MANCHESTER CITY COUNCIL

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

Refusal of details reserved by condition

Applicant

Mr Shazad Akram
Partner Property & Construction Limited
Flat 1
10 Ellesmere Road
Manchester
M21 0SR

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Application to discharge condition 3 (waste storage) attached to planning permission 116712/FO/2017 (allowed via appeal APP/B4215/W/18/3195414)

Location: 2 - 4 Athol Road, Manchester, M16 8QN

Date of application: 3 May 2024

Application number: CDN/24/0360

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.

Waste storage
The information submitted to discharge condition 3 (waste storage) attached to planning permission attached to planning permission 116712/FO/2017 (allowed via appeal APP/B4215/W/18/3195414).

Refuse strorage can not be supported on an adopted highway/footway.

The proforma/ Waste Management Strategy must include the following information:
o Estimated volumes and types of waste produced by the development;
o Details of internal and external stores for both waste and recycling, including any plans and designs;
o Location of the proposed collection point and details of the route the collection vehicle will take;
o Details of how waste will be transferred between stores and to the collection location; and
o Details of number of Green, Grey, Blue and Brown bins and capacity of bins proposed (140L/240L) and collection frequency.

o Other details as per 'Waste Proforma v1.0' - refer to guidance at: http://www.manchester.gov.uk/downloads/download/6048/waste_management_strategy 10 units or below = low rise

The details of the bin storage sited within the site curtilage (number/location/bin store design) should be in line with the principles set out in the Design and Access Statement, Reference T649_DAS, dated June 2017, and the facilities shall at all times thereafter be retained and maintained exclusively for waste recycling purposes.

Date: 27 June 2024

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.