

## **Town & Country Planning Act 1990 (as amended)**

### **Refusal of Planning Permission**

#### **Applicant**

Mr Shahzad Mohammad  
Airstaybnbuk  
340 Slade Lane  
Manchester  
M19 2BL

#### **Agent (if used)**

Mr Chris Wilkinson  
CD Wilkinson Plans  
5 Highmeadow  
Outwood  
M26 1YN

### **Part 1 – Particulars of the application/development**

---

**Proposal:** Conversion of existing warehouse to 9 bed short term rentals at basement level, part Commercial Class E (a) use at ground floor level and 17 bed HMO (sui generis) to ground floor, first floor and second floor levels, together with external changes comprising 2 new external staircases, car parking, delivery area and bin storage

**Location:** 23 Dolphin Street, Manchester, M12 6BG

**Date of application:** 30 July 2025

**Application number:** 143165/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 Council attempted to contact the agent, during the application process, but no response was received. Due to the proposal being contrary to planning policy, the application has therefore been refused in a timely manner.

### **Reason(s) for decision**

---

1) The site is located in a long established commercial/industrial area, where residential and Class E uses are not prevalent, and therefore lies outside of an established residential and/or retail area. The development is therefore incompatible with the surrounding area, and results in an over intensive use and transient occupation of the property resulting in a consequential increase in the levels of noise and disturbance from associated activity and associated comings and goings, noise levels, waste generation and demand for on street parking, and an unsustainable occupation of the premises, to the detriment of neighbouring occupiers. The development would thereby

be contrary to policies DM1, H11 and SP1 of the Manchester Core Strategy and guidance contained in the Ardwick Green Neighbourhood Development Framework and the National Planning Policy Framework.

2) The development would lead to the loss of premises, in a predominantly industrial/commercial area, where the loss of employment generating units would be detrimental to the nature of the area, as a business destination, and its attractiveness to future businesses/commercial uses, and which would thereby be detrimental to future regeneration efforts in the area. The proposal is therefore contrary to policies SP1, DM1, EC1 and EC2 of Manchester's Core Strategy and guidance contained in the Ardwick Green Neighbourhood Development Framework and the National Planning Policy Framework.

3) The development results in an unacceptable standard of living accommodation for the intended occupiers of the premises, due to the size of the proposed bedrooms and the provision of insufficient communal, bathroom and amenity space. The development is therefore contrary to the provisions of policies SP1 and DM1 of the Manchester Core Strategy, the Manchester Residential Quality Guide and guidance contained in the National Planning Policy Framework.

4) The applicant has failed to demonstrate that a 'de-Minimis' exemption to Biodiversity Net Gain (BNG) requirements is applicable in this case, and therefore that BNG requirements for the site have been met. The development is therefore contrary to policy EN15 of the Manchester Core Strategy, Policies JP-G8 of Places for Everyone, National Planning Policy Framework (NPPF) and Schedule 7A of the Town and Country Planning Act 1990 (as amended).

Date: 24 September 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](http://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](mailto:planning@manchester.gov.uk)) and the Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto: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.