

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Callum Hynes-Shippam

30 Kay Brow

Ramsbottom

Bury

BL0 9AY

PART 1 - Particulars of Application

Application Number: 73133

Date of Registration: 26/06/2026

Proposal:

Erection of 1.83m high boundary fence/gate
along property boundary on Grants Lane

Location:

30 Kay Brow, Ramsbottom, Bury, BL0 9AY

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 fence by virtue of its siting, scale, size, design, height and materials would not preserve or enhance the character or appearance of that part of Ramsbottom conservation area contrary to section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990. The harm caused would represent less than substantial harm without any public benefit identified, as a private scheme, that could be weighed against the harm to heritage conservation identified. The proposed fence would also cause harm to the setting of the Grade II Listed Barwood Lea contrary to section 66(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 and indirectly to the setting of Barwood Lea Mill a Non-Designated Heritage Asset. The proposal therefore conflicts with the following policies of the Unitary Development Plan: EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation areas, EN2/2 - Conservation Area Control, EN2/3 - Listed Buildings. JP-P2 - Environment of Places for Everyone and paragraphs 210, 212, 213, 215, 216 and 219 of the National Planning Policy Framework.
- 2 The proposed fence, by reason of its height and position and materials, would be a prominent and intrusive feature in the street scene, out of character with the area and therefore seriously detrimental to the visual amenities of the area. The development therefore conflicts with the following policy of the Bury Unitary Development Plan: H2/3 - Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.

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:

EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
EN2/3	EN2/3 - Listed Buildings
EN1/2	EN1/2 - Townscape and Built Design
H2/3	H2/3 - Extensions and Alterations
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
PFE	Places for Everyone
JP-P2	Heritage
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:

73133/01, 73133/02, 73133/03, 73133/04, Gate Plan

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 07/08/2026