



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION REFUSED

APPLICATION REFERENCE: 22/01059/FUL

Name and address for correspondence:	Applicant name:
AIDEN PHILLIPS-WHALLEY JAMES CAMPBELL ASSOCIATES LTD CAMPBELL HOUSE 173 ROCHDALE RD FIRGROVE, MILNROW Rochdale OL16 3BN	JAWAD HUSSAIN

Part I - Particulars of Application

Date of Application: 15 December 2022

Application No: 22/01059/FUL

Proposal:	Change of use from existing dwelling to Hot food takeaway (Sui Generis) on ground floor with self-contained flat (Use Class C3) on first floor and rear staircase access. Flue to rear elevation.
Location:	29 Spotland Road, Rochdale, OL12 6PE

Part II - Particulars of decision

The Rochdale Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that planning permission has been **REFUSED** for the carrying out of the development referred to in Part I hereof for the following reason(s).

Reasons:

- 1 The proposal would result in a poor standard of residential amenity for occupiers of the proposed first floor flat, by reason of the floorspace, the proximity of a habitable room window to the flue, and the proximity of the hot food takeaway combined with the quality of residential amenity space shared with commercial servicing areas, and exposure to odour as a result. The proposal fails to meet the requirements of Policies DM1 and the National Planning Policy Framework.
- 2 The proposed change of use, combined with the proposed staircase and flue to the rear elevation would alter the character of the residential area to commercial and would be detrimental to the visual amenity of area. The proposal fails to meet the requirements of Policies P3, DM1 and the National Planning Policy Framework.
- 3 The proposed change of use to a hot food takeaway would result in a detrimental impact to the safe operation of the signalled junction at Spotland Road, by reason of parking and servicing. As such, the application fails to meet the requirements of Policies DM1 and T2 of the adopted Core Strategy, and the National Planning Policy Framework.

Procedure Statement:

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.

Date Decision Issued 7 March 2023

Daniela Ripa
Interim Head of Planning Services

IMPORTANT

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE. YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

INFORMATIVE:

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

INFORMATIVE:

For the avoidance of doubt, the Decision Notice relates to the following drawings:

Location Plan

Existing and Proposed Block Plans - 22.2830.3A

Proposed details - 22.2830.2.1C

Existing plans - 22.2830.1