

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:
Ewart
Paul Butler Associates Ltd
31 Blackfriars Road
Salford
M3 7AQ

On Behalf Of:
Mr Portnoy
C/O Agent
.
M3 7AQ

PART 1 - Particulars of Application

Application Number: 71156

Date of Registration: 08/10/2024

Proposal:
Change of use from a 6 bed House in
Multiple Occupation (HMO) to a 9 bed (single
occupancy) House in Multiple Occupation
(HMO)

Location:
17 Belle Vue Terrace, Bury, BL9 0SY

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 increased occupation which would result in the significant intensification of the use of the building which would provide poor and inadequate living conditions for existing and future occupiers by virtue of restricted outlooks, small windows, limited daylight . The proposed development would therefore be contrary to 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, Policy JP-H3: Type, Size and Design of New Housing of the Places for Everyone Joint Development Plan, and the National Planning Policy Framework.
- 2 The application and submitted plans contain conflicting information with regards to the existing and proposed occupation and use of the rooms labelled as bedrooms 1-6 and void on the existing plans and bedrooms labelled as 1-9 on the proposed plans to enable them to be properly assessed. The proposed development would therefore be contrary to 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, Policy JP-H3: Type, Size and Design of New Housing of the Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 3 The proposed car parking provision is inadequate and is likely to lead to vehicles parking and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and road safety.
The proposed development would therefore be contrary to UDP Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design, H2/4 - Conversions, HT2/4 - Car Parking and New Development and PfE Policies JP-C5: Streets For All, JP-C6: Walking and Cycling, JP-C8 - Transport Requirements of New Development and SPD13.
- 4 The application and submitted plans contain insufficient information to enable the adequacy of the proposed bin storage/refuse arrangements to ensure that the adopted highway will not be used for the storage of bins to be properly assessed.
The proposed development would therefore be contrary to UDP Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design, H2/4 - Conversions, HT2/4 - Car Parking and New Development and PfE Policies JP-C5: Streets For All, JP-C6: Walking and Cycling, JP-C8 - Transport Requirements of New Development and SPD13.
- 5 The proposed development, if approved, would create a precedent for similar development in the area, with a resultant cumulative impact on highway safety. The proposed development would therefore be contrary to UDP Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design, H2/4 - Conversions, HT2/4 - Car Parking and New Development and PfE Policies JP-C5: Streets For All, JP-C6: Walking and Cycling, JP-C8 - Transport Requirements of New Development and SPD13.

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

NPPF	National Planning Policy Framework
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
EN7/2	EN7/2 - Noise Pollution
HT2/4	HT2/4 - Car Parking and New Development
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-S2	Carbon and Energy
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
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
Area	Area BY2 - Bridge Road/Buckley Wells
BY2	

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:

Red edge location plan

Site plan as existing and proposed dwg 006 rev A
Plans as existing dwg 004
Plans as proposed dwg 005 rev B

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harris', written over a dotted line.

3 of 3

.....
On behalf of the Council

Date of Decision: 29/11/2024