

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

PART 1 - Particulars of Application

Application Number: 68821

Date of Registration: 24/08/2022

Proposal:

Prior approval for proposed 5G 17m telecoms installation: H3G street pole and additional equipment cabinets.

Location:

Land at junction of Heywood Street & Benson Street, Bury, BL9 7EB

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 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
- 4 The proposed installation would restrict the available width of the footway to sub-standard levels, affect the established pedestrian desire line on Heywood Street

and would be out of keeping with all other street features in the immediate vicinity of the application site, which would be detrimental to pedestrian safety. Therefore, the proposed development would conflict with Policy HT6/2 - Pedestrian/Vehicular Conflict of the Bury Unitary Development Plan.

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
EN1/4 EN1/4 - Street Furniture
EN1/7 EN1/7 - Throughroutes and Gateways
EN1/10 EN1/10 - Telecommunications
EN8 EN8 - Woodland and Trees
EN7 EN7 - Pollution Control
HT6/2 HT6/2 - Pedestrian/Vehicular Conflict
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:



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On behalf of the Council

Date of Decision: 12/10/2022