

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 Cameron Wilson
DOT Surveying
2 Anderson Place
Edinburgh
EH6 5NP

On Behalf Of:

Mr Cameron Wilson
CK Hutchinson Networks (UK) Limited
450 Longwater Avenue
Reading
RG2 6GF

PART 1 - Particulars of Application

Application Number: 69598

Date of Registration: 26/04/2023

Proposal:

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

Location:

Grass verge at junction of Higher Lane/Church Lane, Whitefield, Manchester, M45 7WE

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 policies of the Bury Unitary Development Plan:
EN1/2 - Townscape and Built Design
EN1/4 - Street Furniture
EN1/7 Throughroutes and Gateways
EN1/10 - Telecommunications
- 2 The proposed mast and cabinets would, by virtue of their siting, design, size and mass represent unacceptable impact on the All Saints Conservation Area of which the site forms part. The proposal would neither preserve or enhance the traditional character or appearance of the Conservation Area. The proposal therefore conflict with the following policies of the Unitary Development Plan: EN2/1 Character of Conservation Areas
EN2/2 Conservation Area Control and
Paragraphs 199 and 201 of the National Planning Policy Framework.
- 3 The proposal would by virtue of its siting, size, design and mass have a severely detrimental impact on the setting of the Grade II Listed War Memorial and the Grade

I Listed Church of All Saints. The proposal therefore conflict with the following policy of the Unitary Development Plan:
EN2/3 - Listed Buildings
Paragraphs 199, 200 and 201 of the National Planning Policy Framework

- 4 The application and submitted plans contain insufficient information to properly assess the impact of the proposed installation on the adjacent highway trees and does not provide adequate accommodation works around the perimeter of the whole installation to ensure that the highway verge can continue to be properly maintained. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan:
EN1/2 - Townscape and Built Design
EN1/4 - Street Furniture
EN1/7 Throughroutes and Gateways
EN1/10 - Telecommunications
EN8 - Woodland and Trees

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
EN1/4 EN1/4 - Street Furniture
EN1/7 EN1/7 - Throughroutes and Gateways
EN1/10 EN1/10 - Telecommunications
EN2/1 EN2/1 - Character of Conservation Areas
EN2/2 EN2/2 - Conservation Area Control
EN2/3 EN2/3 - Listed Buildings
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 rev B, 215 Rev Band 265 Rev B

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read "Joe Kahan", is positioned in the upper left area of the page.

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On behalf of the Council

Date of Decision: 05/06/2023