

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr M Ahmed
M1 Architecture Ltd
Unit A39
Building A
Lord N Street
Manchester
M40 2HJ

On Behalf Of:

Miss Amna Ahmed
Little Lanterns Care
7 Bollinway
Hale
Altrincham
WA15 0NZ

PART 1 - Particulars of Application

Application Number: 72586

Date of Registration: 26/01/2026

Proposal:

Change of use from residential dwelling
(Class C3) to children's residential home for
up to 3 no. children with up to 3 no. staff
working on a rota basis (Class C2)

Location:

37 Victoria Lane, Whitefield, Manchester,
M45 6BL

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 No conditions have been discharged on permission 64912 and as such, the dwellings built on site are unlawful. In addition, the planning permission lapsed in February 2023. Therefore, the proposed development would conflict with Section 15 of the National Planning Policy Framework and the following Policies of the Bury Unitary Development Plan and the Places for Everyone Joint Development Plan:
EN1/2 - Townscape and Built Design
H2/1 - The Form of New Residential Development
H2/2 - The Layout of New Residential Development
EN5/1 - New Development and Flood Risk
EN7/3 - Water Pollution
EN7/5 - Waste Water Management
HT6/2 - Pedestrian/Vehicular Conflict
- 2 The dwelling as built does not accord with the approved plans of planning permission 64912 and as such, the dwellings built on site are unlawful. Therefore, the proposed development would conflict with the following Policies of the Bury Unitary Development Plan:
EN1/2 - Townscape and Built Design
H2/1 - The Form of New Residential Development
H2/2 - The Layout of New Residential Development

- 3 The proposed access arrangements and car parking provision is inadequate and is likely to lead to vehicles parking on the adjacent pedestrianised areas and as such is detrimental of the safety of pedestrians, the free flow of traffic and to road safety. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan and Supplementary Planning Document 11 - Parking Standards in Bury:
- EN1/2 - Townscape and Built Design
 - H2/1 - The Form of New Residential Development
 - H2/2 - The Layout of New Residential Development
 - HT2/4 Car Parking and New Development.

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
EN1/2	EN1/2 - Townscape and Built Design
EN1/3	EN1/3 - Landscaping Provision
EN1/5	EN1/5 - Crime Prevention
EN7	EN7 - Pollution Control
EN7/2	EN7/2 - Noise Pollution
EN7/5	EN7/5 - Waste Water Management
CF1/1	CF1/1 - Location of New Community Facilities
CF3	CF3 - Social Services
CF3/1	CF3/1 - Residential Care Homes and Nursing Homes
H4/2	H4/2 - Special Needs Housing
HT5/1	HT5/1 - Access For Those with Special Needs
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
HT2/4	HT2/4 - Car Parking and New Development
JP-C8	Transport Requirements of New Development
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury

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, Date Produced 26 November 2025, Planning Portal Reference:
PP-14503820v1

Amended/ corrected drawings received 10 March 2026:

Drawing no. 2540-S1: Site Plan Existing
Drawing no. 2540-S2: Site Plan Proposed
Drawing no. 2663-01: Floor Plans Existing
Drawing no. 2563-02: Elevations Existing

Drawing no. 2563-03: Floor Plans Proposed
Drawing no. 2563-04: Elevations Proposed

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'J. H. H.', is written over a dotted line.

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On behalf of the Council

Date of Decision: 23/03/2026