

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Group
JC Design
Suite 2
Park Gates
Bury New Road
Manchester
M25 0JW

On Behalf Of:

Mr Bass
52 Albert Avenue
Prestwich
Manchester
M25 0LX

PART 1 - Particulars of Application

Application Number: 69959

Date of Registration: 25/08/2023

Proposal:

Change of use of existing residential dwelling (Class C3) to prayer hall (Class F1(f)) to ground floor and self-contained flat (Class C3(a)) to first floor

Location:

52 Albert Avenue, Prestwich, Manchester, M25 0LX

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 application and submitted plans contain insufficient information to enable them to be properly assessed with regards to the number of members attending the prayer hall, opening times of the prayer hall, mode of travel to the property and required parking provision and thereon cannot assess the implications and impacts on residential amenity of the adjacent occupiers and highway safety. The proposed development would therefore be contrary to Bury Unitary Development Plan policies EN1/2 - Townscape and Built Design, EN7/2 - Noise Pollution, CF1/1 - Location of New Community Facilities, H3/1 - Assessing Non-Conforming Uses, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian and Vehicular Conflict.
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- 2 The application and submitted plans contains conflicting and insufficient information to enable them to be properly assessed with regards to the installation of the balcony and the air conditioning units to assess the impacts of the development on the adjacent occupiers. The development would therefore be contrary to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN7/2 - Noise Pollution, CF1/1 - Location of New Community Facilities, H3/1 - Assessing Non-Conforming Uses, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian and Vehicular Conflict.

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
CF1/1 CF1/1 - Location of New Community Facilities
EN1/2 EN1/2 - Townscape and Built Design
EN7/2 EN7/2 - Noise Pollution
HT2/4 HT2/4 - Car Parking and New Development
H2/1 H2/1 - The Form of New Residential Development
H2/2 H2/2 - The Layout of New Residential Development
H3/1 H3/1 - Assessing Non-Conforming Uses

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:

Site plans A1.1 PL3; Previous usage plans and elevations A1.2 PL3; As built plans and elevations A1.3 PL3

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 18/10/2023