

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
DOT Surveying
2 Anderson Place
Edinburgh
EH6 5NP

On Behalf Of:

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

PART 1 - Particulars of Application

Application Number: 68819

Date of Registration: 24/08/2022

Proposal:

Prior approval for proposed 5G 20m telecoms installation: H3G street pole and additional equipment cabinets.

Location:

Corner of Jubilee Way & Tenters Street,
Bury, BL9 0AL

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 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.
- 2 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
- 3 The application and submitted plans contain insufficient information to enable the impact of the proposed development upon nearby trees to be properly assessed. Therefore, the proposed development conflicts with Policy EN8 - Woodland and Trees of the Bury Unitary Development Plan.
- 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 installation will be provided to ensure that the highway verge can continue to be properly maintained. Therefore, the proposed development would conflict with the following Policies of the Bury Unitary Development Plan:

Policy EN1/2 - Townscape and Built Design
Policy EN1/3 - Landscaping Provision
Policy EN1/10 - Telecommunications
Policy 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
EN1/3 EN1/3 - Landscaping Provision
EN1/7 EN1/7 - Throughroutes and Gateways
EN1/10 EN1/10 - Telecommunications
EN7 EN7 - Pollution Control
EN8 EN8 - Woodland and Trees
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