

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Gary Dearden
PPY design Ltd
2 Helmsore Road
Holcombe Village
Bury
BL8 4PA

On Behalf Of:

Mr Daniel Cainer
51 Lady Margaret House
St Anns Road
Prestwich
Manchester
M25 9LF

PART 1 - Particulars of Application

Application Number: 69670

Date of Registration: 22/05/2023

Proposal:

Erection of detached double garage.

Location:

Lady Margaret House, 51 Prestwich Park
Road South, Prestwich, Manchester, M25
9LF

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 virtue of its size, siting and design would have a seriously adverse impact on, and neither preserve or enhance the traditional character or appearance of the Conservation Area of which the site forms part. The proposal therefore conflict with the following UDP policies EN1/1 Visual Amenity, EN1/2 Townscape and Built Design, EN2/1 Character of Conservation Areas, EN2/2 Conservation Area Control, H2/3 Alterations and Extensions, St Marys Conservation Area Appraisal and Management Plan and Section 16 of the National Planning Policy Framework.
- 2 The proposal would adversely affect the character, appearance and historic interest of this non-designated heritage asset and its wider setting by introducing a prominent and incongruous feature within the plot and causing significant harm to its significance and diminishing its contribution to the character and appearance of the conservation area. The proposal therefore conflict with the following UDP policies EN1/1 Visual Amenity, EN1/2 Townscape and Built Design, EN2/1 Character of Conservation Areas, EN2/2 Conservation Area Control, EN2/3 Listed Buildings, H2/3 Alterations and Extensions, St Marys Conservation Area Appraisal and Management Plan and Section 16 of the National Planning Policy Framework.

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.
EN1/1 EN1/1 - Visual Amenity
EN2/1 EN2/1 - Character of Conservation Areas
EN2/2 EN2/2 - Conservation Area Control
NPPF National Planning Policy Framework
EN2/3 EN2/3 - Listed Buildings

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:

Dwgs DC1-00, 01, 02, 03, 04, and 05.
Heritage Statement.

NOTES TO APPLICANT

Not Applicable

Signed:



2 of 2

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On behalf of the Council

Date of Decision: 10/07/2023