

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Talat Zeria
HSH Engineering Design Service Ltd
428 Cheetham Hill Road
Cheetham
Manchester
M8 9LE

On Behalf Of:

Mr Asim Humza
65 A Windsor Road
Prestwich
Manchester
M25 0DB

PART 1 - Particulars of Application

Application Number: 69917

Date of Registration: 07/09/2023

Proposal:

Change of use of ground floor from shop to restaurant (Class E) with installation of a external flue pipe at the rear of the building

Location:

65 Windsor Road, Prestwich, Manchester, M25 0DB

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 noise and disturbance generated by activities associated with the proposed use, particularly during the late evening periods, would be seriously detrimental to the amenities of surrounding residents. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: S2/6 Food and Drink, EC4/1 Small Businesses and EN7/2 Noise Pollution.
- 2 The application and submitted plans contain insufficient information in relation to refuse collection/management and proposed extractor flue to enable them to be properly assessed. As such the proposal, without this information, would be unacceptable and contrary to UDP Policies S2/6 Food and Drink, EC4/1 Small Businesses and EN7/2 Noise Pollution.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

NPPF National Planning Policy Framework
EN1/2 EN1/2 - Townscape and Built Design
EN1/8 EN1/8 - Shop Fronts
EN7/2 EN7/2 - Noise Pollution
HT2/4 HT2/4 - Car Parking and New Development
EC4/1 EC4/1 - Small Businesses
EC6/1 EC6/1 - New Business, Industrial and Commercial Development

S1/5 S1/5 - Neighbourhood Centres and Local Shops
S2/6 S2/6 - Food and Drink

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 01, 02, 03, 05A, 06A and 07

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'J. H. H.', is written over a dotted line.

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On behalf of the Council

Date of Decision: 26/10/2023