

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Miss Saira Hussain
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Unit 3
St Stephen Street
Salford
M3 6AX

On Behalf Of:

H Ahmed
Shawarma Shake
St Stephen Street
Salford
M3 6AX

PART 1 - Particulars of Application

Application Number: 68953

Date of Registration: 05/10/2022

Proposal:

Flue system to the rear of the property
(retrospective) and Single storey side
extension

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 neither sympathetic nor appropriate 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 for the extension and the specifications for the flue at the rear to enable them to be properly assessed. The proposal is therefore unacceptable and contrary to UDP Policies EN1/2 Townscape and Built Design, EN7/2 Noise Pollution and S2/6 Food and Drink.
- 3 The proposal would restrict access to the existing bin storage areas at the rear of the properties along the row, which would likely lead to bins being stored on or adjacent to the adopted highway, which would be detrimental pedestrian safety and contrary to UDP Policies EN1/2 Townscape and Built Design, S2/6 Food and Drink and H6/1 Pedestrian and Cyclist Movement.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify

various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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
HT6/1	HT6/1 - Pedestrian and Cyclist Movement

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:

Dwg HAD0433-05

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 12/01/2023