

NOTICE OF PLANNING DECISION

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

To:

Fish Associates Ltd
216 St Georges Road
Bolton
BL1 2PH

On Behalf Of:

Guzi Ali
17 Bent Fold Drive
Bury
BL9 8NG

PART 1 - Particulars of Application

Application Number: 67628

Date of Registration: 20/10/2021

Proposal:

A - Rear Dormer Extension.
B - Two storey side extension.

Location:

17 Bent Fold Drive, Bury, BL9 8NG

PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **GRANTED** for the carrying out of the development referred to in Part 1 Proposal A hereof in accordance with the application and plans submitted subject to the following conditions and permission has been **REFUSED** for the carrying out of the development referred to in Part 1 Proposal B hereof for the following reason:-

Proposal A - Conditions

- 1 In respect of Proposal A, the development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 In respect of Proposal A, this decision relates to drawing numbered 954/PL/01 Revision A and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.
- 3 In respect of Proposal A, the external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

In respect of Proposal A -

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

In respect of Proposal B -

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.

Proposal B - Reason(s) for refusal.

- 1 In respect of Proposal B, the proposed two storey side extension would be seriously detrimental to the amenities of the adjacent property by reason of its height, size and position directly adjacent to the shared boundary. The proposed development therefore conflicts with the following policy of the Bury Unitary Development Plan: H2/3 – Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 2 In respect of Proposal B, the proposed two storey side extension would result in an unacceptable reduction in the level of privacy currently enjoyed by the occupiers of numbers 18 and 20 Laburnum Drive by reason of the sub-standard distances between habitable windows on the proposed extension and existing habitable room windows on those properties. The proposed development therefore conflicts with Unitary Development Plan Policy H2/3 Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

- SPD6 Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- H2/3 H2/3 - Extensions and Alterations

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 numbered 954/PL/01 Revision A

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read "for hahn".

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On behalf of the Council

Date of Decision: 06/01/2022