

Report to Planning and Licensing Committee



Date of Meeting	5 th March 2020
Portfolio	Councillor Carol Wardle, Cabinet Member for Planning, Development & Housing
Report Author	David Allen
Public/Private Document	Public

Application: 17/01127/FUL	Township: Middleton	Ward: North Middleton
Appeal Reference: APP/P4225/W/19/3231646		Decision level: Delegated
Site Address: 56-58 Market Place, Middleton, M24 6AF		
Proposal: Refurbishment of existing Class A3 restaurant including an ancillary takeaway service comprising the formation of a new door opening, alterations to front elevation, including installation of new shop front and roller shutters and changes to fenestration and installation of new extraction flue and upgrade of single storey extension on rear elevation - part retrospective		
Applicant: Mr Hossein Azinfar		Agent: JPP Design Services
Planning Inspectorate Decision: Appeal Dismissed – 3 rd January 2020		
<ul style="list-style-type: none"> – The application related to a two-storey unit on the south-side of Market Place in Middleton; the ground floor of the premises was formerly occupied by ‘Exotic Spice’, an Indian restaurant & take-away, but the building was refurbished and altered in 2017/18 with the ground floor unit subsequently occupied by ‘Hardee’z Gourmet Grill’. The first floor contains a one-bedroom flat. – The application was refused under delegated powers for two reasons: the impact of the external alterations on the character and appearance of the Middleton Town Centre Conservation Area, within which the property is situated; and in light of sufficient information being provided to demonstrate that the proposed extraction flue would not have a detrimental impact on the amenity of occupiers of the first floor flat. – The Inspector agreed with the Council’s determination with respect to the suitability of the external alterations, noting that the full-height shopfront did not respond to the advice within the Council’s Shop Fronts and Security Shutters SPD, and that the uPVC doors and windows would not reflect the traditional character of the Conservation Area and would be detrimental to the character and appearance of the host building and Conservation Area. – The Inspector also agreed with the Council that the flue to the rear of the building would be a bulky addition and would be made more, rather than less, prominent by the proposal to encase it within ‘brick lookalike’ panels. The Inspector concluded that the development would not therefore preserve or enhance the character of appearance of the Conservation Area and would result in less than substantial harm to the significance of the heritage asset; there were no public benefits arising from the proposals which would outweigh this harm. The Inspector also agreed that there was insufficient information to demonstrate that the extraction flue does not cause unacceptable harm to living conditions for residents of the flat. 		