan and chapter 10 of the NPPF.
- 2 The applicant has failed to demonstrate that there are suitable, satisfactory alternative sites available within or close to the area required for 5G coverage. As such, the proposed equipment, by reason of its size, design and siting, would introduce a discordant and incongruous feature to the public open space and the area in general which would be harmful to the visual amenity of the surrounding area and nearby residential properties and therefore contrary to UDP policies EN1/2 - Townscape and Built Design, EN1/4 - Street Furniture and EN1/10 - Telecommunications. and chapter 10 of the NPPF.

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:

NPPF National Planning Policy Framework
EN1/2 EN1/2 - Townscape and Built Design
EN1/10 EN1/10 - Telecommunications
HT6/1 HT6/1 - Pedestrian and Cyclist Movement
EN1/4 EN1/4 - Street Furniture
RT1/1 RT1/1 - Protection of Recreation Provision in the Urban Area

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:

Dwg nos - BRY21766_MAN637_88061_BL0389_GA_REV_B; 002 Site location plan rev B; 215 proposed site plan rev B; 265 proposed site elevation rev B

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: 17/10/2022