

## **Planning**

## **Growth & Development**

### **Delegated officer report for planning application**

**Application no.** 141885/FO/2025

**Date registered valid:** 24 January 2025

**Proposal:** Retention of building conversion to 3no. class E units and landlord office on second floor (use class E(g)i) and proposed ancillary floor space at basement level to be used in conjunction with the class E units; with associated elevational alterations.

**Address:** 443 Cheetham Hill Road, Manchester, M8 0PF

**Ward(s):** Cheetham Ward

**Applicant:** Mr Mohammed Saddique

**Agent (if any):** Mr Talat Zeria HSH Engineering Design Service

**Case officer:** Katie Raw  
Tel: 0161 234 4164  
Email: [katie.raw@manchester.gov.uk](mailto:katie.raw@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 5 June 2025

## Application details

**Type of application:** Full Application Consent

**Development type:** Minor Office

**Date of site visit:** 24 February 2025

### Standard consultations:

Printed: 3 February 2025 Expired: 24 February 2025

### Neighbour notifications

Printed: 3 February 2025 Expired: 24 February 2025

### Site notice

No site notice has been produced

### Press advert

No press advert had been published

**Departure from Development Plan:** No

**Environmental Statement:** Not required

### Description of site/building

**Listed building:** Not applicable

**Conservation area:** No

**Tree Preservation Order:** No

The application site relates to 443 Cheetham Hill Road within the Cheetham ward of north Manchester. The application site relates to a part two / part three storey, end terraced red brick property with a staggered primary building line and a previous two storey side extension.

At the time of the site visit, the property appeared to have three front entrance one behind a roller shutter, a glass single door and a further door covered by a roller shutter within the two storey side extension. There are four further entrances located to the rear of the property, and a single storey storage area to the rear.

Fascia signs were evident for one business as was one freestanding sign within the front amenity space.

The front of the property consists of hardstanding and space to the rear consists of a service area which leads onto Heywood Street.

At the time of the site visit (24 February 2025) a Health Hub could be seen to occupy the site. Previously a plumbing store (class E use) occupied the building with corresponding signage (as could be seen for the site visit of 140621/FO/2024), however they have since vacated the property and the property is now understood to be mostly vacant.

## **Description of area**

The surrounding area is mixed, with commercial businesses and residential accommodation surrounding the applicant site. The applicant site sits outside of the Cheetham Hill District Centre.

## **Description of development**

The application seeks planning consent for the retention of building conversion to 3no. class E units and landlord office on second floor (use class E(g)i) and proposed ancillary floor space at basement level to be used in conjunction with the class E units; with associated elevational alterations.

The conversion of the building into the sub-division of class E units took place on 08/01/2023 and finished 05/02/2024 according to the submitted details.

The 3 units are indicated as being used for the following businesses: Class E – Commercial, Business and Service.

Ground floor unit (previously occupied by Medina Electrical & Plumbing Store)- currently a vacant unit- E(a) Display or retail sale of goods.

Health Hub Manchester Ltd – E(e)- Health or medical services.

Baig & Co Investments LTD - E(g)i- An office to carry out any operational or administrative functions.

The ground floor is split between a vacant retail premises and Health Hub Manchester, the first floor is split between Baig & Co Investments and Health Hub and the 2nd floor is occupied by Baig & Co.

A landlord office (use class E(g)i) is also sited on the second floor.

The opening hours for all 3 units have been listed within the application form as: Monday-Friday: 08:00- 19:00. Saturday: 09:00- 19:00. Sunday/ Bank Holiday: 10:00- 17:00.

In addition to the conversion already taken place, the current proposal includes the proposed ancillary accommodation at basement level. This would include ancillary accommodation for all the business units and would offer a gym, gaming station and kitchen and two toilets.

The site would offer 8 car parking spaces (4 cars within the front amenity space and 4 within the rear), and 6 new cycle storage spaces within the rear amenity space.

Refuse would be stored within the rear amenity space.

This application also seeks to regularise the windows, doors and roller shutters seen across the site. Those windows and doors and roller shutters as shown on the plans are reflective of such arrangement on site, to the best of the LPA's knowledge. It is acknowledged that the sub-division of the existing unit could be achieved through permitted development. However, the elevational alterations that have taken place at the property to accommodate such sub-division require consent.

## ***Negotiations during the Course of the Application***

The current application is a re-submission of the previously refused application 140621/FO/2024. However, since the first application, the ground floor use previously occupied by Medina plumbing is currently vacant.

The agent was asked to update all plans necessary and confirm the ground floor unit would be for a Class E (a) for the display or retail sale of goods, other than hot food, principally to visiting members of the public use.

The agent also supplied a revised Transport Statement to capture the changes to the site and this was assessed by colleagues in Highway Services.

Missing drawings and drawings overcoming inaccuracies identified were provided for review.

### *Planning History*

The current application is a re-submission of the previously refused scheme:  
140621/FO/2024- Retention of building conversion to 3no. class E units and landlord office on second floor and proposed ancillary accommodation at basement level.  
Refused 2 January 2025.

This application was refused on the basis of insufficient information:

*1) Whilst a Transport Statement has been provided and reviewed, the applicant has failed to provide sufficient details to fully assess the proposal. The following information is required:  
-The Transport Statement states the proposed parking arrangement is 7no. car parking spaces including 1no. disabled parking bay. Highways recommend that appropriate parking provision is provided. This should be '1 spaces per 22sqm' for Non-food retail, '1 space per 35sqm' for B1 Office, and '1 space per 2 staff plus 3 per consulting room' for medical and health facilities based on MCC's Core Strategy guidance. Justification on the provision of 7no. car parking space for the site is required, and further information on the number of employees for the proposed units is also requested.*

*-A vehicle swept path assessment has been undertaken and is contained within the Transport Statement. Drawing No. 163810-001 demonstrates the swept path analysis of an estate car entering the site via Heywood Street and Cheetham Hill Road, manoeuvring and exiting in a forward gear. The dimensions of the car parking spaces are unclear. Highways require that a new plan is provided demonstrating the dimensions of the car parking spaces with updated swept path analysis assessment.*

*The applicant has failed to provide details relating to the parking requirements at the site, which results in an unacceptable arrangement for accessing and egressing of the application site by vehicles, to the detriment of highway and pedestrian safety. This is contrary to policies T1, SP1 and DM1 of the Manchester Core Strategy.*

133907/FO/2022- 443 Cheetham Hill Road- Change of use of vacant unit to form hot food takeaway (sui generis).

Refused 16 September 2022.

112062/FO/2016- Rear Of 443 Cheetham Hill Road- Erection of single storey building to the rear to form office (Class A2).

Refused 30 August 2016.

078504/FO/2006/N1- 443 Cheetham Hill Road- Erection of first floor rear extension.

Approved 7 April 2006.

077932/FO/2005/N1- 443 Cheetham Hill Road- Erection of first floor rear extension to form showroom and fire escape enclosure to side elevation.  
Withdrawn 6 February 2006.

067781/FO/2003/N1- 443 Cheetham Hill Road- Two storey side extension to form ancillary office accommodation for existing D.I.Y. shop.  
Approved 7 July 2003.

Further planning history exists for the site prior to 2000.

## **Consultations & Notification Responses**

### *Local Residents*

Local residents were consulted and two responses were received. Both responses requested further information as to how the building would operate, and where an extension to the existing building would occur. One neighbour noted the property has previously been subject to parties with loud music.

No further comments were received during the re-notification period.

### *Environmental Health*

Environmental Health were consulted and requested the following conditions be attached to any approval granted:

- Fume/odours condition - If any of the future uses under class E are to provide kitchen / cooking facilities
- Demolition/ Construction Management Plan
- Demolition/ Construction Management Hours
- Premises opening hours
- Deliveries to commercial premises
- Acoustic insulating and limit break out of noise
- External plant/equipment/servicing \* If any new plant or equipment is to be installed as part of the proposals
- Refuse
- Air Quality - If any new car parking is being created then comment is required with regard to the provision of EVCP

### *Highway Services*

Highway Services were consulted and raise no objections on highway or pedestrian safety grounds or unacceptable impacts on the capacity of the highway network.

The TS acknowledges the total number of staff at the proposed units is 6no. employees. A breakdown is provided below:

- o 1no. employee - health Club;
- o 1no. employee - Electric and Plumbing Store;
- o 4no. employee - Office workers.

A TRICs assessment has been provided within the Transport Statement [TS]. A Trip Generation Assessment has been undertaken the total vehicle trip for the proposed uses of the site will generate 16 two-way movements in the AM peak and 16 two-way movements in the PM peak. A 'Net Trip Generation' assessment has been undertaken between the existing and proposed development. It is accepted by Highways that the adjacent highway network can facilitate such additional demands with no highway safety or capacity concerns.

The site is well accessed by sustainable modes. Regular bus services are routed along Cheetham Hill Road. Abraham Moss Tram Stop is located within a short walking distance from the site (circa 650m from the site).

The existing vehicular access points on Cheetham Hill Road and Heywood Street is to be retained. A vehicular gate is present to the access point off Hollywood Street. Existing dropped kerbs are present in this location in order to facilitate access. The level of car parking proposed is acceptable in principle subject to a car parking management strategy.

The swept path analysis demonstrates an estate car entering the site via Heywood Street and Cheetham Hill Road, manoeuvring and exiting in a forward gear.

The standard parking bays are 2.5m x 5.0m and the disabled parking bay is 3.7m x 6.2m. A 6m aisle width is to be provided for the customer car park. Pedestrian access to the site is from Cheetham Hill Road leading to the main entrances of the units.

The provision of 6no. cycle parking space is in alignment with MCC's Core Strategy and therefore is acceptable in principle from a Highways perspective.

It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians. The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

A bin store is located within the rear car park of the site. This arrangement is acceptable from a Highways perspective. It is understood that on collection days refuse bins will be presented to the rear of the site by the management team with servicing taking place from the kerbside of Heywood Street.

Highways requests that an updated plan is provided to demonstrate the refuse collection point.

As a reminder Highways does not support bins placed on the public footway whilst awaiting collection.

Highways requests that a waste management strategy is provided and conditioned as part of the planning process.

It is understood that deliveries will take place to the rear of the property and will be undertaken by a transit van type vehicle. This is acceptable in principle subject to a banksman being present.

Highways requests that deliveries and waste servicing take place outside of AM and PM peak hours.

Highways requests that a Service/Delivery management strategy is provided and conditioned as part of the planning process.

It is noted that a Travel Information Pack will be provided to individuals at the site. This is welcomed by Highways.

## **Issues**

### **POLICY**

#### *The National Planning Policy Framework (NPPF) (December 2024)*

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective,
- b) a social, and
- c) an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8. Promoting healthy and safe communities

Chapter 9. Promoting sustainable transport

Chapter 12. Achieving well-designed places.

*The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012, updated March 2024 following Adoption of Places for Everyone Joint Development Plan.*

The Core Strategy is the key document in Manchester's Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Of relevance are:

Policy DM1 (Development Management)

Policy SP1 (Spatial Principles)

Policy EC1 (Employment and Economic Growth in Manchester)

Policy EC2 (Existing Employment Space)

Policy EC4 (North Manchester)

Policy EN1 (Design Principles and Strategic Character Areas)

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development)

Policy EN 16 (Air Quality)

Policy EN18 (Contaminated Land and Ground Stability)

Policy EN19 (Waste)

Policy T1 (Sustainable Transport).

#### *Unitary Development Plan Saved Policies*

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC26.1 states the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a. the effect of new development proposals which are likely to be generators of noise; and
- b. the implications of new development being exposed to existing noise sources which are effectively outside planning control.

DC26.2 states new noise sensitive developments (including large scale changes of use of existing land or buildings) such as housing, schools, hospitals, or similar activities, will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.

DC26.4 states where the council believes that an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, it will in either case require the applicant to provide an assessment of the likely impact and of the measures he proposes to deal satisfactorily with it. Such measures might include the following

- a) engineering solutions, including reduction of noise at source, improving sound insulation of sensitive buildings or screening by purpose-built barriers
- b) layout solutions, including consideration of the distance between the source of the noise and the buildings or land affected by it and screening by natural barriers or other buildings or noncritical rooms within a building; and
- c) administrative steps, including limiting the operating times of the noise source, restricting activities allowed on the site or specifying an acceptable noise limit.

Any or all these factors will be considered appropriate for inclusion in conditions on any planning permission.

DC26.5 states the council will control noise levels by requiring, where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate.

### *Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007*

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Of relevance are paragraphs 2.3, 2.7, 2.14 and 2.16.

### *Places for Everyone (2022-2039)*

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024. The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance.

The following policies are relevant:

JP- S1- Sustainable development

JP- S2 – Carbon and energy

JP-C1- An integrated network

JP- S6- Clean Air

## ISSUES

### *Principle of Development*

The application seeks planning consent for the retention of building conversion to 3no. class E units and landlord office on second floor (use class E(g)i) and proposed ancillary floor space at basement level to be used in conjunction with the class E units; with associated elevational alterations.

The 3 units are to be used for the following businesses: Class E – Commercial, Business and Service.

Ground floor unit (previously occupied by Medina Electrical & Plumbing Store)- currently a vacant unit- E(a) Display or retail sale of goods.

Health Hub Manchester Ltd – E(e)- Health or medical services.

Baig & Co Investments LTD - E(g)i- An office to carry out any operational or administrative functions.

The ground floor is split between a vacant retail premises and Health Hub Manchester, the first floor is split between Baig & Co Investments and Health Hub and the 2nd floor is occupied by Baig & Co.

A landlord office (use class E(g)i) is also sited on the second floor.

The opening hours for all 3 units have been listed within the application form as: Monday-Friday: 08:00- 19:00. Saturday: 09:00- 19:00. Sunday/ Bank Holiday: 10:00- 17:00.

In addition to the conversion already taken place, the current proposal includes the proposed ancillary accommodation at basement level. This would include ancillary accommodation for all the business units and would offer a gym, gaming station and kitchen and two toilets.

Although the applicant site does not sit within the Cheetham Hill District Centre, this site has a historic use for retail, seen historically through 059475/FO/NORTH1/00 (Extension at first floor level to form additional showroom area- approved 3 August 2000) and has continued as a class E use ever since. As such the lawful use of the property is as a class E use.

It is to be noted that whilst the application seeks consent for the sub-division and proposed ancillary accommodation, such sub-division could be achieved through the route of permitted development. This is considered to be possible given the property has a historic use as an existing class E use (see planning history section for further details). However, the elevational alterations that have taken place at the property to accommodate such sub-division do require consent. Such elevational alterations are considered necessary to ensure the different uses can effectively operate and is considered an improvement on the previous circumstances.

As such, the principle of development is considered acceptable and considered to be compliant to policy EC1, EC2 and EC4 within the Core Strategy. However, consideration must be given to visual and residential amenity, the stated uses, the proposed ancillary accommodation, highway and environmental considerations. Each of the issues shall be discussed in turn.

### *Uses within 443 Cheetham Hill Road*

The 3 units are to be used for the following businesses: Class E – Commercial, Business and Service.

Ground floor unit (previously occupied by Medina Electrical & Plumbing Store)- currently a vacant unit- E(a) Display or retail sale of goods.

Health Hub Manchester Ltd- E(e)- Health or medical services.

Baig & Co Investments Ltd- E(g)i- An office to carry out any operational or administrative functions.

Given the fallback position of permitted development, the uses are considered to be acceptable. The ground floor was previously a plumbing store and the developer has committed to keep this unit as the same use class- E(a) Display or retail sale of goods.

The landlord office would constitute use class E(g)i-An office to carry out any operational or administrative functions and would be for the owner of the building to operate from. Given the fallback position that such a use could be lawfully carried out in the property this is considered to be acceptable.

In addition to the conversion already taken place, the current proposal includes the proposed ancillary accommodation at basement level. This would include ancillary accommodation for all the business units and would offer a gym, gaming station and kitchen and two toilets. Access to such basement use is available internally from the office entrances and from sliding doors to the rear of the property. Via email on 10 March 2025, the agent confirmed the basement kitchen is to be used by staff only and would not involve the installation of any commercial cooking facilities. The purpose of the basement level as stated within the Design & Access Statement is to offer the staff and management a rest room and staff gym.

Given the sub-division could be achieved through permitted development rights and under permitted development rights such ancillary accommodation can be created, this element does not give rise to any concerns.

A condition would be placed on any approval granted restricting the further subdivision of the units. This is to mitigate harm in relation to residential amenity as further separate uses at the property could give rise to impacts on nearby residential properties.

### *Associated Elevational Alterations*

Whilst the sub-division of the property into class E units can be achieved through the route of Permitted Development, the elevational alterations that have taken place to accommodate such conversion require consent. As such, this application seeks to regularise the existing fenestration arrangement at the site.

The front elevation of the property has been subject to elevational alterations in the form of the window within the previous plumbing store to a set of doors within the front elevation (see Figure 1). This allows the now vacant premises access into the use class E and the personnel door now relates to allowing access into the office entrances located on the first and second floors. Further, the height of the door within the rightest hand side door has increased and has become narrower in width. The elevational alterations are not considered to adversely impact the visual qualities of the primary elevation as it does not add a further opening into the primary

elevation and so does not create architectural clutter. No adverse residential implications would occur due to the insertion of doors rather than windows and the location of such doors.

Further, 1no. roller shutter has been installed above the newly inserted door within the primary elevation (see Figure 1), and that all the roller shutters across the front elevation and fascia signs have been painted in a grey colouration. Given the consistent appearance with the grey colouration, the change is considered to create a uniform appearance and so does not give rise to adverse visual impacts that would warrant refusal in this instance.



*Figure 1, Image of the front elevation – left hand image (August 2021- Google Maps) and right hand image (February 2025- site visit)*

The rear elevation of the property has been subject to elevational alterations in the form of the loss of an entrance within the side of the building covered in a roller shutter, the change of a window to a personnel door and smaller window, and changes to roller shutters including changes to a grey colouration (see Figure 2). Such changes are considered to reduce the amount of architectural clutter within the elevation and provide another entrance at ground floor level to accommodate the sub-division of units.

Within the side elevation, as shown within Figure 2, small square windows have been inserted (see Figure 2). Such windows relate to 3no. toilets and a kitchen. On site, such toilet windows were not clear and so it is not considered the windows give rise to adverse privacy implications to employees within the units nor surrounding residential properties located on Heywood Street.



*Figure 2, Image of the rear elevation – left hand image (April 2021- Google Maps) and right hand image (February 2025- site visit)*

As such, the elevational alterations do not give rise to any significant concerns, pursuant with Policy DM1 and SP1 of the Core Strategy.

It is noted that advertisements have been erected at the site which may require advertisement consent. An informative advising the applicant to this effect could be attached to any approval granted.

#### *Consultee Considerations- Environmental Health and Highway Services*

Environmental Health reviewed the application and suggested the inclusion of the following conditions within any approval granted:

- Fume/odours condition \*\* If any of the future uses under class E are to provide kitchen / cooking facilities
- Demolition/ Construction Management Plan
- Demolition/ Construction Management Hours
- Hours 1- Premises opening hours
- Hours 2- Deliveries to commercial premises
- NSE1- Acoustic insulating and limit break out of noise
- NSE6- External plant/equipment/servicing \* If any new plant or equipment is to be installed as part of the proposals
- Refuse
- Air Quality 2 \*\* If any new car parking is being created then comment is required with regard to the provision of EVCP

Given the sub-division of the units can be achieved through permitted development many of the conditions listed above are considered onerous given the only element of consent relates to the elevational alterations.

As such, the 2no. hours conditions (hours of opening and deliveries etc) and the waste condition would be placed on any approval granted. Environmental Health accepted the waste proposals submitted so far but need collection frequency and also clinical waste provision for the health care hub. However, as Highway Services request further information on this matter the standard condition would be attached to any approval granted.

With the inclusion of the conditions, it is considered the amenities of the occupiers of nearby residential accommodation would be appropriately safeguarded, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

Highway Services were happy that the adjacent highway network can facilitate such additional demands with no highway safety or capacity concerns.

Highway Services stated the site is well accessed by sustainable modes. Regular bus services are routed along Cheetham Hill Road. Abraham Moss Tram Stop is located within a short walking distance from the site (circa 650m from the site)- for both customers and employees of the units.

Highways reviewed the car parking spaces available for use at the site and found that the level of car parking proposed is acceptable in principle subject to a car parking management strategy. In this instance as the proposed use of the property is lawful and the proposals relate to the elevational changes undertaken it is considered onerous to attach such a condition.

Highways reviewed the refuse and servicing arrangements at the site. A bin store is located within the rear car park of the site. This arrangement is acceptable from a Highways perspective. A refuse condition would be attached to any approval granted.

Highways request a Service/Delivery management strategy is provided and conditioned as part of the planning process. However, given the planning development fallback position, such condition is considered to be onerous.

Overall, the proposal is not considered to give rise to any adverse implications in relation to environmental and highway/ pedestrian safety implications, pursuant to Policy SP1, DM1, T1 and EN19 of the Core Strategy.

### **Other Legislative Requirements**

#### **Equality Act 2010**

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

#### **Human Rights Act 1998 considerations**

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

**Recommendation:** Approve

### **Article 35 Declaration**

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. Officers have worked with the applicant/agent in a positive and proactive manner, further information has been received to satisfy information requested and appropriate conditions have been placed on the approval granted.

**Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse**

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

-Location Plan, stamped as received by the City Council as Local Planning Authority on 13 January 2025.

-Application Form, stamped as received by the City Council as Local Planning Authority on 12 March 2025.

-Transport Statement- Sanderson Associates- project ref: 163810, document no: 0001, issue no: 04, stamped as received by the City Council as Local Planning Authority on 12 March 2025.

-Design & Access Statement- REV A, stamped as received by the City Council as Local Planning Authority on 2 April 2025.

-Drawing- Proposed- Bin Location and Car Parking Plan, numbered 09B, stamped as received by the City Council as Local Planning Authority on 3 June 2025.

-Drawing- Proposed- Basement Plan, numbered 21C, stamped as received by the City Council as Local Planning Authority on 3 June 2025.

-Drawing- Proposed- Ground Floor Plan, numbered 22E, stamped as received by the City Council as Local Planning Authority on 3 June 2025.

-Drawing- Proposed- First and Second Floor Plan, numbered 23E, stamped as received by the City Council as Local Planning Authority on 3 June 2025.

-Drawing- Proposed- Front and Rear Elevations, numbered 24G, stamped as received by the City Council as Local Planning Authority on 3 June 2025.

-Drawing- Proposed- Side Elevation from 441 Cheetham Hill Road, numbered 26A, stamped as received by the City Council as Local Planning Authority on 3 June 2025.

-Drawing- Proposed- Side Elevation from 445 Cheetham Hill Road, numbered 25C, stamped as received by the City Council as Local Planning Authority on 3 June 2025.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to saved policies DC26 of the Manchester City Councils Unitary Development Plan and policy DM1 & SP1 of Manchester's Local Development Framework: The Manchester Core Strategy.

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) none of the units hereby approved shall be further subdivided to form additional units.

Reason - To prevent an over-intensive use of the site, pursuant to Policies SP1 and DM1 of the Manchester Core Strategy.

4) The premises hereby approved shall not be open outside the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday to Friday 08:00 to 19:00,

Saturday 09:00 to 19:00,

Sunday/ Bank Holiday 10:00 to 17:00.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

5) Deliveries, servicing and collections, including waste collections shall not take place at the premises outside of the following hours:

Monday to Saturday 07:30 to 20:00,

Sundays/Bank Holidays no deliveries/waste collections.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

6a) Within 3 months of this decision, a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The submitted scheme shall include: refuse storage space for segregated waste collection and recycling; details of internal and external storage areas; and , identification of a refuse collection point.

b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policies SP1 and DM1 of the Core Strategy.

7) Within 3 months of this decision, details of a secure, covered bicycle store together with a timescale for its installation shall be submitted and agreed in writing by the City Council as local planning authority. The agreed details shall be installed at the premises and be retained whilst the premises are in use.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Manchester Core Strategy.

## **Informatives**

- 1) The permission does not confer consent for any signage at the site.

## **Appendix 1 – List of consultees & neighbours notified**

Highway Services  
Environmental Health

Flat 6, 437 Cheetham Hill Road, Manchester, M8 0PF  
Flat 3, 437 Cheetham Hill Road, Manchester, M8 0PF  
180 Heywood Street, Manchester, M8 0PD  
176 - 178 Heywood Street, Manchester, M8 0PD  
Basement, 439 - 441 Cheetham Hill Road, Manchester, M8 0PF  
2A Shirley Road, Manchester, M8 0ND  
439 - 441 Cheetham Hill Road, Manchester, M8 0PF  
Shirley Service Station, Petrol Filling Station, 332 Cheetham Hill Road, Manchester, M8 0PL  
Flat 3, 2A Shirley Road, Manchester, M8 0ND  
Flat 2, 2A Shirley Road, Manchester, M8 0ND  
2B Shirley Road, Manchester, M8 0ND  
245 Heywood Street, Manchester, M8 0PB  
237 Heywood Street, Manchester, M8 0PB  
233 Heywood Street, Manchester, M8 0PB  
239 Heywood Street, Manchester, M8 0PB  
231 Heywood Street, Manchester, M8 0PB  
445 Cheetham Hill Road, Manchester, M8 0PF  
Flat 1, 437 Cheetham Hill Road, Manchester, M8 0PF  
2 Shirley Road, Manchester, M8 0ND  
247 Heywood Street, Manchester, M8 0PB  
243 Heywood Street, Manchester, M8 0PB  
241 Heywood Street, Manchester, M8 0PB  
235 Heywood Street, Manchester, M8 0PB  
Flat 5, 437 Cheetham Hill Road, Manchester, M8 0PF  
Flat 4, 437 Cheetham Hill Road, Manchester, M8 0PF  
Flat 2, 437 Cheetham Hill Road, Manchester, M8 0PF  
First And Second Floor, 443 Cheetham Hill Road, Manchester, M8 0PF  
Asda Shirley Express, Petrol Filling Station, 332 Cheetham Hill Road, Manchester, M8 0PL  
Ground And First Floor, 439 - 441 Cheetham Hill Road, Manchester, M8 0PF  
Flat 8, 437 Cheetham Hill Road, Manchester, M8 0PF  
Flat 7, 437 Cheetham Hill Road, Manchester, M8 0PF  
Penthouse, 441 Cheetham Hill Road, Manchester, M8 0PF  
441 Cheetham Hill Road, Manchester, M8 0PF  
Penthouse, 439 Cheetham Hill Road, Manchester, M8 0PF  
439 Cheetham Hill Road, Manchester, M8 0PF  
180 - 182 Heywood Street, Manchester, M8 0PD  
330 Cheetham Hill Road, Manchester, M8 0PL  
1 Keane Court, Manchester, M8 0AS  
3 Keane Court, Manchester, M8 0AS  
4 Keane Court, Manchester, M8 0AS  
6 Keane Court, Manchester, M8 0AS  
7 Keane Court, Manchester, M8 0AS  
8 Keane Court, Manchester, M8 0AS  
10 Keane Court, Manchester, M8 0AS  
11 Keane Court, Manchester, M8 0AS  
14 Keane Court, Manchester, M8 0AS  
15 Keane Court, Manchester, M8 0AS  
17 Keane Court, Manchester, M8 0AS  
2 Keane Court, Manchester, M8 0AS

5 Keane Court, Manchester, M8 0AS  
9 Keane Court, Manchester, M8 0AS  
12 Keane Court, Manchester, M8 0AS  
16 Keane Court, Manchester, M8 0AS  
Flat 4, 2A Shirley Road, Manchester, M8 0ND  
Flat 1, 2A Shirley Road, Manchester, M8 0ND

## **Appendix 2 – Planning constraints**

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4  
Coal Authority - Development Low Risk - Name: DEVELOPMENT\_LOW\_RISK\_AREA  
Area Team Boundary - Name: NORTH AREA