

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Steven Hartley
HP & DA Ltd
Swallow Barn
Lower Chapel Hill
Hurst Lane
Rawtenstall
BB4 8TB

On Behalf Of:

Mr G Spillard
7 Arthur Lane
Ainsworth
Bolton
BL2 5PW

PART 1 - Particulars of Application

Application Number: 70580

Date of Registration: 11/03/2024

Proposal:

Replacement of stable with 1 no. detached dwelling

Location:

Land opposite 41 Arthur Lane, Ainsworth, Bolton, BL2 5PR

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 new dwellinghouse is considered inappropriate development within the Green Belt and the applicant has failed to demonstrate very special circumstances which would outweigh the harm which would be caused to the openness of the Green Belt due to the disproportionate size, scale and volume which would be created by the proposed development and as such would be seriously detrimental to the character and openness of the Green Belt and contrary to the principles of paragraph 154 of the NPPF, Places for People and the Bury Unitary Development Plan Policies OL1/2 - New Buildings in the Green Belt, OL5/2 - Development in River Valleys and SPD8.
- 2 The proposed development would, by reason of its siting, size and design, appear particularly incongruous within the immediate vicinity and would therefore, be seriously detrimental to the character and visual amenities of the area. The proposed development therefore conflicts with the NPPF, PfE and the following UDP policies and guidance EN1/1 Visual Amenity, H2/1 The Form of New Residential Development, H2/2 The Layout of New Residential Development and SPD 16 Design and Layout of New Development in Bury.

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:

PFE	Places for Everyone
EN9/1	EN9/1 - Special Landscape Areas
OL1/2	OL1/2 - New Buildings in the Green Belt
H1/2	H1/2 - Further Housing Development
H2/1	H2/1 - The Form of New Residential Development
H2/2	H2/2 - The Layout of New Residential Development
EN1/1	EN1/1 - Visual Amenity
EN1/3	EN1/3 - Landscaping Provision
EN6/3	EN6/3 - Features of Ecological Value
EN7/5	EN7/5 - Waste Water Management
HT2/4	HT2/4 - Car Parking and New Development
EN7	EN7 - Pollution Control
NPPF	National Planning Policy Framework
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
SPD8	Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt
OL1/3	OL1/3 - Infilling in Existing Villages in the Green Belt

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:

Drawings: 20/541/01, AL-02-22-A, AL-02-12-22-C and AL-08-03-24

NOTES TO APPLICANT

Not Applicable

Signed:

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

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On behalf of the Council

Date of Decision: 25/04/2024