ROCHDALE BOROUGH COUNCIL

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION REFUSED

APPLICATION REFERENCE: 21/00187/FUL

Name and address for correspondence:	Applicant name:
Martin Spencer Martin Spencer Architecture 1.04 Clarence Arcade Stamford Street Ashton Under Lyne OL6 7PT	Mr. Bakhtyar Hama

Part I - Particulars of Application

Date of Application: 25 October 2021 Application No: 21/00187/FUL

Proposal:	**Change of use from retail (Class E) to hot food takeaway and restaurant (Sui Generis) at ground and first floors, erection of first floor extension above existing single storey rear extension including installation of extraction flue and external staircase to provide access to proposed second floor self-contained flat - Resubmission of 20/00594/FUL**
Location:	**12 South Parade, Rochdale, OL16 1LR**

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 By reason of the scale, design and siting of the proposed ventilation flue, the proposal would have an unacceptable impact on the character and appearance of the area, and would result in less than substantial harm to the Rochdale Town Centre Conservation Area, which is not outweighed by public benefits. The proposal is therefore in conflict with policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

2 By reason of the enclosed and overbearing access to the rear entrance of the second floor apartment, the proposal would not provide an acceptable level of amenity for future occupiers, in conflict with policy DM1 of the adopted Rochdale Core Strategy, the Council's Guidelines and Standards for Residential Development SPD and the National Planning Policy Framework.

3 Due to the absence of appropriate arrangements for the storage of waste bins within the site, the proposed development would be likely to lead to bins being stored on the footway adjacent to Fleece Street, to the detriment of pedestrian safety and visual

amenity. The proposed development is therefore contrary to policies P3, T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure Statement:

The Local Planning Authority offered solutions to the applicant in order to make the development acceptable. The applicant was however unwilling to amend the plans. Without these amendments the development would not improve the economic, social and environmental conditions of the area and therefore does not comprise sustainable development.

Date Decision Issued 3 February 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.

For the avoidance of doubt, this decision relates to the following plans:
P01 A Existing plans
P02 B Proposed plans including location and site plan
P03 B Proposed Elevations and flue details