

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Fahad Toor
HFS Planning Applications Ltd
58 Bury Old Road
Manchester
M8 5BL

On Behalf Of:

Miss Khalida Barker
LK Property Partners
521 Manchester Road
Bury
BL9 9SH

PART 1 - Particulars of Application**Application Number:** 70680**Date of Registration:** 24/05/2024**Proposal:**

Proposed conversion of basement to an existing 6 bedroom House in Multiple Occupation (HMO) to form a 7-bed HMO

Location:

521 Manchester Road, Bury, BL9 9SH

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 Basement windows to a habitable room being below ground floor level and their enclosure, would have a lack of outlook and sunlight and daylight, leading to a poor standard of accommodation and an unsatisfactory level of amenity for future occupiers, to the detriment of their amenity and would thus fail to constitute good design. The proposed development therefore conflicts with Policy H2/4 - 'Conversions' of the Bury Unitary Development Plan, Supplementary Planning Document 13 - 'Conversion of Buildings to Houses in Multiple Occupation' and the National Planning Policy Framework.

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

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
HT6/2 HT6/2 - Pedestrian/Vehicular Conflict
SPD13 Development Control Policy Guidance Note 13 - Conversion of Buildings to Houses in Multiple Occupation
JP-C8 Transport Requirements of New Development

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:

Drawing no. HFS-20/03/24-12B: As Existing Floor Plans (showing Existing / Proposed Site Plan & Ground Floor Plan);

Drawing no. HFS-20/03/24-14: As Proposed Lower Ground Floor Plan; and,

Drawing no. HFS-20/03/24-11: As Existing & Proposed Elevations

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 23/07/2024