

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Applicant

Mr Mehraan Sattar
Atlas Property Group Limited
4 Park Range
Manchester
M14 5HQ

Agent (if used)

Mr Nick Goodchild
Goodchild Design Partnership (GDP)
132-134 Great Ancoats Street
Manchester
M4 6DE

Part 1 – Particulars of the application/development

Proposal: Erection of a part single/part two storey rear extension and change of use of first and second floor to form House in Multiple Occupation (C4 use)

Location: 480 Wilmslow Road, Manchester, M20 3BG

Date of application: 14 December 2021

Application number: 132300/FO/2021

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Refused** in accordance with the application and plans submitted for the reason(s) listed below.

Article 35 Declaration

The proposal would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

Reason(s) for decision

1) The proposed development would result in the creation of a house in multiple occupation in an area where there is a high concentration of Houses in Multiple Occupation to the detriment of the sustainability of the area. The proposed development would therefore erode the range of accommodation necessary for the creation of sustainable communities and is therefore contrary to the provisions of Core Strategy policy H11.

2) The proposed development would result in a poor standard of accommodation in that the window to room 3 faces a blank gable across a narrow alley and room 4 has no

natural light or means of ventilation. The proposed development would therefore be contrary to Core Strategy Policy DM1.

3) The proposed side entrance into the Pharmacy by reason of its position on a narrow alley with limited natural surveillance, would be vulnerable to criminal and/or anti social behaviour. The proposed door would therefore be contrary to policies SP1 and DM1 of the Core Strategy and fails to reflect the guidance contained in the National Planning Policy Framework.

4) The proposed entrance to the first floor living accommodation due to the open nature of the vestibule would restrict natural surveillance of the entrance leaving it vulnerable to criminal and/or anti social behaviour. The proposed entrance door would therefore be contrary to policies SP1 and DM1 of the Core Strategy and fails to reflect the guidance contained in the National Planning Policy Framework.

Date: 7 February 2022

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This decision relates only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision. However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/planning-inspectorate. The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.