

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Jordan Walker
J C Building Design Limited
23 Gordon Street
Bacup
OL13 8DH

On Behalf Of:

Mr Paul Rothwell
7 Jubilee Close
Haslingden
BB4 4RN

PART 1 - Particulars of Application

Application Number: 67560

Date of Registration: 26/10/2021

Proposal:

Erection of 1 no. dwelling with attached annexe on gable

Location:

Land at Carr Fold & Carr Street,
Ramsbottom, Bury, BL0 9EG

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 development would, by reason of its size, position and design, be a prominent and intrusive feature in the street scene and Ramsbottom Conservation Area and would therefore, be seriously detrimental to the visual amenities of the area. The proposed development would introduce a discordant feature into the Ramsbottom Conservation Area where it is the intention of the Local Planning Authority to secure a high standard of development in relation to new building by requiring the use of sympathetic and compatible building forms and materials. The proposed development would therefore fail to preserve or enhance the Conservation Area. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan H2/1- The Form of New Residential Development, H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control and the National Planning Policy Framework.
- 2 The proposed street scene submitted fails to accurately show the features of the neighbouring properties and as such the application contains insufficient information to allow a full assessment of the relationship of the proposed dwelling in relation to neighbouring properties and its impact on the street scene. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan - H2/1- The Form of New Residential Development, H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control and the National Planning Policy Framework.

- 3 The size of the site is inadequate to accommodate the development proposed whilst satisfying reasonable requirements for space about the dwelling. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: H2/1- The Form of New Residential Development, H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control and the National Planning Policy Framework.
- 4 The application, heritage statement and submitted plans contain insufficient information to identify and assess what affect the proposal may have on any particular significance of the Ramsbottom Conservation Area and its impact on the street scene with regard to the architectural grain and design of the built environment along Carr Street. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan - EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control and paragraphs 194 and 195 of the National Planning Policy Framework.
- 5 The proposed dwelling and annexe would result in an unacceptable reduction in the level of privacy currently enjoyed by the occupiers of Nos. 1, 3, 5 and 7 Spring Wood Street by reason of the sub-standard distances between habitable windows on the proposed development and the shared boundaries of these properties. The proposed development therefore conflicts with Unitary Development Plan Policies H1/2 - Further Housing Development, H2/1 - The Form of New Residential Development and Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 6 The proposed development would be detrimental to the amenities of the occupiers of the dwellings at Nos. 1, 3, 5 and 7 Spring Wood Street by reason of its height, size, position and sub-standard distances between the rear elevations of the proposed development and the rear elevations of the existing properties. The proposed development therefore conflicts with Bury Unitary Development Plan Policies H1/2 - Further Housing Development, H2/1 - The Form of New Residential Development and Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 7 The proposal would restrict visibility at the junction of Carr Fold with Carr Street to sub-standard levels, which is likely to lead to conflicts between vehicles entering and leaving the access and traffic on the adjacent adopted highway and would therefore be detrimental to road safety and maintaining the free flow of traffic on Carr Street. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.
- 8 The proposed car parking/access arrangements immediately at the junction of Carr Fold with Carr Street are sub-standard and likely to lead to vehicles reversing onto the adopted highway at a hazardous location on the highway network, which would be detrimental to road safety and maintaining the free flow of traffic on Carr Street. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.
- 9 The application and submitted plans contain insufficient information to ensure that adequate pedestrian access and parking arrangements and turning facilities can be provided within the curtilage of the site. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan H2/2 -

The Layout of New Residential Development, EN1/2 - Townscape and Built Design, HT6/2 - Pedestrian/Vehicular Conflict, HT2/4 - Car Parking and New Development and associated Supplementary Planning Document 11 - Parking Standards in Bury.

- 10 The application and submitted plans contain insufficient information to ensure that the proposed development will not adversely affect the integrity of the adjacent adopted highway/Public Rights of Way No.'s 42 & 278, Ramsbottom, existing street lighting column and retaining wall located immediately adjacent to the adopted highway. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

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
H2/2	H2/2 - The Layout of New Residential Development
H2/1	H2/1 - The Form of New Residential Development
HT2/4	HT2/4 - Car Parking and New Development
EN1/2	EN1/2 - Townscape and Built Design
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
EN6	EN6 - Conservation of the Natural Environment
EN5/1	EN5/1 - New Development and Flood Risk
EN7/3	EN7/3 - Water Pollution
EN7/5	EN7/5 - Waste Water Management
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
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:

A handwritten signature in black ink, appearing to read "Joe Kahan".

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On behalf of the Council

Date of Decision: 08/12/2021