MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Applicant

Intact Projects
17 Egerton Crescent
Withington
Manchester
M20 4PN

Agent (if used)

Major Design Partnership
63 Charter House
Main Street
Frodsham
Cheshire
WA6 7DF

Part 1 – Particulars of the application/development

Proposal: Retrospective application for a change of use from 8 self-contained flats at 17-21 Egerton Crescent to supported housing accommodation consisting of a house where care is provided including an office, drop-in-centre, two single occupancy bedrooms and a self-contained flat in the basement at no. 17 Egerton Crescent and seven self-contained flats at nos. 19 and 21 Egerton Crescent.

Location: 17, 19 And 21 Egerton Crescent, Withington, Manchester, M20 4PN

Date of application: 1 December 2011

Application number: 097996/FO/2011/S1

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.

Reason(s) for decision

1) The proposed development is located in an area identified in the City Council Special Needs and Supported Housing Policy as having above average provision, and since the applicant has failed to demonstrate a local unmet need, it is considered that further provision would lead to an over supply and over concentration of this type of special needs housing in this ward. As such the proposed development is contrary to policies H1.5 and DC2 of the Manchester Unitary Development Plan, to the provisions of the Special Needs and Supported Housing Policy which is Supplementary Planning Guidance forming part of the Development Plan and Policy H10 in the Core Strategy.

2) The increase in noise and disturbance, associated with the rise in activity at the premises as a result proposed development, would have a detrimental impact upon the levels of residential amenity enjoyed by the occupants of those dwellings located within

the vicinity of the site, contrary to policies H2.2 and DC2 in the Unitary Development Plan and policy H10 in the Core Strategy.

3) The proposed development, due to its layout, would not provide adequate security within the development for the residents, contrary to Policy E3.5 in the Unitary Development Plan for the City of Manchester, the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (adopted April 2007), Policy DM1 in the Core Strategy and Section 17 of the Crime and Disorder Act 1988.

Date: 21 February 2012

Signed: 

Julie Roscoe
Head of Planning
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, he may appeal to the First 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.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the Appeals area of the Planning Portal – www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

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 First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he 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 of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he 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 his 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 First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.