

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Robert Spavin
RJS Designs Ltd
3 Swiss Cottage
Swiss Hill
Alderley Edge
Cheshire
SK9 7DP

On Behalf Of:

M Hameed
51 Sheepfoot Lane
Prestwich
Manchester
M25 0DN

PART 1 - Particulars of Application

Application Number: 69284

Date of Registration: 13/02/2023

Proposal:

Raised garden level at rear with stepped access and retaining boundary wall

Location:

51 Sheepfoot Lane, Prestwich, Manchester, M25 0DN

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 raising of the garden level and addition of boundary fencing would be seriously detrimental to the amenities of the adjacent properties that share a boundary with the site (in particular 5, 7 & 9 Watkins Drive) by reason of the height, size and position. The proposed development therefore conflicts with the following policy(ies) of the Bury Unitary Development Plan: H2/3 - Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 2 The application and submitted plans contain insufficient information with regard to the land levels to enable them to be properly assessed with regard to the impact on the amenity of the neighbouring properties at 5,7 & 9 Watkins Drive.
- 3 The application and submitted plans contain insufficient information with regard to the drainage of the proposed development to enable them to be properly assessed.

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:

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:

RJS001_PL_001, RJS001_PL_002 Revision A, RJS001_PL_003 Revision A, 100 Rev A, 101 Rev A

NOTES TO APPLICANT

Not Applicable

Signed:

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

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On behalf of the Council

Date of Decision: 09/05/2023