MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Applicant

Mr Bilal Khan
21 High View Close
Leicester
LE4 9LJ

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Siting of hot food huts (catering trailer, food truck, container and/or gazebo hut) within existing car parking area

Location: Polish And Glow, Redgate Lane, Manchester, M12 4RY

Date of application: 27 May 2025

Application number: 142656/FO/2025

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 is considered to be contrary to policy and the applicant was advised of concerns, related to the proposed works, and invited to withdraw the application, but this was not actioned.

Reason(s) for decision

1) The proposed use is located close to, but outside, the nearby Gorton District Centre and therefore outside of an established and defined shopping parade/centre where hot food take away uses are usually considered to be appropriately located, to avoid any adverse impacts on the vitality and viability of that centre. The proposed use is therefore contrary to the provisions of Policies C1, C9, C10 and SP1, of the Manchester Core Strategy, saved policy DC10 of the Unitary Development Plan for the City of Manchester and policy 1 of the Hot Food Take Away Supplementary Planning Document.

2) The proposed site is part of a larger commercial site, which largely operates during daytime hours, and the proposal would change the nature of this site, introducing an incompatible late night leisure activity, into a commercial/industrial location which would

lead to a significant increase in people visiting the site, in the evenings, creating a 'destination' evening venue that would draw people away from the nearby Gorton District Centre. The proposed use is therefore contrary to the provisions of Policies C1, C9, C10 and SP1, of the Manchester Core Strategy, saved policy DC10 of the Unitary Development Plan for the City of Manchester and policy 1 of the Hot Food Take Away Supplementary Planning Document.

3) The proposed development would lead to a significant intensification in the number of people visiting the site and it has not been supported with satisfactory details to demonstrate that adequate car parking has been provided and that the siting of the proposed food huts would not harm or compromise pedestrian and highway safety, within and in the vicinity of the site. The development would thereby be contrary to policies DM1 and SP1 of the Manchester Core Strategy for the City of Manchester, and guidance contained in the National Planning Policy Framework.

Date: 29 July 2025

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/appeal-planning-decision. 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.