

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Zach Thorp
Thorp Design Services
2 Chatton Close
Bury
BL8 2UE

On Behalf Of:

Chloe West
313 Holcombe Road
Tottington
Bury
BL8 4BB

PART 1 - Particulars of Application

Application Number: 70056

Date of Registration: 27/09/2023

Proposal:

Change of use of land at side to extend residential curtilage together with extension of existing yard area to the side and erection of 1.8 metre high boundary fence; Single storey extension at side

Location:

313 Holcombe Road, Tottington, Bury, BL8 4BB

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 policies of the Bury Unitary Development Plan: H2/3 – Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties and EN1/2 - Townscape and Built Design.
- 2 The proposed change of use of this area of land would lead to the introduction of domestic paraphernalia and boundary treatments visible from public vantage points that would impact on the character of the streetscene by interrupting the views across the site. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: EN1/2 - Townscape and Built Design, OL3 - Urban Open Space and OL3/1 - Protection of Urban Open Space.
- 3 The application and submitted plans do not accurately depict the as built fencing and wall proposed to be retained and fail to provide full elevation details for this wall and fencing in relation to the proposed extension and change of use. The application and submitted plans therefore contain insufficient information to enable them to be properly assess in terms of visual and residential amenity and therefore conflicts with

the following policies of the Bury Unitary Development Plan:

H2/3 – Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties and EN1/2 - Townscape and Built Design.

- 4 The proposal does not incorporate details of adequate remedial works to address the illegal crossing of the footway on Hunt Fold Drive and removal of the unauthorised hardstanding that does not enable a vehicle to be maintained in the correct position relative to and clear of the adopted highway, to the detriment of highway safety and maintaining the integrity of the adopted highway. The proposal therefore conflicts with the following policies of the Bury Unitary Development Plan:
H2/3 – Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties, HT6/2 - Pedestrian/Vehicular Conflict and EN1/2 - Townscape and Built Design.
- 5 The application and submitted plans contain insufficient information in order for adequate levels of visibility to be maintained at the junction of the un-named rear access with Hunt Fold Drive, which would be detrimental to highway safety. The proposal therefore conflicts with the following policies of the Bury Unitary Development Plan: H2/3 – Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties, HT6/2 - Pedestrian/Vehicular Conflict and EN1/2 - Townscape and Built Design.

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:

H2/3	H2/3 - Extensions and Alterations
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
EN1/2	EN1/2 - Townscape and Built Design
OL3	OL3 - Urban Open Space
OL3/1	OL3/1 - Protection of Urban Open Space

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:

ZT23-196-00, ZT23-196-01, ZT23-196-02, ZT23-196-03, ZT23-196-04

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