

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Justin Keleghan
Plans To Build It Ltd
21 Campbell Road
Swinton
Manchester
M27 5QG

On Behalf Of:

Mr Stephen R Kerfoot
78-80 Church Street West
Radcliffe
Manchester
M26 2SY

PART 1 - Particulars of Application

Application Number: 70563

Date of Registration: 18/04/2024

Proposal:

Change of use from former
showroom/workshop to 28 no. bedroom
(single occupancy) building of multiple
residential occupation (Sui Generis)

Location:

78-80 Church Street West, Radcliffe,
Manchester, M26 2SY

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 design of the proposed window openings associated with bedrooms 8, 9, 10, 20, 21, 22, the ground floor communal lounge area and the first floor communal lounge area is neither appropriate to, nor sympathetic with the existing structure, and would be detrimental to the visual amenity of the area. The proposed development therefore conflicts with Development Plan Policies JP-P1- Sustainable Places, EN1/2 - Townscape and Built Design ,H2/1 - The Form of New Residential Development, H2/4 - Conversions.
- 2 The application and submitted plans contain insufficient information to ensure that access to and provision of adequate off-highway bin storage arrangements can be provided for the use proposed within the curtilage of the site in order to ensure that the adjacent adopted highways are not used for refuse collection purposes or the storage of communal bins. The proposed development would therefore be contrary to Development Plan Policies EN1/2 - Townscape and Built Design ,H2/2 - The Layout of New Residential Development, H2/4 - Conversions and JP-P1 - Sustainable Places.
- 3 The proposed development, by virtue of the proposed internal density and layout as shown would lead to a poor arrangement of individual and shared accommodation available for the future occupiers of the property and as such would have a detrimental impact on residential amenity of the occupiers contrary to Development

Plan Policies H1/2 - Further Housing Development, H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, H2/4 - Conversions, JP-P1 - Sustainable Places, JP-S5 - Clean Air and EN7/2 - Noise Pollution.

- 4 The scale of the development would be seriously detrimental to the residential amenities of nearby occupiers, by reason of the noise, disturbance and general activity associated with the proposed use. The proposed development therefore conflicts with Development Plan Policies H1/2 - Further Housing Development, H2/1 - The Form of New Residential Development and H2/4 - Conversions.
- 5 The applicant has failed to consider the full context of the existing building, the wider character of the area and density. The applicant has therefore failed to demonstrate that the proposal would have regard to the need to achieve efficient use of land contrary to Development Plan Policy JP-H4 - Density of New Housing.
- 6 The proposal would result in the significant intensification of the use of a site with inadequate off-street parking facilities within the curtilage of the site for the proposed use and existing industrial uses, which is highly likely to lead to vehicles parking and carrying out manoeuvres on the surrounding residential streets and classified roads where on-street parking facilities are at a premium at all times of day. This would have a significant detrimental impact on existing parking facilities for existing residents of Glenvale Close to the detriment of the free flow of traffic and road safety. The proposed development therefore conflicts with the following policies of the Development Plan EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, H2/4 - Conversions, HT2/4 - Car Parking and New Development, JP-C5 Streets for All, JP-C6- Walking and Cycling, JP-P1 - Sustainable Places.
- 7 The proposal would result in the loss of existing off-highway servicing and parking facilities and bin storage arrangements within the curtilage of the site for the existing industrial use, which would be detrimental to the free flow of traffic and road safety and have a significant detrimental impact on the adjacent residents of Glenvale Close. The proposed development therefore conflicts with the following policies of the Development Plan EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, H2/4 - Conversions, HT2/4 - Car Parking and New Development, JP-C5 Streets for All, JP-C6- Walking and Cycling, JP-P1 - Sustainable Places.
- 8 The application and submitted plans and supporting statements contain insufficient information to enable the local planning authority to assess whether the proposal would maximise reductions in carbon emissions, as required by Policy JP-S2 of the Places for Everyone Joint Development Plan.
- 9 The application and submitted plans and supporting statements contain insufficient information to demonstrate that the proposal would comprise high quality digital infrastructure, as required by Policy JP-C2 of the Places for Everyone Joint Development Plan.

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
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-P1	Sustainable Places
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-S2	Carbon and Energy
JP-S5	Clean Air
EN1/2	EN1/2 - Townscape and Built Design
EN6/3	EN6/3 - Features of Ecological Value
EN7/2	EN7/2 - Noise Pollution
EN8/2	EN8/2 - Woodland and Tree Planting
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
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
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:

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: 11/06/2024