



Planning

Robert Tyrer
Telephone: 0161 234 4068
robert.tyrer@manchester.gov.uk

P O Box 532 Town Hall
Manchester M60 2LA

Mr Muthahar Khan
Studio Tashkeel Architecture
89 Princess Street
Manchester
M1 4HT

Date: 19 August 2022

Dear Sir/Madam,

Decline to Determine Application

Application No: 133661/FO/2022

Proposal: Part retrospective application for the erection of a two storey rear extension

Address: Hough End Hall , Nell Lane, Manchester, M21 7SW

I refer to the above planning application, which was registered valid on 1 July 2022.

On 30 March 2022 the Council issued an enforcement notice in relation to the following specified breach of planning control:

Without planning permission, the erection of a two storey extension to the rear, as shown for identification purposes on photograph ENF/01.

The notice came into effect on 2 May 2022 and required the following steps to be taken:

1. Dismantle and remove the two storey rear extension.
2. Make good and restore the rear elevation of the building using heritage building materials, such as heritage lime mortar, reclaimed bricks and stone.
3. Remove from the land all building materials, rubble and waste arising from the alterations.

Under Section 70C of the Town and Country Planning Act 1990, a Local Planning Authority may decline to determine an application for planning permission, if granting that permission would involve granting, wholly or partly a permission for any matters specified in a pre-existing enforcement notice. A notice is "pre-existing" if it had been issued before the receipt of the planning application being determined as specified by Section 70C(2).

In the opinion of the Local Planning Authority, the proposal of this planning application (ref: 133661/FO/2022) as set out in the documents and associated plans, relates to matters pertaining to a "pre-existing" enforcement notice, i.e. one issued prior to the receipt of the application on 3 May 2022 and are matters for which planning permission is deemed to be required.

As the Council has already deemed the development to be unacceptable and have taken formal action, any approval of the matters presently before me will be in direct

contradiction to those decisions previously made. Therefore, pursuant to Section 70C of the Town and Country Planning Act 1990, the Council as Local Planning Authority, hereby declines to determine the application and the appropriate entry will be made in the planning register to reflect this decision.

As the decision to decline to determine the application has been made within the statutory 8 week period, there is no right of appeal to the Secretary of State against non determination under Section 78 as that right is lost under the provision of Section 78(2)(aa).

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written in a cursive style.

Julie Roscoe
Director of Planning, Building Control & Licensing