

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Brian Murray
SLW DESIGNS
255 Copsterhill Road
Oldham
OL8 3DE

On Behalf Of:

Mr D Crabtree
4 Furtherfield
Norden
Rochdale
OL11 5PJ

PART 1 - Particulars of Application

Application Number: 70566

Date of Registration: 08/03/2024

Proposal:

Erection of 7 no. garages with security gates
and landscaping

Location:

Land between 20 & 22 Farcroft Avenue,
Radcliffe, Manchester, M26 2XJ

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 proposal, by virtue of its siting, suburban appearance, elevational language and materials, along with the resultant enclosure of the site, would result in an overtly stark, unsympathetic and incongruous form of development, and result in the loss of the attractive grassed mound, would be of detriment to the visual amenities of the street scene, contrary to Policy EN1/2: 'Townscape and Built Design' of the Bury Unitary Development Plan, Policy JP-G6: 'Urban Green Space' of the Greater Manchester Places for Everyone Joint Development Plan and the National Planning Policy Framework.
- 2 The proposal would result in the intensification of use of a site with inadequate segregated pedestrian access arrangements, which will result in an increase in conflicts between vehicles and pedestrians, to the detriment of pedestrian safety, contrary to Policy EN1/2: 'Townscape and Built Design' of the Bury Unitary Development Plan, Policy JP-C5: 'Streets for All' of the Greater Manchester Places for Everyone Plan and the National Planning Policy Framework.
- 3 The proposed vehicular access and gating arrangements at a site that has benefitted from uncontrolled access and egress arrangements since construction will result in an increase in conflicts between vehicles on the adjacent adopted highway, to the detriment of the free flow of traffic and road safety, contrary to Policy JP-C5: 'Streets for All', of the Greater Manchester Places for Everyone Joint Development Plan and

the National Planning Policy Framework.

- 4 Due to the site being within the defined Coal Authority Development High Risk Area and the presence of Coal Mining legacies on site; by virtue of an on-site mine entry (CA shaft ref: 379408-002) on the site, the application contains insufficient information to demonstrate that the site would be safe for its proposed use and future users of the site, contrary to the requirements 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:

EN1/2	EN1/2 - Townscape and Built Design
H3/1	H3/1 - Assessing Non-Conforming Uses
HT2/4	HT2/4 - Car Parking and New Development
HT5/1	HT5/1 - Access For Those with Special Needs
JP-C8	Transport Requirements of New Development
JP-P1	Sustainable Places
JP-C5	Streets For All
JP-G6	Urban Green Space
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:

Drawing no. PP-12856067v1: Location Plan
Drawing no. SLW/DC2/01-PA: Existing Site Plan
Drawing no. SLW/DC2/02-PA: Proposed Site Plan
Drawing no. SLW/DC2/03-PA: Proposed Elevations

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: 02/05/2024