

# NOTICE OF REFUSAL OF PLANNING PERMISSION

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

**To:**

Mr Norman Rigby  
37 Ashington Drive  
Bury  
BL8 2TS

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### PART 1 - Particulars of Application

**Application Number:** 70260

**Date of Registration:** 29/11/2023

**Proposal:**

Erection of new boundary fence

**Location:**

37 Ashington Drive, Bury, BL8 2TS

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### 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 boundary fence would, by reason of its size, position and design, be a prominent and intrusive feature in the street scene and would therefore, 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: UDP Policy H2/3 and associated guidance in SPD6.

#### **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:**

EN1/1 EN1/1 - Visual Amenity  
H2/3 H2/3 - Extensions and Alterations  
SPD6 Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

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:**

SC2021-251-L(-0)008 Rev A, SC2021-251-L(-0)009 Rev A

**NOTES TO APPLICANT**

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harris', is written over a dotted line.

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On behalf of the Council

**Date of Decision:** 22/01/2024