

NOTICE OF PRIOR APPROVAL DETERMINATION

Part 16 of Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

To:

Mr Wilson
DOT Surveying
2 Anderson Place
Edinburgh
EH6 5NP

On Behalf Of:

Mr Wilson
Ck Hutchison Networks (UK) Limited
450 Longwater Avenue
Reading
RG2 6GF

PART 1 - Particulars of Application

Application Number: 68817

Date of Registration: 24/08/2022

Proposal:

Prior approval for proposed 5G 16m telecoms installation: H3G street pole and additional equipment cabinets.

Location:

Land near junction of Sycamore Road & Bury Road, Tottington, Bury, BL8 3EG

PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby determine that the prior approval of the local planning authority is **REQUIRED** for the siting and appearance of the development set out in Part 1 of this decision notice.

Bury Metropolitan Borough Council hereby **REFUSE** approval for the siting and appearance of the development proposed in the above-mentioned application for the following reason(s)

- 1 The sequential approach outlined in the National Planning Policy Framework has not been followed and as such, the application and submitted documents contain insufficient information to enable the alternative sites to be discounted. Therefore, the proposed development would conflict with Policy EN1/10 - Telecommunications of the Bury Unitary Development Plan.
- 2 The application and submitted plans contain insufficient information to ensure that adequate accommodation works around the perimeter of the installation will be provided to ensure that the highway verge can continue to be properly maintained. Therefore, the proposed development would conflict with the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy EN1/3 - Landscaping Provision
Policy EN1/10 - Telecommunications
- 3 The application and submitted plans contain insufficient information to ensure that adequate accommodation works around the perimeter of the installation will be provided to ensure that the highway verge can continue to be properly maintained. Therefore, the proposed development would conflict with the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy EN1/3 - Landscaping Provision

Policy EN1/10 - Telecommunications

- 4 The application and submitted plans contain insufficient information to enable the impact of the proposed development upon visibility from the junction to the north to be properly assessed. Therefore, the proposed development conflicts with the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy EN1/3 - Landscaping Provision
Policy EN1/10 - Telecommunications

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority offered solutions to the applicant in order to make the development acceptable. The applicant was however unwilling to amend the plans. Without these amendments the development would not improve the economic, social and environmental conditions of the area and therefore does not comprise sustainable development. 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
EN1/3 EN1/3 - Landscaping Provision
EN1/4 EN1/4 - Street Furniture
EN1/10 EN1/10 - Telecommunications
EN7 EN7 - Pollution Control
EN8 EN8 - Woodland and Trees
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:

002 B
215 B
265 B

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read "for haw", written in a cursive style.

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On behalf of the Council

Date of Decision: 06/10/2022