NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:
Mr Ahmad
319 Bolton Road
Bury
BL8 2PD

PART 1 - Particulars of Application

Application Number: 65911

Date of Registration: 24/09/2020

Proposal:
Change of use from betting office to hot food takeaway (Sui Generis) with extraction flue at rear

Location:
319 Bolton Road, Bury, BL8 2PD

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 be seriously detrimental to the residential amenities currently enjoyed by the occupier(s) of No. 319a Bolton Road, by reason of the size and position of the proposed flue in relation to habitable room windows of this property. The proposed development therefore conflicts with the Policy S2/6 - Food and Drink of the Bury Unitary Development Plan:

2 The application and submitted plans do not accurately show the location of the windows associated within No. 319a Bolton Road. The application and submitted plans contain insufficient information to enable them to be properly assessed in terms of residential amenity and are therefore conflicts with Unitary Development Plan 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:

EC2/1	EC2/1 - Employment Generating Areas
S1/5	S1/5 - Neighbourhood Centres and Local Shops
EN1/2	EN1/2 - Townscape and Built Design
HT2/4	HT2/4 - Car Parking and New Development
S2/6	S2/6 - Food and Drink
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

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:

NOTES TO APPLICANT
Not Applicable

Signed:

.....
On behalf of the Council

Date of Decision: 18/11/2020