

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr John Cummins
MTPC My Town Planning Consultancy
9 Astley Hall Drive
Ramsbottom
Bury
BL0 9DF

On Behalf Of:

Mr Andrew Gaskill
Park Avenue Ltd
Imperial House
Bury
BL9 5BN

PART 1 - Particulars of Application

Application Number: 69884

Date of Registration: 02/08/2023

Proposal:

Erection of 1 no. dwelling including driveway

Location:

Land adjacent to 1 Park Avenue,
Ramsbottom, Bury, BL0 0DA

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 by reason of its siting, design, scale, bulk and massing, would be a prominent and intrusive feature in the street scene that would fail to accord with the existing layout, design and the urban grain of residential development in this locality, to the detriment of visual amenity of the street scene and locality, contrary to Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, and EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan, Section 12 the National Planning Policy Framework and the National Design Guide.
- 2 The proposed development by reason of its siting, design, bulk and massing, forward of the principal elevation of no. 76 Bury New Road, would subject the occupiers of no. 76 Bury New Road to overbearing, enclosing and oppressive effects, and a loss of privacy that would thus detract from their current living conditions, to the detriment of their amenity. The proposal is therefore contrary to Policy H2/1 - The Form of New Residential Development and Policy EN1/2 - Townscape and Built Design of the Unitary Development Plan, Section 12 of the National Planning Policy Framework and the National Design Guide.
- 3 The application and submitted plans contain insufficient information to properly assess the physical impact of the proposed development on the adjacent adopted

highway of Bury New Road due to the position of the new dwelling relative to the back of the footway contrary to Policies H2/2 - The Layout of New Residential Development, and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 4 The proposed car parking layout is inadequate with cars having to reverse on to the adopted highways and is likely to lead to vehicles parking and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and road safety. The proposed development therefore conflicts with policies H2/2 - The Layout of Residential Development, and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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. In these circumstances an application is refused to enable the overall speed and quality of the council's decisions to be maintained. 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:

H2/1	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
EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN1/3	EN1/3 - Landscaping Provision
EN1/4	EN1/4 - Street Furniture
HT2/4	HT2/4 - Car Parking and New Development
HT2/6	HT2/6 - Replacement Car Parking
HT6/1	HT6/1 - Pedestrian and Cyclist Movement
H1/2	H1/2 - Further Housing Development
EN7	EN7 - Pollution Control
EN7/5	EN7/5 - Waste Water Management
HT4	HT4 - New Development
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:

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: 03/11/2023