

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/0615

Date registered valid: 30 June 2025

Proposal: Discharge of conditions 3 (External materials), 7 (Construction management plan), 10 (Waste management proforma), 11 (Site management plan), 12 (Ground contamination report), 13-15 (Noise assessment), 16 (Air quality assessment), 17 (External Lighting), 18 (Cycle Store), 19 (Secure by design), 20 (Boundary treatment), 21 (Roller shutter), 22-23 (Travel Plan), 24 (Cycle shelter) and 25 (Biodiversity) attached to planning permission 141647/FO/2024

Address: 67 Cheetham Hill Road, Manchester, M4 4ES

Ward(s): Cheetham Ward

Applicant: Zayn Saleemi Brightwise Constructions Ltd

Agent (if any): Mr Saghir Hussain Create It Studio Architects

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve and Refuse (Split decision)

Date of recommendation: 18 September 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:

Printed: 15 July 2025 Expired: 5 August 2025

Neighbour notifications

No neighbour notifications have been printed and sent.

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

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 and Refuse (Split decision)

Article 35 Declaration

N/A

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

3) The discharge of conditions 3 (External materials) is approved subject to the development being implemented in accordance with the following materials and specifications as detailed in document referenced Materials schedule Ref: A1488-Z100-A-01 received by the City Council as local planning authority on 30 June 2025:

- i. Wienerberger facing brick: Staffordshire smooth blue solid K10165s facing bricks (H) 65 mm x (L) 215 mm x (W) 102.5 mm with sand colour mortar;
- ii. P77 Perforated aluminium security shutter with black colour treatment;
- iii. uPVC Cladding panel (to east elevation) with colour treatment Ref: 7021 Black Grey;
- iv. uPVC framed windows with black colour treatment;
- v. Aluminium framed shopfront with black colour treatment.

Notwithstanding the indicative details within document referenced Materials schedule Ref: A1488-Z100-A-01, the window and shopfront design shall accord with the details of drawings referenced Proposed Elevations Ref: A1488 (02) AP003 Rev P3.

7) The discharge of condition 7 (Construction management plan) is refused as the submitted plan has failed to satisfactorily demonstrate:

- i. An appropriate swept path analysis for delivery vehicles accessing and egressing the development site;
- iii. Arrangements for air quality mitigation as detailed in submitted document referenced: ACP – Air Quality Assessment Ref: 31800 Rev A (Final) dated May 2025;
- iv. Satisfactory contractors contact details during construction.

10) The discharge of condition 10 (Waste management) is refused as satisfactory details relating to bin capacities for the respective Class E and Class C3 uses have not been provided.

11) The discharge of condition 11 (Site management plan) is approved subject to the implementation of the development being implemented in accordance with the bin presentation measures detailed on drawing referenced: Waste Management Ref: A1488(02)AP006 Rev C1 received by the City Council as local planning authority on 30 June 2025. The approve arrangements shall remain in situ whilst the use or development is in operation.

12) The discharge of condition 12 (Ground contamination report) is refused as the Phase I (ground condition) report has not provided sufficient detail relating to required future site investigations, including gas monitoring and assessment.

13) The discharge of condition 13 (Noise attenuation Class E unit) is refused as insufficient information has been submitted relating to arrangements for ventilation, glazing specification and noise outbreak from the Class E (a, b and c).

14) The discharge of condition 14 (Noise attenuation Class C3 apartments) is refused as insufficient information is contained within the submitted document (referenced Noise Assessment Report – Land adj. 67 Cheetham Hil Road Manchester by Noise Air Ref: P8470-R1-V1 version 1 dated 1 May 2025) relating to arrangements for ventilation and glazing specification.

15) The discharge of condition 16 (Noise assessment) is refused as the submitted noise assessment (referenced Noise Assessment Report – Land adj. 67 Cheetham Hil Road Manchester by Noise Air Ref: P8470-R1-V1 version 1 dated 1 May 2025) has not been related to the specific plant and equipment to be installed as part of development. The requirements for noise attenuation cannot therefore be determined.

16) The discharge of condition 16 (Air quality assessment) is refused as the submitted document referenced ACP 31800 Air Quality letter has not provided a future occupier impact assessment detailing arrangements for clean air intake and ventilation.

17) The discharge of condition 17 (External Lighting) is approved subject to the development being implemented in accordance with document referenced: Artificial lighting impact assessment Ref: 1rL10191 by Lewis Ellison Planning and Environmental Consultants dated 23 May 2025 received by the City Council on 30 June 2025.

The approved lighting shall only be installed in accordance with the approved scheme and maintained in situ unless any lighting installed as part of the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority is harmful to adjoining and nearby residential properties. In such circumstances and within 14 days of its written request, a scheme for the elimination of glare and/or light spillage shall be submitted to and approved in writing by the Council as local planning authority. The approved scheme shall be implemented to a timescale agreed with the City Council as local planning authority and maintained in situ thereafter.

18) The discharge of condition 18 (Cycle Store) is approved on the basis that the development is implemented in accordance the arrangement for the provision of a four space cycle shelter as detailed on drawing reference Bike Store Ref: A1488 (02)AP007 Rev C1 and sited in the position shown on drawing Ref: A1488 (02)AP001 Rev P2. The implemented cycle storage shall provide two cycle spaces for the Class C3 and Class E uses respectively and be maintained in situ thereafter.

19) The discharge of condition 19 (Secure by Design) is refused as the submitted GM Police Design for Security letter references another site and the submission does not reference security and crime reduction measures that are specifically related to the development proposal. The submission has therefore failed to demonstrate that the development will be related to appropriate security and crime reduction measures.

20) The discharge of condition 20 (Boundary treatment) is approved subject to the development being implemented in accordance with the drawing received by the City Council as local planning authority on 16 September 2025 and referenced Boundary Treatment Plan Ref: A1488(02)AP008 Rev C. The implemented fencing and gates and shall be maintained in situ thereafter with a black colour treatment.

21) The discharge of condition 21 (Roller shutter) is approved subject to the development being implemented in accordance with drawing treatment) is approved subject to the development being implemented in accordance with the drawing received by the City Council as local planning authority on 30 June 2025 and referenced Proposed Roller Shutter Details Ref: A1488(02)AP004 Rev P1 and roller shutter specification and colour treatment detailed in document referenced Materials schedule Ref: A1488-Z100-A-01. The implemented works shall be maintained in situ thereafter.

22) The discharge of condition (Travel Plan – Class C3) is refused as the submitted document referenced: Residential and Staff Travel Plan Statement Ref: 784-B072972 Revision 01 by Tetra Tech dated April 2025 does not satisfactorily demonstrate the arrangements for the monitoring and review of travel patterns.

23) The discharge of condition (Travel Plan – Class E) is refused as the submitted document referenced: Residential and Staff Travel Plan Statement Ref: 784-B072972 Revision 01 by Tetra Tech dated April 2025 does not satisfactorily demonstrate the arrangements for the monitoring and review of travel patterns.

24) The discharge of condition 24 (Cycle shelter) is approved on the basis that the development is implemented in accordance the arrangement for the provision of a four space cycle shelter as detailed on drawing reference Bike Store Ref: A1488 (02)AP007 Rev C2 and sited in the position shown on approved drawing Ref: A1488 (02)AP001 Rev P2. The implemented cycle storage shall provide two cycle spaces for the Class C3 and Class E uses respectively and be maintained in situ thereafter.

25) The discharge of condition 25 (Biodiversity) is refused as the submitted Ecological Enhancement Plan by Pro Hort Ref: Q144395 and dated March 2025 does not confirm the details of bio-diversity enhancement measures to be implemented as part of the development.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Greater Manchester Ecology Unit
Highway Services

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
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