



Planning

Robert Tyrer
Telephone: 0161 234 4068
robert.tyrer@manchester.gov.uk

P O Box 532 Town Hall
Manchester M60 2LA

Mialex Ltd
Mialex
Work.Life
Core
Brown Street
Manchester
M2 1DH

Date: 4 September 2025

Dear Sir/Madam,

Decline to Determine Application

Application No: 142579/FO/2025

Proposal: Part retrospective application for the erection of a single storey glazed front extension.

Address: 241 Barlow Moor Road, Manchester, M21 7QL,

I refer to the above planning application, which was registered valid on 14 July 2025.

On 5 October 2023 the Council issued an enforcement notice, reference ENF/15609/23, in relation to the following specified breach of planning control:

Without planning permission, the erection of a single storey glazed extension to the front and a retractable awning to the side.

The notice took effect on 8 January 2024 and required the following steps to be taken.

1. Demolish the single storey front extension in its entirety, including the concrete slab floor, as identified by a yellow box on the attached photograph ENF/01.
2. Remove the retractable awning from the side elevation, as identified by a green box on the attached photograph ENF/01.
3. Make good and reinstate the front elevation of the property to its condition before the breach took place, as shown in the attached photograph ENF/02 and labelled as "PROPOSED BARLOW MOOR RD ELEVATION" on the attached drawing number 18002,(0-)26C.
4. Make good and reinstate the side elevation of the property to its condition before the breach took place, as shown in the attached photograph ENF/02 and labelled as "PROPOSED ALDERMARY RD STREET SCAPE ELEVATION" on the attached drawing number 18002,(0-)25C.
5. Reinstate the forecourt areas, landscaping and boundary treatment to the front and side of the building as shown in the attached drawing numbers 17002,(9-)04A, 17002,(9-)05A and 18002,(9-)01C.

6. Remove from the land all building materials, rubble and waste resulting from carrying out the above.

Under Section 70C of the Town and Country Planning Act 1990, a Local Planning Authority may decline to determine an application for planning permission, if granting that permission would involve granting, wholly or partly, a permission for any matters specified in a pre-existing enforcement notice. A notice is "pre-existing" if it had been issued before the receipt of the planning application being determined as specified by Section 70C(2).

In the opinion of the Local Planning Authority, the proposal to which this planning application relates (ref: 142579/FO/2025) and as set out in the documents and associated plans, include those pertaining to a "pre-existing" enforcement notice, i.e. one issued prior to the submission of the application and its subsequent validation on the 14 July 2025 and are matters for which planning permission is deemed to be required.

As the Council have already deemed the development to be unacceptable and have taken formal action, any approval of the matters presently before me will be in direct contradiction to those decisions previously made. Therefore, pursuant to Section 70C of the Town and Country Planning Act 1990, the Council as Local Planning Authority, hereby declines to determine the application and the appropriate entry will be made in the planning register to reflect this decision.

As the decision to decline to determine the application has been made within the statutory 8 week period, there is no right of appeal to the Secretary of State against non determination under Section 78 as that right is lost under the provision of Section 78(2)(aa).

Yours faithfully,



Julie Roscoe
Director of Planning, Building Control & Licensing