MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Applicant

Mr Mark Mckee
250-252 Bradford Road
Manchester
M40 7BT

Agent (if used)

Mr Michael Breen
Breen Planning
54 Elmwood Avenue
Belfast
BT9 6AZ

Part 1 – Particulars of the application/development

Proposal: Retention of on-site container unit in use as hot food takeaway.

Location: 250 - 252 Bradford Road, Manchester, M40 7BT

Date of application: 6 January 2026

Application number: 144870/FO/2026

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

In this instance, the development is considered to be contrary to policy and therefore, it was considered that there were no amendments possible that would make the development acceptable. The application has therefore been refused in a timely manner.

Reason(s) for decision

1) The siting of a hot food takeaway in this location is an inappropriate use, as it is located outside an established and defined shopping parade/centre where hot food take away uses are usually considered to be appropriately located, to avoid any adverse impacts on the character or amenities of the occupiers of residential premises. The proposed use is therefore considered to be contrary to Policies SP1 and DM1 of the Manchester Core Strategy, saved policy DC10 of the Unitary Development Plan for the City of Manchester. and the Hot Food Take Away Supplementary Planning Document (March 2017).

2) The siting of a hot food takeaway in this location forms an isolated use that is out of character with its surroundings. In addition, the siting, scale, appearance and materiality of the container forms an unattractive structure and incongruous addition

within the street scene resulting in an unduly harmful impact upon the visual amenity of the locality. The proposal is therefore contrary to the provisions of policies SP1, EN1 and DM1 of the Manchester Core Strategy.

3) The continued use of the unit as a hot food takeaway would have a detrimental effect on the residential amenity of the occupiers of surrounding residential properties by reason of the noise and the general comings and goings associated with such a use. The development is therefore contrary to Policy DM1 in the Manchester Core Strategy Development Plan Document and saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester.

4) The development proposal has not demonstrated that additional traffic generated by the hot food take away use could be accommodated within the site, or that satisfactory arrangements are in place in relation to cycle parking, deliveries and refuse storage/collection. The applicant has not therefore demonstrated that there would be no adverse impact upon the existing highway network, and that there would be no adverse impact upon pedestrian safety and the amenity of local residents, due to increased activity in the vicinity of the site. The proposal is therefore contrary to policies SP1, T2 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

Date: 27 February 2026

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.