

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Applicant

Mr Zulfiqar Ali
171 Slade Lane
Manchester
M19 2AE

Agent (if used)

Philip Holmes
PHA Architects Ltd
1 Cranleigh Avenue
Stockport
SK4 3PZ

Part 1 – Particulars of the application/development

Proposal: Erection of 2 no. light industrial units (Class E (g))

Location: Jubilee Works, Clifton Street, Manchester, M40 8HN

Date of application: 9 September 2024

Application number: 139600/FO/2024

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

Officers have communicated the outstanding information required to the acting agent during the course of the planning application, but the information to overcome concerns have not been provided in a timely manner. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

Reason(s) for decision

1) Whilst a Transport Statement and further supporting information has been provided, the applicant has failed to provide sufficient details to fully assess the proposal. The following information is required:

-Based on the Proposed Site Access Plan, there appears to be a car parking bay located immediately adjacent to the site access. This end bay may affect the two-way movement of vehicles associated with the site. Highways request that this end bay is relocated to maintain two-way movement. A new dimensioned plan should be provided to demonstrate the above.

-A 2.4m x 43m vehicular visibility splay has been demonstrated at the site access junction with Clifton Street. The Right-Hand vehicular visibility splay is not achievable as

it appears to pass through the front boundary wall. The applicant is required to address this and ensure vehicular visibility is maintained.

- The pedestrian route to the building entrance points from Clifton Street is unclear, as shown within Drawing No. F1/CS/03F and Drawing No. 4325-01. A new plan is required to demonstrate a safe pedestrian route to the building entrance points.

- No swept path analysis assessment has been provided to demonstrate that a large car can access and egress the site at the same time as well as a car manoeuvring in/out of the car parking spaces. A swept path analysis assessment demonstrating the above particularly at the end bays is requested by Highways and should include the vehicle profile used.

- Confirmation on staff number at the proposed units is required as well as justification for the provision of 15no. car parking spaces at the site.

- Based on Drawing No. F01/CS/03 it appears that the 2no. disabled parking bays may have a dimension of 2.3m X 4.8m with a 1.2m hatched clearance given that the width between the hatched clearance is noted to be 3.5m. Standard parking spaces will need to align with MCC minimum dimensions (2.4m x 4.8m). Disabled bays will need to include 1.2m hatched clearance to the side and rear. Highways request that an updated plan is provided demonstrating the dimensions of the car parking bays.

- The interaction between the parking bay and the building loading areas is unclear based on the revised site layout. An updated plan is requested and should clearly demonstrate how the proposed parking bays interact with the building loading areas and should include the location of the 6no. loading areas.

- Highways request further detail on the delivery servicing arrangement for the site. This should include frequency of deliveries as well as a plan demonstrating the location of the proposed 6no. loading areas and an associated swept-path assessment.

The applicant has failed to provide details relating to the servicing of the proposal and parking requirements at the site, which results in an unacceptable arrangement for accessing and egressing of the application site by vehicles, to the detriment of highway and pedestrian safety. This is contrary to policies T1, SP1 and DM1 of the Manchester Core Strategy.

Date: 2 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 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.