

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Matt Grant
Lichfields
Ship Canal House
98 King Street
Manchester
M2 4WU

On Behalf Of:

Mr John Matthews
Eccleston Homes Limited
Suite 114
Newton House
Birchwood Park
Warrington
WA3 6FW

PART 1 - Particulars of Application

Application Number: 65844

Date of Registration: 17/09/2020

Proposal:

Erection of 73 no. dwellings including the retention and conversion of 2 existing buildings to residential use (5 no. units), the retention of a chimney and the demolition of a derelict building, together with engineering operations to create a development platform and associated parking, landscaping, drainage, the layout of internal estate roads and footways and other associated works

Location:

Former Mondri/Holcombe Mill, Bridge Street, Ramsbottom, Bury, BL0 0BS

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 proposal would be an intensification of the use of a site, which would be detrimental to road safety and maintaining the free flow of traffic. The proposed development therefore conflicts with the following policy(ies) of the Bury Unitary Development Plan:
Policy HT4 - New Development
Policy H2/2 - The Layout of New Residential Development
- 2 Notwithstanding the provisions of the development and associated mitigation, the proposed development is located in flood zone 3, which has flooded in 2015 and would lead to increased flooding in the vicinity of the site from surface water and the combined sewer network. The proposed development would conflict with Policy EN5/1 - New Development and Flood Risk of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

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:

EC1/1	EC1/1 - Land For Business (B1), General Industrial (B2) and Warehousing Uses (B8)
EC2/1	EC2/1 - Employment Generating Areas
EC3/1	EC3/1 - Measures to Improve Industrial Areas
EC6/1	EC6/1 - New Business, Industrial and Commercial Development
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
H4/1	H4/1 - Affordable Housing
H4/2	H4/2 - Special Needs Housing
EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN1/3	EN1/3 - Landscaping Provision
EN1/5	EN1/5 - Crime Prevention
EN1/7	EN1/7 - Throughroutes and Gateways
EN1/8	EN1/8 - Shop Fronts
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
EN2/3	EN2/3 - Listed Buildings
EN3/1	EN3/1 - Impact of Development on Archaeological Sites
EN3/2	EN3/2 - Development Affecting Archaeological Sites
EN5/1	EN5/1 - New Development and Flood Risk
EN6	EN6 - Conservation of the Natural Environment
EN6/3	EN6/3 - Features of Ecological Value
EN6/4	EN6/4 - Wildlife Links and Corridors
EN7	EN7 - Pollution Control
EN7/1	EN7/1 - Atmospheric Pollution
EN7/2	EN7/2 - Noise Pollution
EN7/5	EN7/5 - Waste Water Management
EN8	EN8 - Woodland and Trees
EN8/2	EN8/2 - Woodland and Tree Planting
OL5/2	OL5/2 - Development in River Valleys
RT1/1	RT1/1 - Protection of Recreation Provision in the Urban Area
RT2/2	RT2/2 - Recreation Provision in New Housing Development
RT3/2	RT3/2 - Additional Provision for Recreation in the Countryside
RT4/6	RT4/6 - East Lancashire Railway
HT2/4	HT2/4 - Car Parking and New Development
HT2/5	HT2/5 - Public Car Parks
HT4	HT4 - New Development
HT5/1	HT5/1 - Access For Those with Special Needs
HT6/1	HT6/1 - Pedestrian and Cyclist Movement
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
TC2/2	TC2/2 - Mixed Use Development
TC2/3	TC2/3 - Vacant and Cleared Sites

Area	Area RM5 - Railway Street/Bridge Street/Peel Brow
RM5	
SPD1	Supplementary Planning Document 1 - Open Space, Sport and Recreation Provision in New Housing Development
SPD2	Development Control Policy Guidance Note 2: Wildlife Links & Corridors
SPD3	Development Control Policy Guidance Note 3: Planning Out Crime in New Development
SPD5	Development Control Policy Guidance Note 5: Affordable Housing Provision in New Residential Developments
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
SPD14	Development Control Policy Guidance Note 14 - Employment Land and Premises
SPD16	Development Control Policy Guidance Note 16 - Design and Layout of New Development in Bury
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guide

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:

101
RAMS-TOPO-001
RAMS-TOPO-002
102 J
103 F
105 A
105
105-1
106
501
501-1
502
502-1 A
P.1202.19.11
AP-P-01-1
AP-P-02
ENG-02
CF-P-01-1
FM-P-01-2
WN-P-01-2
AR-P-02
HA-P-01-1
HT-P-01-2
CL+-P-01
SG-P-01-1
TG-P-01-1
STD-WD-030
F02
F02-1
F04-1
F05 E
F05-1 E

F06 B
F09
FO12
FO14

NOTES TO APPLICANT

Not Applicable

Signed:

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

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On behalf of the Council

Date of Decision: 07/06/2022