ROCHDALE BOROUGH COUNCIL

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION REFUSED

APPLICATION REFERENCE: 19/01343/FUL

Name and address for correspondence:	Applicant name:
Mr M Farooq Building Design Services 6 Stock Close Rochdale OL12 6BB	Mr Rana Sohail Asghar Kahn

Part I - Particulars of Application

Date of Application: 14 November 2019 Application No: 19/01343/FUL

Proposal:	**Change of use of part of shop premises (Class A1) to hot food takeaway (Class A5) including formation of a new doorway in side elevation to replace existing window and installation of extraction flue on rear elevation - Resubmission of 19/00441/FUL**
Location:	**42 Redcross Street, Rochdale, OL12 0PR,**

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 proposed flue, by reason of it's siting in close proximity to the accommodation at first floor level and to residential properties, would give rise to noise and odour nuisance that would cause harm to the living conditions of the occupants of neighbouring residential dwellings, including the occupants of the residential accommodation at first floor level. In addition, the length, height, appearance and position of the flue would result in a conspicuous and incongruous feature that would have a harmful effect on the residential character and appearance of the area. The proposal would therefore conflict with adopted Rochdale Core Strategy Policies DM1 and G9 and the Council's Hot Food Takeaway Uses SPD, which aim amongst other things to protect residential and visual amenity. The proposal would also be in conflict with the National Planning Policy Framework which in paragraph 17 seeks to secure high quality design and a good standard of amenity for all existing and future occupiers of land and buildings.

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 2 April 2020



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Signed on behalf of the Council

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.

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

- Location Plan, Scale 1:1250
- Existing floor plans and elevations - Drawing no: A1458/1
- Proposed floor plans and elevations - Drawing no: A1458/2