

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Subhan Saleem
Saleem Architects
64 Heaton Street
Prestwich
Manchester
M25 1HH

On Behalf Of:

Mr Mohammad Sharif
194 Hornby Street
Bury
BL9 5BA

PART 1 - Particulars of Application

Application Number: 73199

Date of Registration: 24/06/2026

Proposal:

Change of use of first floor from mixed use of commercial/living accommodation (Class C3/Class E) to 3 bed, 3 person (single occupancy) HMO (House in Multiple Occupation) (Class C4); Change of existing rear tiled roof to flat roof and alterations to existing elevations

Location:

194 Hornby Street, Bury, BL9 5BA

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 bin storage/refuse collection arrangements are sub-standard and lack of a direct access to the rear yard from the ground floor for the future occupants of the HMO to utilise would result in an unacceptable and poor layout arrangement which is also likely to lead to bins being stored on the adopted highways in the vicinity of the only pedestrian entrance to the first floor of the building, which would be detrimental to pedestrian and highway safety. The proposed development would therefore be contrary to policies EN1/2, H2/4, JP-C8, SPD13 and the principles of paragraph 12 of the NPPF.
- 2 The proposed development would fail to provide secure covered cycle storage for the HMO. The proposed development would therefore be contrary to policies H2/4, JP-C8, SPD11 and SPD13 and the principles of the NPPF.
- 3 The proposed development, would provide sub-standard living conditions for future occupiers by virtue of the direct access off a communal kitchen/living area to bedroom 1. The proposed development would therefore be contrary to policies H2/4 and SPD13.

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:

NPPF	National Planning Policy Framework
EN1/2	EN1/2 - Townscape and Built Design
EC4/1	EC4/1 - Small Businesses
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
HT2/4	HT2/4 - Car Parking and New Development
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-H3	Type, Size and Design of New Housing
JP-P1	Sustainable Places
JP-S1	Sustainable Development
JP-S2	Carbon and Energy
SPD13	Development Control Policy Guidance Note 13 - Conversion of Buildings to Houses in Multiple Occupation

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 Rev A
Existing plans sheet 1
Existing elevations to Hornby Street and Back Hornby Street sheet 2
Existing elevations facing Eldon Street and back Eldon Street sheet 3
Revised proposed floor plans sheet 4 received 6/7/26
Proposed elevations facing Hornby street and Back Hornby Street sheet 5
Proposed elevations facing Eldon Street and Back Eldon Street sheet 6
Revised existing and proposed site plan sheet 7 received 6/7/26

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: 11/08/2026