Supporting Statement: Proposed Lawful Use as Restaurant/Café (Class E(b))

Address: 486 Cheetham Hill Road, Manchester M8 9JW

Applicant: Mr Zac Nabi

Agent: Meads Architecture

Date: 06.08.25

Proposal: Confirmation of lawful use of existing unit as a restaurant with commercial kitchen and internal dining facilities

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1. Introduction and Purpose of Statement

This statement is submitted in support of an application to confirm the lawful use of 486 Cheetham Hill Road, Manchester, as a restaurant (Use Class E(b)). The unit will operate as a full-service restaurant with 70 covers at ground floor and 45 covers in the basement, which will be used primarily for private functions. A commercial kitchen will be installed to serve on-site diners, with a maximum of six staff present on site at any one time.

A separate planning application will be submitted for the installation of an external kitchen extract flue, which is required in connection with the operation of the commercial kitchen. This supporting statement relates solely to the lawful use of the unit and the proposed operating hours, and does not include the forthcoming flue.

The applicant is also seeking confirmation that the proposed opening hours of 6:00am to 7:00am, seven days a week, are acceptable. These extended hours are necessary to meet the needs of the local Muslim community, particularly during Ramadan and other religious events. Nonetheless, the applicant is open to discussion with the Local Planning Authority and would welcome the opportunity to agree appropriate opening hours through a planning condition, if required.

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2. Planning Policy Context

National Planning Policy Framework (NPPF, 2023/24)

The proposal aligns with several core principles of the NPPF:

- Paragraph 84–86: Supports diverse town and local centres by promoting mixed uses and services that meet community needs.
- Paragraph 120: Encourages the reuse of existing buildings and the efficient use of previously developed land.
- Paragraph 8: Promotes sustainable development across economic, social, and environmental objectives.

Manchester City Council Core Strategy (2012)

Relevant local policies include:

- SP1 – Spatial Principles: Promotes neighbourhood vitality, economic activity, and inclusive growth.
- CEN2 – Hierarchy of Centres: Supports local centre uses that meet community needs, including food and drink establishments.
- EC10 – Food, Drink and Night-Time Economy Uses: Encourages diverse and well-managed food uses that do not harm residential amenity or the local environment.

Use Class E(b)

Following the 2020 amendments to the Town and Country Planning (Use Classes) Order, the proposed restaurant use falls within Class E(b). If the existing use of the unit is also within Class E, then no change of use has occurred and planning permission is not required. This application is submitted to clarify that the proposed use and opening hours are lawful in planning terms.

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3. Use and Operational Overview

- Use Class: E(b) – Sale of food and drink for consumption on the premises
- Covers: 70 at ground floor, 45 in basement (private functions)
- Staff: Maximum of 6 on site at any one time
- Opening Hours: Proposed 6:00am – 7:00am, 7 days a week (subject to agreement with LPA)
- Kitchen: Commercial kitchen installed internally
- Flue: A separate planning application will be made for the proposed kitchen extract flue

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4. Access and Inclusivity

- The existing entrance at ground floor provides level, step-free access for all users.
- An accessible WC is proposed internally to accommodate wheelchair users and those with limited mobility.
- Circulation within the dining will be designed to ensure appropriate spacing between tables and adequate movement space.
- These measures ensure the restaurant is inclusive and compliant with Part M of the Building Regulations and best practice in accessibility.

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5. Movement, Transport and Servicing

- Public Parking: There is a public car park located directly behind the premises, providing accessible parking for customers and visitors.
- Cycle Storage: Secure staff cycle storage is provided on-site.
- Staff Parking: Allocated off-street staff parking is available at the rear.

Deliveries

- Up to 3 deliveries per week, timed to avoid peak hours and minimise disruption.
- Deliveries will use existing servicing arrangements and not obstruct pedestrian or vehicular access to public routes.

Refuse & Recycling

- 2x 1100L Eurobins: One for general waste, one for recycling.
- Private collections will be arranged through Sensa, collected twice weekly to avoid any waste build-up.
- All waste will be stored securely within the site boundary.

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6. Design and Visual Impact

- No changes are proposed to the building's exterior.
- Future installation of a kitchen flue will be subject to a separate application and will be sensitively located to minimise visual and amenity impacts.
- The proposal maintains the existing character and contributes positively to the active frontage along Cheetham Hill Road.

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7. Amenity and Environmental Considerations

- Noise: No amplified music is proposed. Internal operations will be managed to minimise disturbance.
- Odour: Extraction and ventilation will comply with Environmental Health standards (details to follow in flue application).
- Waste: Waste storage and collection strategy ensures cleanliness and avoids nuisance.
- Lighting: No additional lighting is proposed externally.
- Neighbour Impact: As a typical use for this location, the restaurant is compatible with surrounding commercial and residential uses.

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8. Summary and Conclusion

The proposed use as a restaurant within Use Class E(b) is lawful, sustainable, and appropriate for this location. The site is situated in a busy local centre with excellent public access and a clear demand for culturally sensitive food services.

The proposal:

- Falls within Use Class E, requiring no material change of use
- Complies with the NPPF and Manchester Core Strategy
- Provides inclusive access, including an accessible WC
- Includes secure servicing and waste management
- Will be subject to a separate flue application, ensuring compliance with environmental standards

The applicant therefore respectfully requests that Manchester City Council confirm the lawful use of the premises as a restaurant and approve the proposed operating hours, supporting the continued development of a thriving and inclusive local centre.