

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr R Anwar
RA Design & Project Management Ltd
Suite 4
The White House
42-44 Chorley New Road
Bolton
BL1 4AP

On Behalf Of:

Mr S Postchi
22 Cockey Moor Road
Bury
BL8 2HB

PART 1 - Particulars of Application

Application Number: 69189

Date of Registration: 19/12/2022

Proposal:

Variation of condition no. 1 (approved plans) of planning permission 68038 for erection of detached dwelling: Increase the size and height of the second floor and External alterations

Location:

22 Cockey Moor Road, Bury, BL8 2HB

PART 2 - Particulars of Decision

The Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **REFUSED** for the carrying out of the development referred to in Part 1 hereof for the following reasons:-

- 1 The proposed house in terms of its height, size and massing, would constitute a materially larger and disproportionate replacement which would have a seriously detrimental impact on the openness and character of the Green Belt. The proposed development therefore conflicts with the NPPF and the following policies of the Bury Unitary Development Plan: OL1/2 New Buildings in the Green Belt and associated guidance with Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt.
- 2 The proposed house in terms of its height, size and massing, would appear overdominant within the plot and incongruous between properties on either side. The proposed development therefore have a seriously detrimental impact on visual amenity and conflicts with the following policies of the Bury Unitary Development Plan: EN1/2 Townscape and Built Design, H2/1 The Form of New Residential Development and associate guidance in SPD16 - Design and Layout of New Development in Bury.
- 3 The proposed development would, by reason of its height, size and massing, be overdominant and have a seriously detrimental impact on the residential amenity of those residents on either side of the site. The proposal would conflicts with the

following policies of the Bury Unitary Development Plan: H2/1 The Form of New Residential Development and associated guidance in SPDs 6 and 16 - Extensions and Alterations and Design and Layout of New Development in Bury.

- 4 The proposed plans are inconsistent with the property as currently built in terms of siting and height. As such the proposals are unacceptable and contrary to the NPPF and the following UDP Policies EN1/2 Townscape and Built Design, H2/1 The Form of New Residential Development, H2/2 The Layout of New Residential Development and associated guidance.

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:

OL7/2	OL7/2 - West Pennine Moors
OL1/2	OL1/2 - New Buildings in the Green Belt
OL1/3	OL1/3 - Infilling in Existing Villages in the Green Belt
EN1/2	EN1/2 - Townscape and Built Design
EN7	EN7 - Pollution Control
H1/2	H1/2 - Further Housing Development
H2/1	H2/1 - The Form of New Residential Development
H2/2	H2/2 - The Layout of New Residential Development
HT2/4	HT2/4 - Car Parking and New Development
SPD8	Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
SPD16	Development Control Policy Guidance Note 16 - Design and Layout of New Development in Bury
EN5/1	EN5/1 - New Development and Flood Risk
EN7/5	EN7/5 - Waste Water Management

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:

Drwgs RAD/2289/22/A and RAD/2289/20/7/revA

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read "for haw", written in a cursive style.

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On behalf of the Council

Date of Decision: 08/02/2023