

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Michael Court
MTC Designs
31 Exford Drive
Bolton
BL2 6TB

On Behalf Of:

Mr Seif Taha
137-143 Stand Lane
Radcliffe
Manchester
M26 1JR

PART 1 - Particulars of Application

Application Number: 70000

Date of Registration: 05/09/2023

Proposal:

Change of use from hotel to 18 bedroom
(single occupancy) HMO (Sui Generis) and
single storey rear extension

Location:

Hawthorn Hotel, 137-143 Stand Lane,
Radcliffe, Manchester, M26 1JR

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 development, by virtue of the increased occupation and intensified use of the building would result in sub-standard and unacceptable levels of bedroom accommodation and facilities, shared facilities, external amenity space and refuse provision for the 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.
- 2 The proposed use by virtue of the intensified use and occupation of the building and resulting noise, activity and disturbances and the potential to incite crime in the locality within a predominantly residential area would have a significantly harmful impact on the residential amenity of adjacent occupiers. The proposed development would therefore be contrary to Bury Unitary Development Plan Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development and H2/4 - Conversions, EN1/5 - Crime Prevention and SPD13.
- 3 The application and submitted plans contain insufficient and conflicting information to provide cycle and bin store facilities and ensure that the parking provision available within the curtilage of the site will be sufficient for the proposed HMO use. The proposed development would therefore be contrary to Bury Unitary Development

Plan Policies EN1/2 - Townscape and Built Design, H2/4 - Conversions and HT2/4 - Car Parking and New Development.

- 4 The application contains insufficient and conflicting information to determine the type and character of the use proposed in the application. The proposed development would therefore be contrary to Bury Unitary Development Plan Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development and H2/4 - Conversions, EN1/5 - Crime Prevention 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
EN1/5	EN1/5 - Crime Prevention
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
EN7/2	EN7/2 - Noise Pollution
HT2/4	HT2/4 - Car Parking and New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
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:

Red edge location plan received 15/8/23; Existing site plan P06A; Proposed site plan P07A; Existing ground floor P01; Proposed ground floor P03; Existing first floor P02; Proposed first floor P04; Existing and proposed elevations P05

NOTES TO APPLICANT

Not Applicable

Signed:

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

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On behalf of the Council

Date of Decision: 25/10/2023