

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

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On Behalf Of:

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PART 1 - Particulars of Application

Application Number: 73090

Date of Registration: 16/04/2026

Proposal:

Erection of 1 no. dwelling

Location:

Land to rear of 354 Manchester Road, Bury,
BL9 9NR

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 for 1no dwelling on the site of circa 0.12 hectares would not make optimal use of the potential of the site. Therefore, the proposed development would not make efficient use of land conflicting with Policy JP-H4 - Density of New Housing of the Places for Everyone Joint Development Plan.
- 2 The proposed development, by virtue of the position of the dwellings to the rear of no. 354 Manchester Road with no street frontage and accessed by a shared drive routed between neighbouring linear related dwellings, would constitute an incongruous and inharmonious form and layout of development that would be unsympathetic to the established arrangement of streets, buildings and spaces. The proposed development therefore conflicts with policies JP-P1- Sustainable Places, EN1/2 - Townscape and Built Design, H2/1 -The Form of New Residential Development, H2/2 - The Layout of New Residential Development and H2/6 - Garden and Backland Development of the Development Plan and Section 12 of the National Planning Policy Framework.
- 3 The proposed development would result in an intensification of the use of the existing site access, which is inadequate in terms of width and lack of clearly detailed facilities that would enable vehicles to pass each other, both at the interface with the adopted highway and along the private access. The proposed development therefore conflicts with the following policies of the Development Plan: EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Development, JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development and JP-P1 - Sustainable Places.

- 4 The proposal does not provide suitable accommodation for vehicles to enter and leave the site in a forward gear, and therefore is detrimental to road safety and maintaining the free flow of traffic on the shared site access and adjacent Class 1 road (A56 Manchester Road). The proposed development therefore conflicts with the following policies of the Development Plan: EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Development, JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development and JP-P1 - Sustainable Places.
- 5 The application and submitted plans contain insufficient information to confirm what works are proposed for the resurfacing of the existing shared site access required in view of the proposed use as a primary pedestrian and vehicular access to the new dwelling and bin storage and access arrangements suitable for use by the Council's Waste Management Section. The proposed development therefore conflicts with the following policies of the Development Plan: EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Development, JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development and JP-P1 - Sustainable Places.
- 6 The applicant has failed to demonstrate that tree T10, that is protected by means of a Tree Preservation Order number 274, would be adequately protected throughout the construction period due to plans that contain insufficient information to confirm what works are proposed for the resurfacing and widening of the existing shared site access required in view of the proposed use as a primary pedestrian and vehicular access. The proposed development would therefore be contrary to Development Plan Policies EN8/1 - Tree Preservation Orders, EN8/2 - Woodland and Tree Planting and JP-G7 Trees and Woodland.
- 7 The applicant has failed to demonstrate that the proposed air source heat pump would not be seriously detrimental to the residential amenities of nearby occupiers, by reason of noise and disturbance. The proposed development therefore conflicts with Policy EN7/2 - Noise Pollution.

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:

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|-------|--------------------------------------|
| EN1/2 | EN1/2 - Townscape and Built Design |
| EN6/3 | EN6/3 - Features of Ecological Value |
| EN7/2 | EN7/2 - Noise Pollution |
| EN7/5 | EN7/5 - Waste Water Management |
| EN8/1 | EN8/1 - Tree Preservation Orders |
| EN8/2 | EN8/2 - Woodland and Tree Planting |

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
H2/6	H2/6 - Garden and Backland Development
HT2/4	HT2/4 - Car Parking and New Development
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-P1	Sustainable Places
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S1	Sustainable Development
JP-S5	Clean Air
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:



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On behalf of the Council

Date of Decision: 05/06/2026