

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Dr Kanadi Jagafa
Mason and Marlowe Ltd
Colony
5 Piccadilly Place
Manchester
M1 3BR

On Behalf Of:

Mr Usman Ali
240 Walmersley Road
Bury
BL9 6NH

PART 1 - Particulars of Application

Application Number: 73004

Date of Registration: 13/04/2026

Proposal:

Change of use from a 6 bed dwellinghouse
(Use Class C3) to Children's care home
(Use Class C2) for 5 no. children under the
age of 18

Location:

240 Walmersley Road, Bury, BL9 6NH

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 applicant has failed to demonstrate that adequate, safe, outdoor amenity space can be accommodated on the site which would be significantly detrimental to the residential amenities, well-being and safety of the future occupiers. The proposed development would be contrary to policies H4/2 - Special Needs Housing, CF1/1 - Location of New Community Facilities and principles of the NPPF.
- 2 The proposed development, by virtue of the occupation by 11 people (5 children in care and 6 adult carers (daytime) and 3 adult carers (nighttime)) would result in an intensification of the use of the property which would be inappropriate for a development to provide a suitable family orientated stable environment for children in care with suitable layout arrangements and facilities. The proposed development would therefore be contrary to policies H4/2 - Special Needs Housing and CF1/1 - Location of New Community Facilities.
- 3 The application and submitted plans contain insufficient information to provide sufficient, detailed supporting documentation to adequately set out the need for the facility in this neighbourhood, the needs of the children resident at the property and policies and procedures that demonstrate how the facility will operate and evidence to include evidence to demonstrate that the property is an appropriately secure place in which to provide care. The proposed development would therefore be contrary to policies EN1/5, H4/2 and CF1/1.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

H2/1	H2/1 - The Form of New Residential Development
H2/2	H2/2 - The Layout of New Residential Development
CF3	CF3 - Social Services
CF1/1	CF1/1 - Location of New Community Facilities
H4/2	H4/2 - Special Needs Housing
EN1/2	EN1/2 - Townscape and Built Design
EN7/2	EN7/2 - Noise Pollution
HT2/4	HT2/4 - Car Parking and New Development
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-S2	Carbon and Energy
JP-P1	Sustainable Places
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
NPPF	National Planning Policy Framework
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
EN1/5	EN1/5 - Crime Prevention

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:

Location plan revision 1 dated 5/7/23
Proposed basement plan dated 8/6/23
Proposed ground floor plan revision 1 dated 8/23/26
Proposed first floor plan revision 1
Proposed front and right side elevation plan dated 17/3/23
Proposed left and rear side elevation dated 13/7/23
Proposed site plan revision 2 dated 11/7/23
Existing sliding gate revision 1 dated 11/7/23

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: 03/06/2026