

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Dean King
NK Architectural
19 Hexagon Close
Blackley
Heald Green
Manchester
M9 8RN

On Behalf Of:

Mrs S Ramsay
5 Keats Crescent
Radcliffe
Manchester
M26 3GT

PART 1 - Particulars of Application

Application Number: 69794

Date of Registration: 01/11/2023

Proposal:

Change of use from residential dwelling
(Class C3) to 10 bedroom (single occupancy)
house in multiple occupation (HMO) (Sui
Generis)

Location:

5 Keats Crescent, Radcliffe, Manchester,
M26 3GT

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 application and submitted plans fail to provide elevational details in relation to the proposed bin and bike stores to the front of the property and fail to acknowledge the existing boundary hedgrows/trees. The application and submitted plans therefore contain insufficient information to enable them to be properly assessed in terms of visual and residential amenity and therefore conflicts with the following policies of the Bury Unitary Development Plan:
EN1/1 - Visual Amenity
EN1/2 - Townscape and Built Design
H2/1 - The Form of New Residential Development
H2/2 - The Layout of New Residential Development
H2/4 - Conversions
- 2 The extent of the proposed hardstanding is neither appropriate to, nor sympathetic with the existing streetscene, and would be detrimental to the visual amenity of the area. The proposed development therefore conflicts with the following policy of the Bury Unitary Development Plan:
EN1/1 - Visual Amenity
EN1/2 - Townscape and Built Design
H2/1 - The Form of New Residential Development
H2/2 - The Layout of New Residential Development

H2/4 - Conversions

- 3 The proposed development, by virtue of the proposed layout would lead to a poor arrangement of shared accommodation available for the future occupiers of the property and as such would have a detrimental impact on residential amenity of the occupiers. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan:
H1/2 - Further Housing Development
H2/1 - The Form of New residential development
H2/2 - The Layout of New Residential Development
H2/4 - Conversions.
- 4 The development would by virtue of the scale and density of the development proposed be seriously detrimental to the residential amenities of nearby occupiers, by reason of the noise, disturbance and general activity associated with the proposed use. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan:
H1/2 - Further Housing Development
H2/1 - The Form of New residential development
H2/2 - The Layout of New Residential Development
H2/4 - Conversions
Supplementary Planning Document 13 - Conversion of Buildings to Houses in Multiple Occupation
- 5 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 therefore conflicts with the following policies of the Bury Unitary Development Plan:
EN1/2 - Townscape and Built Design
H2/2 - The Layout of New Residential Development
HT6/2 - Pedestrian/Vehicular Conflict
HT2/4 - Car Parking and New Development
H2/4 - Conversions
- 6 The proposed access and parking arrangements are sub-standard, which would have a detrimental impact on the adjacent adopted highway, availability of visitor parking on Keats Crescent and is likely to lead to vehicular encroachment of the adjacent footway to the detriment of the free flow of traffic and road and pedestrian safety. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan:
EN1/2 - Townscape and Built Design
H2/2 - The Layout of New Residential Development
HT6/2 - Pedestrian/Vehicular Conflict
HT2/4 - Car Parking and New Development
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:

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
EN1/1 EN1/1 - Visual Amenity
EN1/2 EN1/2 - Townscape and Built Design
HT2/4 HT2/4 - Car Parking and New Development
HT6/2 HT6/2 - Pedestrian/Vehicular Conflict
SPD13 Development Control Policy Guidance Note 13 - Conversion of Buildings to Houses in Multiple Occupation
NPPF National Planning Policy Framework

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:

A105 Rev A, A106, A101

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 11/12/2023