

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Andrew Burns
Atelier MB
Suite 2A
Amazon House
Brazil Street
Manchester
M1 3PW

On Behalf Of:

Broad Property Ltd
59 Egerton Road
London
N16 6UE

PART 1 - Particulars of Application

Application Number: 71927

Date of Registration: 24/07/2025

Proposal:

Change of use of basement, rear of ground floor and 1st/2nd/3rd/4th floors from commercial (Class E) to 10 no. self-contained flats with external alterations

Location:

1 The Rock, Bury, BL9 0JP

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 would fail to meet Nationally Described Space standards (NDSS) for bedroom types to flat 6 and total floor area for flats 6,7,9 and 10. The proposal would therefore fail to comply with Places for Everyone Joint Development Plan Policy JP-H3: Type, Size and Design of New Housing.
- 2 The size of the site is inadequate to accommodate the development proposed whilst satisfying reasonable requirements for bin storage provision for the commercial and residential units and providing secure covered cycle storage in accordance with SPD11. The proposed development would therefore result in the over-development of the site and would be contrary to policies H2/4, JP-C8 and SPD11.
- 3 The application and submitted plans contain insufficient information to properly assess the physical impact of the proposed development on the existing adopted highway or the adequacy of the off-highway bin storage and refuse collections arrangements. The proposed development would therefore be contrary to policies JP-C5, JP-C8 and H2/4.
- 4 The application contains insufficient information with regard to the extent of the external works and refurbishment of the building and therefore the impact of these works on the character and appearance of the Bury Town centre Conservation Area

and whether the works would preserve or enhance the character of the Conservation area. The proposed development would therefore be contrary to policies EN2/1, EN2/2, JP-P2 and the principles of the NPPF.

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
Area	Area BY6 - Central Shopping Area
BY6	
S1/1	S1/1 - Shopping in Bury Town Centre
S2/3	S2/3 - Secondary Shopping Areas and Frontages
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
EN2/3	EN2/3 - Listed Buildings
EN1/2	EN1/2 - Townscape and Built Design
HT2/4	HT2/4 - Car Parking and New Development
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
EN7/2	EN7/2 - Noise Pollution
TC2/1	TC2/1 - Upper Floors
TC2/2	TC2/2 - Mixed Use Development
HT5/1	HT5/1 - Access For Those with Special Needs
JP-P2	Heritage
JP-C2	Digital Connectivity
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

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:

Project ref 2065 -

Proposed site plan T(010)

Proposed basement plan scheme B T(105) A

Proposed ground floor plan scheme B T(115)

Proposed first floor plan scheme B T(125) A

Proposed second floor plan scheme B T(135)

Proposed third floor plan scheme B T(145) A

Proposed fourth floor plan scheme B T(155)
Proposed roof plan scheme B T(165)
Proposed east elevation scheme B T(200)
Proposed north elevation 1 - scheme B T(210)
Proposed north elevation 2 scheme B T(215)
proposed west elevation scheme B T(2200
Proposed south elevation scheme B T9230)

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'for hawthorn'.

3 of 3

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On behalf of the Council

Date of Decision: 09/10/2025