

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Miss Janine Burnham
29 Hawthorn Crescent
Tottington
Bury
BL8 3NG

PART 1 - Particulars of Application

Application Number: 69890

Date of Registration: 02/08/2023

Proposal:

Change of use from beauty salon to
cafe/wine bar (Class E/Sui Generis)

Location:

59A Church Street, Tottington, Bury, BL8
3BN

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 use of the premises as a cafe/bar would be seriously detrimental to the residential amenities of nearby occupiers, by reason of the noise and disturbance and general activity associated with the proposed use, particularly during the evening period. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: EC4/1 Small Businesses, EN7/2 Noise Pollution and S2/6 Food and Drink.
- 2 The lack of car parking and adequate servicing within the site would give rise to customers/visitors/deliveries parking and carrying out manoeuvres on the adjacent highway to the detriment of highway safety. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: EC4/1 Small Businesses, HT2/4 Car Parking and New Development and HT6/2 Pedestrian/Vehicular Conflict.
- 3 The application and submitted plans are unclear and contain insufficient information with regard to the proposed use to enable them to be properly assessed. The proposal is therefore contrary to UDP Policies: EC4/1 Small Businesses.

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
EN7/2 EN7/2 - Noise Pollution
EC4/1 EC4/1 - Small Businesses
HT2/4 HT2/4 - Car Parking and New Development
SPD11 Development Control Policy Guidance Note 11 - Parking Standards in Bury
SPD14 Development Control Policy Guidance Note 14 - Employment Land and Premises
NPPF National Planning Policy Framework
HT6/2 HT6/2 - Pedestrian/Vehicular Conflict

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 received 02/08/2023.

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 06/09/2023