

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Grant Erskine
Grant Erskine Architects
Suite 5
Third Floor
61 Mosley Street
Manchester
M2 3HZ

On Behalf Of:

Mr Ciaroni
Emerald Property Capital Ltd
104 Ainsworth Road
Bury
BL8 2RS

PART 1 - Particulars of Application

Application Number: 69132

Date of Registration: 25/01/2023

Proposal:

Change of use from existing 6 no. bedroom house in multiple occupation (HMO - Class C4) to 7 no. bedroom (7 person) house in multiple occupation (HMO - Sui Generis)

Location:

104 Ainsworth Road, Bury, BL8 2RS

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 and loss of communal space, would result in a loss of facilities and amenities available to the existing and future occupiers of the property and as such would have a detrimental impact on residential amenity of the occupiers. The proposed development would therefore be contrary to 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 and H2/4 - Conversions.

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
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

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:

(20)A004, (-9) A001, (20)A003

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 15/03/2023