MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Part 1 – Particulars of the application/development

Proposal:

Proposed new single-bay MOT building in place of existing container, on site of existing dual-bay MOT station.

Location:

61 Clarence Road Manchester M13 0YF

Application reference:

PLA-2026-001101

Applicant:

Mr Uzair Khan

Date of application:

21 July 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 worked with the applicant / agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application, including making contact, during the application process and advising of concerns relating to the proposed development and inviting the applicant to withdraw the application. These concerns were not satisfactorily addressed and the application has therefore been progressed to a refusal of planning permission, due to the proposed works being contrary to policy

Reason(s) for decision

1) The proposal, by reason of its size and forward projection, and introduction of a commercial use onto a wholly residential frontage, would form an isolated, overly dominant and visually obtrusive feature which would be out-of-keeping with the character of the surrounding area and which would project beyond the established building line of properties on Clarence Road, affecting views along the street to the detriment of visual amenity. The proposal would therefore fail to contribute positively to the street and local area and would have an unduly harmful impact in relation to design and appearance, which is contrary to the City Council's Planning Policies SP1 and DM1 of the Manchester Core Strategy, saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), the Guide to Development in Manchester SPD, policy JP- S1 of the Places for Everyone Joint Development Plan Document and the National Planning Policy Framework

2) The proposal would result in an unacceptable relationship between the proposed building and adjacent residential properties, which would have a significant detrimental impact upon the living conditions of the occupiers of those properties, due to this close relationship and the levels of comings and goings, noise, disturbance and general activity associated with the garage/MOT bay use, as well as leading to a significant loss of light and outlook for the occupiers of no.75 Clarence Road, due to the proposed building position. The proposal would therefore be contrary to the provisions of policies SP1 and DM1 of the Manchester Core Strategy, saved policy DC26 of the Unitary Development Plan for the City of Manchester and guidance in the Guide to Development in Manchester, the Manchester Residential quality guidance and the National Planning Policy Framework.

3) The applicant has failed to provide sufficient details to fully assess the proposal, as the application is lacking in details relating to satisfactory arrangements for access arrangements, vehcle manoeuvring within the site and car parking, including the management of car parking spaces between staff and customers. The applicant has not therefore demonstrated that there would be no adverse impact upon the existing highway network, that adequate car parking is provided for the development and that safe accessing and egressing of the site, by vehicles, is provided.. The proposal is therefore contrary to policies T1, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework

Date: 08 September 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.