



Appeal Decision

Site visit made on 9 September 2025

by Siobhan Watson BA(Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 September 2025

Appeal Ref: APP/Q4245/C/25/3366186

79 Washway Road, Sale, Manchester, M33 7TQ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Kanti Shroff against an enforcement notice issued by Trafford Metropolitan Borough Council.
 - The notice was issued on 16 April 2025.
 - The breach of planning control as alleged in the notice is: Without planning permission, the erection of a timber extension to the front elevation.
 - The requirements of the notice are to: 1. Remove the timber extension shown in photograph ENF/01. 2. Return the front elevation to its previous condition before the breach took place, ensuring any damage to paving during the course of these works is made good. 3. Remove from the land all building materials, rubble and waste arising from carrying out the above steps.
 - The period for compliance with the requirements is: 3 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) and (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is dismissed, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

The Appeal on ground (a)

2. The main issue is the effect of the front extension on the character and appearance of the host building and the wider area.
3. The appeal premises is a restaurant within a parade of shops which is constructed in brick and render with a tiled roof. It is on a busy road with a mixed-use character. The extension is constructed of a mixture of low-quality materials. It is built mainly of garden decking timber. It has PVC sheeting for windows and a tatty roof/canopy which incorporates grubby fabric and polycarbonate sheets.
4. The extension is shabby, unattractive and out of character with the surrounding buildings, which although varied in age and style, are generally of a more robust construction. Its projection beyond the parade's building line makes it particularly prominent and jarring in the street-scene.
5. I note the other similar extension on the same parade of shops but I have not been provided with the planning history of that one. In any event, its existence does not justify further harm.
6. The appellant says that he has invested significant funds into the building and to his business which, he says, is good for the local economy. However, the extension

has resulted in a visual deterioration of the parade of shops so, without evidence to substantiate his claims, I am not persuaded that the extension is good for the local economy as a whole.

7. I find that the extension harms the character and appearance of the host building and the wider area and it conflicts with Policies JP-P1 of the Places for Everyone Joint Development Plan and Policy L7 of the Trafford Local Plan. In combination, these policies seek to ensure good design and to protect the character and appearance of the area.

The Appeal on Ground (g)

8. The appeal on ground (g) is that the period for compliance with the notice falls short of what is reasonable. I saw at my visit that the extension contains two tables. The appellant argues the business would not be viable without the extension and that 3 months would be too little time to find other premises. He claims that at least 3 staff would lose their jobs if he cannot find another site. However, I have no substantive evidence that the business would not be viable without the extension.

9. Even if his claims are correct, I must balance the potential closure of the restaurant against the harm the unauthorised development causes. The visual harm to the building and wider area is significant. Therefore, I consider it is important to remedy the harm without any undue delay. The appeal on ground (g) fails.

Conclusion

14. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

Siobhán Watson

INSPECTOR