



MANCHESTER
CITY COUNCIL

Planning

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Manchester M60 2LA

Mr Karim
58 Rectory Lane
Manchester
M25 1BL

Date: 17 March 2022

Dear Sir/Madam,

Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) Part 3 Class Q

Application No: 132821/P3QPA/2022

Prior approval for the proposed change of use of an agricultural building to dwellinghouse (Use Class C3) and associated building operations at 30 Sandacre Road, Manchester, M23 1AF

I write with reference to the above application and advise you that prior approval is **refused** for the following reason(s):

1) 30 Sandacre Road and its ancillary garage are not an agricultural building, and is currently a C3 dwelling with ancillary garage, therefore the change of use of the garage to a dwellinghouse of the garage does not benefit from Change of Use of Agricultural Buildings to Dwellinghouses (Use Class C3), and for building operations reasonably necessary for the conversion under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class Q.

2) This letter is to be treated as a refusal of this application, in accordance with paragraph W.4(3) of the Order, and as such you have the right of appeal under Section 78 of the Town & Country Planning Act 1990 (as amended). Any such appeal must be submitted using the Planning Inspectorate's website at <https://acp.planninginspectorate.gov.uk/> within 12 weeks of the date of this letter.

Should you wish to discuss this matter any further please contact Jennifer Connor.

Yours faithfully,

Julie Roscoe
Head of Planning, Building Control & Licensing

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/appeal-planning-inspectorate. The Inspectorate will publish details of your appeal on the internet.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

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.

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.