

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Sam Golding
Gold Sketch Studios LTD
55a Bury Old Road
Prestwich
M25 0FG

On Behalf Of:

Hasid/Jonisz
AJ & MH Properties Ltd
c/o agent

PART 1 - Particulars of Application

Application Number: 72985

Date of Registration: 31/03/2026

Proposal:

Change of use from a 6 bed/6 person HMO
(Use Class C4) to a 7 bed/7 person HMO
(Sui Generis)

Location:

33 Knowsley Street, Bury, BL9 0ST

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 applicant has failed to prove, on the balance of probability, that the application 68845 was lawfully implemented and that the use to which the application relates has been lawfully established. The applicant has therefore failed to demonstrate that the property would benefit from the permitted development rights set out under Part 3, Class L of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 2 The application contains insufficient detail to demonstrate there is no reasonable prospect of the site being retained or re-developed for employment uses, contrary to the requirements of Policy EC2/2 - 'Employment Land and Premises Outside the Employment Generating Areas' of the Bury Unitary Development Plan, SPD 14 and the National Planning Policy Framework.
- 3 The proposal would exceed the HMO concentration threshold as set out within emerging Supplementary Planning Document 13: Houses in Multiple Occupation. It is therefore considered that the proposal would fail to ensure that a mixed and balanced community is retained in the area contrary to Bury Unitary Development Plan Policies H1/2 - Further Housing Development, H2/4 - Conversions, Places for Everyone Joint Development Plan Policy JP-H4 - Density of New Housing, the National Planning Policy Framework and emerging Supplementary Planning Document 13: Houses in Multiple Occupation- Updated Version.
- 4 The applicant has failed to demonstrate that adequate light and outlook would be

provided in relation to the rooflights proposed for the future occupier of proposed bedroom 7, or that these rooflights would not have a detrimental impact on the amenity of neighbouring properties by means of loss of privacy. The proposal is therefore contrary to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design, H2/4 - Conversions, H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, Places for Everyone Joint Development Framework Policy JP-P1: Sustainable Places, emerging Supplementary Planning Document 13: Houses in Multiple Occupation Updated Version and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

- 5 The proposed development, by virtue of the increased occupation and without increase of communal space and outdoor amenity space, would result in a loss of facilities and amenities available to the existing and future occupiers of the property and as such would have a detrimental impact on residential amenity of the occupiers. The proposed development would therefore be contrary to Bury Unitary Development Plan Policies H1/2 - Further Housing Development, H2/1 - The Form of New residential development, H2/2 - The Layout of New Residential Development and H2/4 - Conversions and emerging Supplementary Planning Document 13: Houses in Multiple Occupation Updated Version.
- 6 The applicant has failed to demonstrate that the proposal would comply with the Council's car parking standards in respect of the proposed development. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: HT2/4 - Car Parking and New Development, H2/4 - Conversions, emerging Supplementary Document 13: Houses in Multiple Occupation Updated Version and Supplementary Planning Document 11- Parking Standards in Bury.
- 7 The applicant has failed to demonstrate the proposal would ensure that adequate off-highway bin storage arrangements can be provided for the proposed use, in order to ensure that the adjacent adopted highways are not used for refuse collection purposes or the storage of communal bins contrary to Bury Unitary Development Plan and Places for Everyone Joint Development Plan Policies EN1/2 - Townscape and Built Design, Policy H2/4: Conversions, JP-P1 - Sustainable Places, JP-C5 - Streets for All and JP-C6 - Walking and Cycling and emerging Supplementary Planning Document 13: Houses in Multiple Occupation Updated Version.

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:

Area	Area BY4 - Manchester Road/Knowsley Street
BY4	
TC1	TC1 - Town Centres
EC2/2	EC2/2 - Employment Land and Premises Outside the Employment Generating Areas

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
H2/4	H2/4 - Conversions
EN1/2	EN1/2 - Townscape and Built Design
HT2/4	HT2/4 - Car Parking and New Development
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-S2	Carbon and Energy
JP-P1	Sustainable Places
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
SPD13	Development Control Policy Guidance Note 13 - Conversion of Buildings to Houses in Multiple Occupation
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
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:

Location Plan, 004, 1.0, 002 Rev 3, 003 Rev 1

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'P. H. H.', written in a cursive style.

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On behalf of the Council

Date of Decision: 21/05/2026