



Appendix 4 – Post Application Correspondence

Correspondence received from Bury Metropolitan Borough Council

BRY21699 – Bury Street

- **Copy of Decision Notice refusing application**

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 Gallivan
Dot Surveying Ltd
14
Inverleith Place
Edinburgh
EH3 5PZ

On Behalf Of:

Cooke
CK Hutchison Networks (UK) Ltd
450 Longwater Avenue
Reading
RG2 6GF

PART 1 - Particulars of Application

Application Number: 69336

Date of Registration: 08/02/2023

Proposal:

Prior approval for proposed 5G telecoms installation: H3G 15m street pole and additional equipment cabinets

Location:

Pavement outside Radcliffe Hall C of E Methodist Primary School, Bury Street, Radcliffe, M26 2GB

PART 2 - Particulars of Decision

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

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

- 1 The proposed development would, by reason of its size, position and design, be a prominent and intrusive feature in the street scene and would add to the clutter within the streetscene. Therefore, the proposed development would be seriously detrimental to the visual amenities of the area. The proposed development therefore conflicts with the following policy(ies) of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy EN1/10 - Telecommunications
- 2 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.
- 3 The proposed development would be detrimental to the amenities of the neighbouring properties property by reason of its height, size and position. The proposed development therefore conflicts with the following policy(ies) of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy EN1/10 - Telecommunications

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:

H1/2	H1/2 - Further Housing Development
H3/1	H3/1 - Assessing Non-Conforming Uses
EN1/1	EN1/1 - Visual Amenity
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:

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 15/03/2023