



Planning

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Mr Saghir Hussain
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Date: 23 August 2022

Dear Sir/Madam,

Decline to Determine Application

Application No: 133490/FO/2022

Proposal: Continuation of use of building as a mechanics garage for vehicle servicing and repairs (Class B2)

Address: 342 Slade Lane, Manchester, M19 2BX,

I refer to the above planning application, which was registered valid on 29 June 2022.

On 4 March 2011 the Council issued an enforcement notice in relation to the following specified breach of planning control:

Without planning permission, the material change of use of the land and buildings to a mixed use comprising of a car wash, together with display and sale of vehicles and use as a vehicle service and repair garage.

The notice came into effect on 8 April 2021 and required the cessation of the use of the land and buildings as a car wash, for the display and sales of vehicles and the use as a vehicle service and repair garage, removing all equipment associated with the operation of those uses.

Under Section 70C of the Town and Country Planning Act 1990 (as amended), 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: 133490/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 11 April 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 (as amended), 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