

# NOTICE OF REFUSAL OF PLANNING PERMISSION

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

**To:**

Mr Ryan McMinn  
Redford Construction Ltd  
24 Smithills Croft Road  
Smithills  
Bolton  
BL1 6LN

**On Behalf Of:**

Mr Mark Chadwick  
2 Taylors lane  
Ainsworth  
Bolton  
BL2 6QS

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### PART 1 - Particulars of Application

**Application Number:** 69444

**Date of Registration:** 17/04/2023

**Proposal:**

Change of use from garage/unit into 1 no. dwelling

**Location:**

2 Taylors Lane, Radcliffe, Bolton, BL2 6QS

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### 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 application and submitted plans contain insufficient information with regard to how the structural integrity of the existing building would be retained without substantial or complete rebuilding in the context of the proposed development. Therefore the application cannot be properly assessed and would be contrary to National Planning Policy Paragraph 150 and UDP Policy OL1/4 Conversions and Re-use of Buildings in the Green Belt and associated guidance in Supplementary Planning Documents SPD8 New Buildings and Associated Development in the Green Belt and SPD9 Conversion and Re-use of Buildings in the Green Belt.
- 2 The design of the proposed windows, dormers, roof extension, use of materials and extent of domestic curtilage is neither appropriate to, nor sympathetic with the existing structure, and would have a detrimental impact on the visual amenity and openness of the locality, Green Belt and Special Landscape Area. The proposed development would therefore be contrary to Bury Unitary Development Plan Policies H2/1- The Form of New Residential Development, EN1/2 - Townscape and Built Design, EN9/1 - Special Landscape Areas, OL1/2 - New Buildings in the Green Belt, OL1/4 Conversion and Re-use of Buildings in the Green Belt, Supplementary Planning Document 8- New Buildings and Associated Development in the Green Belt Supplementary Planning Document 9 - Conversion and Re-use of Buildings in the Green Belt and Chapter 13 of the National Planning Policy Framework - Protecting Green Belt land.
- 3 The application and submitted plans contains insufficient information in relation to

essential ecological surveys in relation to bats and nesting birds. The proposed development would therefore be contrary to Bury Unitary Development Plan Policies: EN6 - Conservation of the Natural Environment, EN6/3 - Features of Ecological Value, Chapter 15 - Conserving and enhancing the natural environment of the National Planning Policy Framework.

- 4 The proposed car parking and turning arrangements within the curtilage of the site relative to the fencing and gating features shown on submitted plan reference RC1120 Revision 2A are sub-standard and could lead to vehicles reversing out onto the adjacent Public Footpath No. 46, Christ Church, Radcliffe, which would be detrimental to highway safety. The proposed development would therefore be contrary to Bury Unitary Development Plan Policies: EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.
- 5 The application and submitted plans contain insufficient information to ensure that adequate fire and rescue access is achievable in relation to the safety of the future occupiers. The proposed development would therefore be contrary to Bury Unitary Development Plan Policy H2/2 - The Layout of New Residential Development and National Planning Policy Framework Chapter 8 - Promoting healthy and safe communities.

**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:**

|       |                                                                                           |
|-------|-------------------------------------------------------------------------------------------|
| OL1   | OL1 - Green Belt                                                                          |
| OL1/2 | OL1/2 - New Buildings in the Green Belt                                                   |
| EN1/2 | EN1/2 - Townscape and Built Design                                                        |
| EN5/1 | EN5/1 - New Development and Flood Risk                                                    |
| EN5   | EN5 - Flood Protection and Defence                                                        |
| EN6   | EN6 - Conservation of the Natural Environment                                             |
| EN6/3 | EN6/3 - Features of Ecological Value                                                      |
| EN7   | EN7 - Pollution Control                                                                   |
| EN9/1 | EN9/1 - Special Landscape Areas                                                           |
| 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                                          |
| H3/2  | H3/2 - Existing Incompatible Uses                                                         |
| HT2/4 | HT2/4 - Car Parking and New Development                                                   |
| HT6/2 | HT6/2 - Pedestrian/Vehicular Conflict                                                     |
| RT3/3 | RT3/3 - Access to the Countryside                                                         |
| NPPF  | National Planning Policy Framework                                                        |
| SPD6  | Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties. |
| SPD11 | Development Control Policy Guidance Note 11 - Parking Standards in Bury                   |
| SPD 9 | Development Control Policy Guidance Note 9 - Conversion and Re-use of                     |

Buildings in the Green Belt  
SPD8 Development Control Policy Guidance Note 8 - New Buildings and Associated  
Development 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:**

**NOTES TO APPLICANT**

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'J. H. H.', is written over a dotted line.

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On behalf of the Council

**Date of Decision:** 09/06/2023