

NOTICE OF REFUSAL OF OUTLINE PLANNING PERMISSION

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

To:

Mr Jake Rothwell
WBC Drawings
Lockside
38 Leigh Street
Wigan
WN1 3BE

On Behalf Of:

Deborah Wilcox
45 Ajax Drive
Bury
BL9 8EF

PART 1 - Particulars of Application

Application Number: 69684

Date of Registration: 27/09/2023

Proposal:

Outline application for 1 no. dwelling with access along existing driveway of 45 Ajax Drive (appearance, landscaping, layout & scale matters reserved)

Location:

Land at rear of 31-45 Ajax Drive, Bury, BL9 8EF

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, by virtue of the position of the dwelling to the rear of no. 45 and 43 Ajax Drive with no street frontage and accessed by a shared drive routed between neighbouring linear related dwellings, would constitute an incongruous and inharmonious form of development that would be unsympathetic to the established arrangement of streets, buildings and spaces. The proposed development therefore conflicts with policies EN1, EN1/2 and H2/1, H2/2 and H2/6 of the Bury Unitary Development Plan and the National Planning Policy Framework.
- 2 The proposal would result in the creation of sub-standard access arrangements on Ajax Drive, which would be detrimental to highway safety and maintaining the free flow of traffic on the adopted highway. The proposed development would therefore be contrary to policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict of the Bury Unitary Development Plan.
- 3 The proposal would result in the loss of existing parking facilities for No. 45 Ajax Drive that could be accommodated clear of the adopted highway and the pedestrian access route to the property, which would be detrimental to highway safety and maintaining the integrity of the adopted highway. The proposed development would therefore be contrary to policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, HT6/2 - Pedestrian/Vehicular Conflict and

HT2/4 - HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan and Supplementary Planning Document 11 Parking Standards in Bury.

- 4 The application and submitted plans contain insufficient information in order to ensure that vehicles would be able to enter and leave the site in a forward gear, which would be detrimental to highway safety. The proposed development would therefore be contrary to policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict of the Bury Unitary Development Plan.

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	H2 - Housing Environment and Design
H2/1	H2/1 - The Form of New Residential Development
H2/2	H2/2 - The Layout of New Residential Development
H2/6	H2/6 - Garden and Backland Development
EN1	EN1 - Built Environment
EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN1/3	EN1/3 - Landscaping Provision
EN5/1	EN5/1 - New Development and Flood Risk
EN6	EN6 - Conservation of the Natural Environment
EN6/3	EN6/3 - Features of Ecological Value
EN7	EN7 - Pollution Control
EN7/5	EN7/5 - Waste Water Management
EN8	EN8 - Woodland and Trees
HT2/4	HT2/4 - Car Parking and New Development
HT4	HT4 - New Development
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:

NOTES TO APPLICANT

Not Applicable

Signed:

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

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On behalf of the Council

Date of Decision: 17/11/2023