

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

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Unit 3
St Stephen Street
Salford
M3 6AX

On Behalf Of:

H Ahmed
Shawarma Shake
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Salford
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PART 1 - Particulars of Application

Application Number: 67595

Date of Registration: 02/11/2021

Proposal:

Single storey side extension to provide additional seating to restaurant; Changes to front elevation door and window

Location:

433 Bury New Road, Prestwich, Manchester, M25 1AF

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 design and finish of the proposed extension is poor and completely out of keeping with the existing property and would therefore be seriously detrimental to the visual amenity of the area. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: EN1/2 Townscape and Built Design and SPD16
- 2 The application and submitted plans contain insufficient information with regard to the detailing and finishing materials and the flue at the rear to enable them to be properly assessed. The proposal is therefore unacceptable and contrary to UDP Policies listed.
- 3 The proposal would result in the creation of sub-standard access/parking arrangements at Albion Place, leading to the potential for parked vehicles not being able to be maintained clear of the adopted footway on A56 Bury New Road, to the detriment of pedestrian and road safety. The proposal is contrary to UDP Policies HT2/4 and S2/6 relating to parking.
- 4 The proposal would restrict access to the existing bin store at the rear of the property, which is highly likely to lead to the storage of refuse bins in the retained section of Albion Place and/or on the adopted highway, which would be detrimental pedestrian safety and contrary to UDP Policy S2/6 Food and Drink.

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:

EN1/2	EN1/2 - Townscape and Built Design
EN1/7	EN1/7 - Throughroutes and Gateways
S1/2	S1/2 - Shopping in Other Town Centres
S2/3	S2/3 - Secondary Shopping Areas and Frontages
S2/6	S2/6 - Food and Drink
EN7/2	EN7/2 - Noise Pollution
EN7/1	EN7/1 - Atmospheric Pollution
NPPF	National Planning Policy Framework
SPD16	Development Control Policy Guidance Note 16 - Design and Layout of New Development 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:

Dwgs HAD0433-01, 02A, 03, 04 and 05.

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 17/12/2021