MANCHESTER CITY COUNCIL

Town and Country Planning Act 1990 (as amended) (Section 191)
Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Refusal of Certificate of Lawful Use or Development

Applicant
Mr Akbar Babakhani
Paul Ashton Architects
50 Bury New Road
Halsall
Salford
M8 8EL

Agent
Mr Paul Ashton
Paul Ashton Architects Ltd
5 Piccadilly Place
Manchester
M1 3BR

Date of Application
2 September 2025

Application No.
143647/LE/2025

First Schedule

Open air storage (Use Class B8)

Second Schedule

Former Site Of Irkdale Mill
29-31 Smedley Road
Manchester

Manchester City Council are not satisfied that on 2 September 2025 the use/operations described in the First Schedule in respect of the land specified in the Second Schedule and more particularly identified on the plan attached to this certificate edged in red, was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1) The applicant has failed to demonstrate that the use of the site as open air storage (Use Class B8) as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended), has continued for a 10-year period up to the date of the application.

Date: 28 October 2025

Signed:

Julie Roscoe
Director of Planning, Building Control & Licensing

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

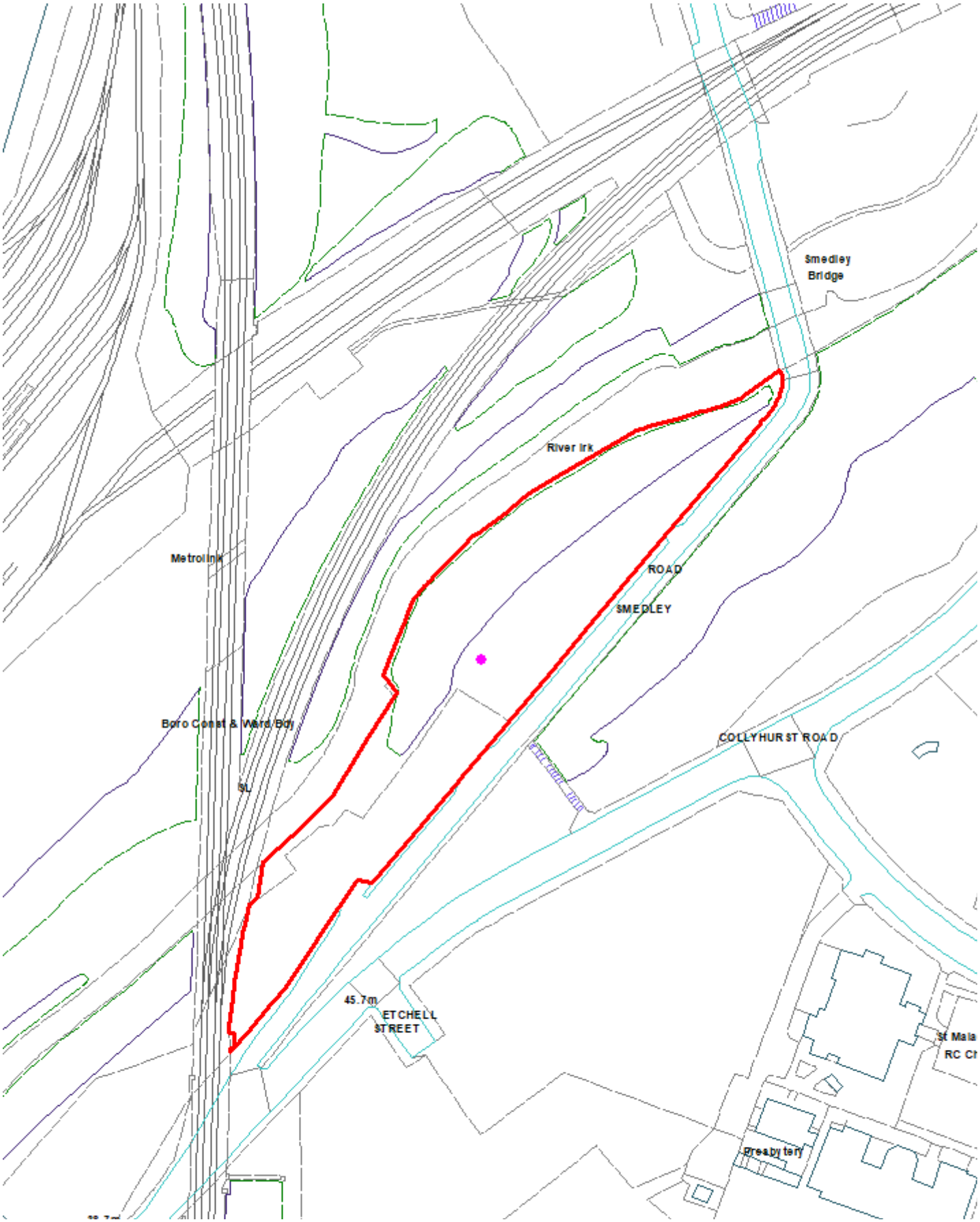
Notes to applicant

1. If you are aggrieved by the decision of the local planning authority to refuse to grant a certificate of lawfulness, then you may appeal to the Secretary of State under section 195 of the Town and Country Planning Act 1990 (as amended).

2. There is no deadline for submitting your appeal. 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. This may include a copy of the original 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 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.



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