

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Darren Ridley
The Planning Station
Ridley
3 The Hazelmeres
Hazel Drive
Walton, Chesterfield
S40 3FE

On Behalf Of:

James Ramsey
GMPE Property Ltd
25 Gordon Way
Heywood
OL10 3PP

PART 1 - Particulars of Application

Application Number: 70742

Date of Registration: 23/05/2024

Proposal:

Change of use from dwelling (Class C3) and Swim School building (Class E(d)) to 10 no. bed House of Multiple Occupancy (HMO) (Class Sui Generis) to include changes to the fenestration of the pool building; Loft conversion with 2 no. rear dormers to dwelling

Location:

31 Grosvenor Street, Prestwich, Manchester, M25 1ES

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 rear dormers would result in an uncharacteristic, incongruous, and overly prominent features that would result in harm to the immediate character of the area and the street scene. The proposal would be a highly discordant feature in the area that would cause significant harm to visual amenity in the immediate locality. Therefore, the proposal is considered contrary to Policies EN1/2 - Townscape and Built Design, H2/1 - The Form of New Residential Development, and H2/4 - Conversions of the Unitary Development Plan and the National Planning Policy Framework.
- 2 The development would by virtue of the scale and density of the development proposed be seriously detrimental to the residential amenities of nearby occupiers, by reason of the noise, disturbance and general activity associated with the proposed use, contrary to policies H1/2 - Further Housing Development. H2/1 - The Form of New residential development and H2/4 - Conversions, Supplementary Planning Document 13 - Conversion of Buildings to Houses in Multiple Occupation and the National Planning Policy Framework.

- 3 The application and submitted plans contain insufficient information to ensure that adequate off-highway bin storage arrangements can be provided for within the curtilage of the site in order to ensure that the adjacent adopted highways are not used for refuse collection purposes. The proposed development would therefore be contrary to Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, and H2/4 - Conversions of the Bury Unitary Development Plan, SPG 13: 'Conversion of Buildings to Houses In Multiple Occupation' and the National Planning Policy Framework and the National Design Guide.
- 4 The application and submitted information contains insufficient and conflicting information over whether the rear yard area can accommodate the refuse storage requirements for the proposed development and the necessary storage requirements without causing harm to the amenity of neighbouring occupiers. The proposal is therefore contrary to Policies H2/4 - Conversions EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, and the requirements of the National Planning Policy Framework.
- 5 The proposed dormers would be seriously detrimental to the residential amenities currently enjoyed by the future occupier(s) of the proposed development, by reason of its size and position. The proposed development therefore conflicts with the following policy(ies) of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design,
Policy H2/1 - The Form of New Residential Development
Policy H2/4 - Conversions
- 6 The proposed development, by virtue of the proposed 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. The proposed development therefore conflicts with 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 of the Bury Unitary Development Plan, Supplementary Planning Document 13 - Conversion of Buildings to Houses in Multiple Occupation and the National Planning Policy Framework.
- 7 The proposal would result in the significant intensification of the use of a building with no off-street parking facilities within the curtilage of the site, 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, which would have a significant impact on existing parking facilities for existing residents and be detrimental to the free flow of traffic and road safety. The proposed development therefore conflicts with policies
EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, H2/4 - Conversions, HT6/2 - Pedestrian/Vehicular Conflict, HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan, and Supplementary Planning Document 13 - Conversion of Buildings to Houses in Multiple Occupation.

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:

JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
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
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
JP-S2	Carbon and Energy
JP-C2	Digital Connectivity

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:

000-EP
002-GA
020A-EE
020B-EE
999-LP

NOTES TO APPLICANT

Not Applicable

Signed:

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

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On behalf of the Council

Date of Decision: 18/07/2024