MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Applicant

Mr Ansar Iqbal Chaudhary
448 Wilmslow Road
Manchester
M20 3BW

Agent (if used)

Mr Abdul Hadi Sabawan
70 Sheepfoot Lane
Prestwich
Manchester
M25 0DN

Part 1 – Particulars of the application/development

Proposal: Change of Use of Taxi (Private Hire) to Hot Food Takeaway (Sui Generis) involving installation of a shopfront and external extraction flue

Location: 3 Queen Street West, Manchester, M20 3BQ

Date of application: 30 October 2025

Application number: 143995/FO/2025

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

The proposal would not improve the social and environmental conditions of the area, nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable, and it is therefore not possible to approve the application.

Reason(s) for decision

1) The use of the premises as a hot food takeaway (Sui Generis use) would have a detrimental impact upon the amenity of neighbouring residents, particularly those residing in the properties situated along Strathblane Close, due to the increase in the comings and goings to and from the premises, and associated noise, disturbance and increase in vehicular and pedestrian traffic. The proposed change of use is therefore contrary to the provisions of saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester, policies DM1, SP1, and C10 of the Manchester Core Strategy, chapter 12 of the National Planning Policy Framework, policy JP-P1 of Places

for Everyone, MCC's Hot Food Takeaway SPD, and the Withington Village Framework document.

2) The proposed external alterations including external flue, by virtue of their lack of coherence, scale, design and detailing would fail to achieve a positive or high quality of design and would fail to enhance the character or the appearance of the area generally and the Withington Conservation Area specifically. As such the proposal is contrary to the City Council's Planning Policies SP1, DM1 and EN3 of the Manchester Core Strategy, policies JP-P1 and JP-P2 of the Places for Everyone Development Plan Document, Chapters 12 and 16 of the National Planning Policy Framework (2024), the Withington Village Framework document, and MCC's Shopfront and Signage Design Guide.

Date: 23 December 2025

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.