

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Rashid Mehmood
I. Planning Services
6b Cook Street
Bury
BL9 0RP

On Behalf Of:

Mr Asim Farooq
42 Leyton Drive
Bury
BL9 9SL

PART 1 - Particulars of Application

Application Number: 67849

Date of Registration: 30/11/2021

Proposal:

Change of use from club to sweets
manufacturing unit (Class B2) with extraction
flue to side elevation

Location:

Salisbury Conservative Club, Badger Street,
Bury, BL9 6AD

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 flue would, by reason of its position and design, be a prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: EC4/1 - Small Businesses and EN1/2 - Townscape and Built Design.
- 2 The servicing and car parking provision for the use proposed is inadequate and is highly likely to lead to vehicles loading, parking and carrying out manoeuvres on the adjacent constrained highways to the detriment of the free flow of traffic and road safety. The proposed development would therefore be contrary to Bury Unitary Development Plan Policies EC4/1 - Small Businesses, EN1/2 - Townscape and built Design, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.
- 3 The proposed development would result in the loss of off-street storage/servicing and bin storage arrangements previously conditioned and approved as part of the determination of planning permission reference 67078, which is highly likely to lead to an increase in activities and use for storage purposes of the adjacent highways, to the detriment of the highway safety. The proposed development would therefore be contrary to Bury Unitary Development Plan Policies Bury Unitary Development Plan Policies EC4/1 - Small Businesses, EN1/2 - Townscape and built Design, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.

- 4 The application and submitted plans contain insufficient information to determine the impacts of the proposed development on residential amenity to enable them to be properly assessed.
The proposed development would therefore be contrary to Bury Unitary Development Plan Policies EC4/1 - Small Businesses, EN1/2 - Townscape and Built Design, EN7/1 - Atmospheric Pollution and EN7/2 - Noise Pollution.
- 5 The application and submitted plans contain insufficient information with regard to the treating, diluting and dispersing of fumes and odours and noise output to enable them to be properly assessed. The proposed development would therefore be contrary to Bury Unitary Development Plan Policies EC4/1 - Small Businesses, EN1/2 - Townscape and Built Design, EN7/1 - Atmospheric Pollution and EN7/2 - Noise Pollution.
- 6 The application and submitted plans contain insufficient information to determine the impacts of the proposed development on residential amenity to enable them to be properly assessed.
The proposed development would therefore be contrary to Bury Unitary Development Plan Policies EC4/1 - Small Businesses, EN1/2 - Townscape and Built Design, EN7/1 - Atmospheric Pollution and EN7/2 - Noise Pollution.

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:

NPPF	National Planning Policy Framework
EC2/1	EC2/1 - Employment Generating Areas
EC4/1	EC4/1 - Small Businesses
EN1/2	EN1/2 - Townscape and Built Design
HT2/4	HT2/4 - Car Parking and New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
S1/4	S1/4 - Local Shopping Centres
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
EN7/1	EN7/1 - Atmospheric Pollution
EN7/2	EN7/2 - Noise Pollution

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:

Ref: IPS/R/CLUB/BL96AD - Location plan SHT 1 of 3; Existing floor plans and elevations SHT 2 of 3; Proposed floor plans and elevations SHT 3 of 3

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read "Paul Harris", written in a cursive style.

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On behalf of the Council

Date of Decision: 24/01/2022