

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Steve Costello
Contact Construction
76 Riverside Drive
Radcliffe
Manchester
M26 1HY

On Behalf Of:

MC Housing Ltd
349 Winston House
Regents Park Road
London
N3 1DH

PART 1 - Particulars of Application

Application Number: 71039

Date of Registration: 10/10/2024

Proposal:

Demolition of existing garages and erection
of 2 no. dwellings

Location:

Land to rear of 69 Sandy Lane/Lowther
Court, Prestwich, Manchester, M25 9PS

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 would not meet the minimum net residential density of 50 dwellings per hectare required for this location. No justification has been submitted within the submitted plans and associated documents to accept a lower density at the proposed site. The proposed development would therefore fails to deliver a density led approach to development of the site, to ensure efficient use of land and high quality design conflicting with Policy JP-H4 - Density of new Housing of the Places for Everyone Joint Development Plan.
- 2 The application and submitted plans do not accurately show the proposed external window arrangement due to conflicting floor plans and elevations. The application and submitted plans contain insufficient information to enable them to be properly assessed in terms of visual amenity and residential amenity. The proposal would therefore conflict with the following Development Plan Policies:
H2/1 - The Form of New Residential Development
H2/2 - The Layout of New Residential Development
JP-H3 - Type, Size and Design of New Housing
EN1/2 - Townscape and Built Design
JP-P1 - Sustainable Places
- 3 The proposed development would not comply with Nationally Described Space Standards conflicting with Policy JP-H3 - Type, Size and Design of New Housing of the Places for Everyone Joint Development Plan.

- 4 The proposal would detrimentally affect previously approved car parking and servicing arrangements for the adjacent site, which would result in a loss of off-highway car parking facilities and the ability of refuse collection and service vehicles associated with the proposed development and existing flats and commercial units to be able to enter and leave the site in a forward gear, which is highly 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 proposal would therefore be contrary to Development Plan Policies:
EN1/2 - Townscape and Built Design
JP-C5 - Streets for All
JP-C6 - Walking and Cycling

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:

EN1/2	EN1/2 - Townscape and Built Design
EN6/3	EN6/3 - Features of Ecological Value
EN7/5	EN7/5 - Waste Water Management
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
H2/3	H2/3 - Extensions and Alterations
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-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:

1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harris', written over a dotted line.

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On behalf of the Council

Date of Decision: 20/11/2024