

Town & Country Planning Act 1990 (as amended)
Planning (Listed Building & Conservation Area) Act 1990 (as amended)

Refusal of details reserved by condition

Applicant

Mr Teja Sahotta
197-201 Mount Road
Manchester
M18 7GG

Agent (if used)

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Stockport
SK6 6DJ

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 4 (waste management), 6 (car park), 8 (cycle storage) and 10 (landscaping) attached to planning permission referenced 132327/FO/2021

Location: 197 - 201 Mount Road, Manchester, M18 7GG

Date of application: 29 November 2024

Application number: CDN/24/1156

Part 2 – Particulars of decision

Manchester City Council gives notice that the detail(s) referred to in Part 1 are **Refused** in accordance with the information set out below.

Condition 4 (waste management)

Shared domestic waste/recycling containers are not acceptable for use by the commercial and residential occupiers. Separate waste containers/stores are required for each use. On this basis, the proposed waste management arrangement is not acceptable and as such, condition 4 cannot be discharged.

Condition 6 (car park)

The car park layout plan shows a reduction in the number of parking spaces compared to those shown on the approved layout associated with the host planning permission. Any alterations to the approved number of spaces would require an amendment to the planning permission and justification provided for the loss of spaces and how the reduced level of parking provision would be managed/allocated between residents. On this basis, condition 6 cannot be discharged.

Condition 8 (cycle storage)

No details on cycle parking have been provided. A minimum of 1no. secure and sheltered cycle parking space per dwelling is required, with details to be shown on a site

layout plan. Until such time that satisfactory details are received and agreed by the City Council as Local Planning Authority, condition 8 cannot be discharged.

Condition 10 (landscaping)

Insufficient details have been received in terms of the landscaping. Details of the location, type and number of species is required, along with the specification for any new hardstanding. Until such time that satisfactory details are received and agreed in writing by the City Council as Local Planning Authority, condition 10 cannot be discharged

Date: 16 January 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 (as amended) or Planning (Listed Building & Conservation Area) Act 1990 (as amended) 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 or sections 20 and 21 of the Planning (Listed Building & Conservation Area) 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-inspectorate. The Inspectorate will publish details of your appeal on the internet.

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 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.

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.