

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Graham Adcock
Adcock Associates
Elta House
Birmingham Road
Stratford upon Avon
CV37 0AQ

On Behalf Of:

Motor Fuel Group
10 Bricket Road
St Albans
AL1 3JX

PART 1 - Particulars of Application

Application Number: 72432

Date of Registration: 03/10/2025

Proposal:

Variation of condition 11 (operating times) on planning permission 55660 (Redevelopment of petrol filling station): to allow for 24 hour operation of site

Location:

Whitefield Garage, 325 Bury New Road,
Whitefield, Manchester, M45 7SE

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 proposed extended opening hours would not have a detrimental impact on the amenity of the neighbouring residential properties by reason of noise pollution, light pollution and general disturbance contrary to Development Plan Policies:
EN7/2 - Noise Pollution
JP-P1 - Sustainable Places
H3 - Incompatible Uses in Residential Areas
H3/1 - Assessing Non-Conforming Uses
H3/2 - Existing Incompatible Uses

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:

HT2/1	HT2/1 - The Strategic Route Network
EN1/2	EN1/2 - Townscape and Built Design
EN1/9	EN1/9 - Advertisements
S4/4	S4/4 - Car Showrooms, Car Sales Areas and Petrol Filling Stations
EN1/5	EN1/5 - Crime Prevention
EN7/2	EN7/2 - Noise Pollution
H3	H3 - Incompatible Uses in Residential Areas
H3/1	H3/1 - Assessing Non-Conforming Uses
H3/2	H3/2 - Existing Incompatible Uses
HT2/4	HT2/4 - Car Parking and New Development
JP-P1	Sustainable Places
JP-C5	Streets For All
JP-C6	Walking and Cycling
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
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:

PA01, Noise Impact Assessment A220MF Version 001

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 19/11/2025