

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Gary Dearden
PPY design Ltd
2 Helmsshore Road
Holcombe Village
Bury
BL8 4PA

On Behalf Of:

Mr Khizzer Hayat
496 Bolton Road
Bury
BL8 2DU

PART 1 - Particulars of Application

Application Number: 72370

Date of Registration: 13/11/2025

Proposal:

Demolition of former works and Erection of 1 no. single storey dwelling for persons in adult social care

Location:

Land to rear of 29 Raven Street, Bury, BL9 5AU

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 the land is no longer suited in land use terms to continued employment use contrary to Bury Unitary Development Plan Policy EC2/2 - Employment Land and Premises Outside the Employment Generating Areas.
- 2 The application and submitted plans contain insufficient information to enable them to be properly assessed in terms of the impact of the proposal in relation to visual amenity and streetscene. The proposed development therefore conflicts with Bury Unitary Development Plan Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, Policy H4/2 - Special Needs Housing, EN1/2 - Townscape and Built Design, Places for Everyone Joint Development Plan Policies JP-H3 - Type, Size and Design of New Housing, JP-P1 - Sustainable Places and the NPPF.
- 3 The size of the site is inadequate to accommodate the development proposed whilst satisfying reasonable requirements for space about the dwelling for the provision of adequate private amenity space and bin storage. As such, the proposal would have a detrimental impact on residential amenity of the future occupiers and would fail to provide a good quality residential environment. The proposed development therefore conflicts with Bury Unitary Development Plan Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, Policy H4/2 - Special Needs Housing, EN1/2 - Townscape and Built Design, Places

for Everyone Joint Development Plan Policies JP-H3 - Type, Size and Design of New Housing, JP-P1 - Sustainable Places and the NPPF.

- 4 The proposed dwelling would fail to meet Nationally Described Space Standards (NDSS) for in built storage and bedroom width for the proposed carer's bedroom. The proposal would therefore fail to comply with Places for Everyone Joint Development Plan Policy JP-H3: Type, Size and Design of New Housing.
- 5 The proposed dwelling would result in an unacceptable level of amenity and outlook for future occupiers by reason of the sub-standard distances between the window for bedroom 2 and the directly facing rear boundary. The proposal would have a detrimental impact on residential amenity of the occupiers and would fail to provide a good quality residential environment. The proposed development therefore conflicts with Bury Unitary Development Plan Policies H1/2 - Further Housing Development, H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, Policy H4/2 - Special Needs Housing, EN1/2 - Townscape and Built Design, Places for Everyone Joint Development Plan Policies JP-H3 - Type, Size and Design of New Housing, JP-P1 - Sustainable Places, Supplementary Planning Document 6: Alterations and Extensions to Residential Properties and the NPPF.
- 6 The proposed car parking and cycle storage 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 therefore conflicts with Bury Unitary Development Plan Policies HT4/2 Car Parking and New Development, Places for Everyone Joint Development Plan Policies JP-C5: Streets for All, JP-C6: Walking and Cycling, JP-C8 Transport Requirements of New Development and Supplementary Planning Document 11: Parking Standards in Bury June 2025.

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:

CF3	CF3 - Social Services
CF1/1	CF1/1 - Location of New Community Facilities
EN1/2	EN1/2 - Townscape and Built Design
EN6/3	EN6/3 - Features of Ecological Value
EN7/2	EN7/2 - Noise Pollution
EN7/3	EN7/3 - Water Pollution
EN7/5	EN7/5 - Waste Water Management
EN8/2	EN8/2 - Woodland and Tree Planting
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
H3	H3 - Incompatible Uses in Residential Areas

H3/1	H3/1 - Assessing Non-Conforming Uses
H3/2	H3/2 - Existing Incompatible Uses
H4/2	H4/2 - Special Needs Housing
EC2/2	EC2/2 - Employment Land and Premises Outside the Employment Generating Areas
HT2/4	HT2/4 - Car Parking and New Development
JP-J1	Supporting Long-Term Economic Growth
JP-J2	Employment Sites and Premises
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air
JP-P1	Sustainable Places
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G7	Trees and Woodland
NPPF	National Planning Policy Framework
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
SPD14	Development Control Policy Guidance Note 14 - Employment Land and Premises

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:

KH11-00, KH11-01, KH11-02, KH11-03, KH11-03A, KH11-04A, KH11-05A, KH11-06A

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: 22/12/2025