

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Matt McCain
MM Design Tech Ltd
8 Green Field
Darwen
BB3 3FY

On Behalf Of:

Mr Graham Hoy
The Fairways
Hove Close
Tottington
Bury
BL8 4QF

PART 1 - Particulars of Application

Application Number: 65982

Date of Registration: 21/09/2020

Proposal:

Dormer at front. Partial removal of existing roof to form new balcony at side. Raised decking area to rear garden. single storey extension at side. Large sliding doors to west elevation.

Location:

The Fairways, Hove Close, Tottington, Bury, BL8 4QF

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 design of the proposed dormer extension is neither appropriate to, nor sympathetic with the existing structure, and would be detrimental to the visual amenity of the area. The proposed development therefore conflicts with the following policy(ies) of the Bury Unitary Development Plan:
H2/3 - Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties
- 2 The proposed development would be seriously detrimental to the residential amenities currently enjoyed by the occupier(s) of Hunt Fold House, by reason of the proposed balcony and its proximity to the first floor habitable room window. The proposed 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
- 3 The application and submitted plans contain insufficient information with regard to the proposed decking to enable it to be properly assessed.

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.

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:

MMD081.01.20.01, MMD081.01.20.02, MMD081.01.20.04

NOTES TO APPLICANT

1. The applicant's attention is drawn to the existence of Public Right of Way No.35 which runs through the site. No development should take place which affects the Right of Way in the absence of an appropriate closure or diversion order.

Signed:



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On behalf of the Council

Date of Decision: 06/11/2020