

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Applicant

Mr Muhammad Shahid
1016 -1018 Stockport Road
Manchester
M19 3WN

Agent (if used)

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NK Architectural Services
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227 Finney Lane
Heald Green
Cheadle
SK8 3PX

Part 1 – Particulars of the application/development

Proposal: Erection of a 2-storey rear extension and front and rear roof extensions to form additional accommodation to existing offices (Class E)

Location: 1018 Stockport Road, Manchester, M19 3WN

Date of application: 9 September 2022

Application number: 134903/FO/2022

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 worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, the applicant was advised that the principle of the development was not supported due to its excessive magnitude of the proposed extensions and their incongruous relationship to the surrounding context and potential harm to residential amenity. The applicant engaged in a dialogue with officers and submitted a revised proposal for consultation purposes. However, the proposed revised design was not considered to be satisfactory as it did not address concerns regarding design and relationship of new built form to the surrounding context. In these circumstances, it was considered appropriate for the development to be assessed on basis of the originally submitted drawings supplemented with details of in-curtilage cycle storage. The applicant was advised accordingly.

Reason(s) for decision

1) The proposed development, by virtue of its component proportions, height, siting, scale, massing and design, would result in the formation of incongruous, overly dominant and excessively bulky additions that would detract from the appearance of the existing building and the character of the neighbouring context. Furthermore, the magnitude of the development would not be appropriately related to the constraints of the application site and would thereby result in its cramped overdevelopment and have harmful and overbearing impact on neighbouring housing and the streetscene. The proposed development would thereby adversely affect the residential and visual amenity contrary to policies DM1, EN1 and SP1 of Core Strategy for the City of Manchester and the guidance contained within the National Planning Policy Framework.

2) The design of the proposed rear and roofs extensions, by virtue of the composition of the related flat roofscape and extensive incorporation glazing within the rear elevations (with potential for light spillage and disturbance to neighbouring houses), would be poorly related to the existing building and the proximity, scale, appearance and character of neighbouring built form, particularly adjacent houses in York Street. The development would thereby be harmful to the residential and visual amenities of the areas and contrary to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester and the guidance contained within the National Planning Policy Framework.

3) The development would lead to the formation of dual frontage building and increase the amount of office accommodation Class E (Commercial, Business and Service) and levels of pedestrian vehicular activity, noise and disturbance in and around York Street. The potential expansion of a Class E use into a residential street would be harmful to its character and thereby be harmful to the amenities and privacy of neighbouring residents. The development would thereby be contrary to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester, save policy DC26 of the Unitary Development Plan and the guidance contained within the National Planning Policy Framework.

4) The development has failed to demonstrate that appropriate arrangements for the siting and operation of external waste/recycling enclosures and the provision of secure cycle storage to encourage the adoption of sustainable transportation modes. The development would thereby be contrary to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

Date: 4 November 2022

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/planning-inspectorate. 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.