MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Part 1 – Particulars of the application/development

Proposal:

Change of use from a single house to 2no. flats with a single storey rear extension to rear.

Location:

13 Lindeth Avenue Manchester M18 7EX

Application reference:

PLA-2026-000035

Applicant:

Dr Sumiya Natsagdorj

Date of application:

20 May 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 reasons listed below.

Article 35 Declaration

Officers have attempted to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, and invited the withdrawal of the application, but the applicant did not take up this option. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner

Reason(s) for decision

1) The proposed change of use would result in the loss of a family sized dwellinghouse which would reduce the standard and availability of such housing in the area, undermining the provisions of policies H1, H4 and SP1 of the Manchester Core Strategy, which seek to provide an appropriate mix and balance of housing provision in the locality, in order maintain a sustainable neighbourhood and cohesive housing market.

2) The conversion of this property into two flats fails to provide accommodation of a sufficient quality for future occupiers, particularly in respect of the size of the accommodation and provision of sufficient useable private external amenity space for the occupiers of both flats, which would cause unnecessary harm to the residential amenity of the proposed occupants of the building and would be detrimental to the character of the local area and would fail to maintain a sustainable community. For these reasons, the development is unacceptable and contrary to saved policy DC5 of the Unitary Development Plan for the City of Manchester and policies SP1, H1, H5, H11, T2 and DM1 of the Manchester Core Strategy, the East Manchester Strategic

Regeneration Framework, the Guide to Development in Manchester Supplementary Planning Guide and Planning Document and the Manchester Residential Quality Guidance.

3) The conversion of this property into two flats would result in the over-intensive use of the site that creates an unacceptable increase in comings and goings in and around the site and increased demand for on-street parking in the vicinity of the site. It is therefore considered that the proposal has an unduly harmful impact on the residential amenity of neighbouring occupiers due to increased noise and disturbance and is detrimental to the character of the area in general. For these reasons, the development is considered to be overdevelopment and detrimental to residential amenity within the area, and therefore contrary to saved policies DC5 and DC26 of the Unitary Development Plan for the City of Manchester and policies SP1, H1, T2 and DM1 of the Manchester Core Strategy.

Date: 11 August 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 permission refers only to that required under the Town and Country Planning Act 1990 (as amended) 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 (as amended) 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 (as amended), namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority of 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 his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).

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 (as amended).

Right of challenge on planning application decision

A third party does not have a right of appeal against a decision on a planning application. Instead, there is a right of challenge (a Judicial Review) which is limited to lawfulness of the procedure that we have taken in coming to that decision.

Any challenge must be based on the following and not the merit of the decision:

- Procedural irregularity
- Irrationality
- Illegality

Any application for permission to bring such a challenge (which is through the High Court) must be made within 6 weeks of the date of the decision being issued.