Planning

Growth & Development

Delegated officer report for planning application

Application no.	142235/FO/2025
Date registered valid:	14 April 2025
Proposal:	Change of use of upper two floors from 4 x 2 bed flats to 10 bed house in multiple occupation (sui generis)
Address:	486 Cheetham Hill Road, Manchester, M8 9JW
Ward(s):	Crumpsall Ward
Applicant:	Mr Tariq Ali Nasim, Shudehill Convenience store (MCR) Ltd
Agent (if any):	Mr Ian Malyan, FOB Design UK Limited
Case officer:	Ian Jarvis Tel: 0161 234 4079 Email: ian.jarvis@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	4 June 2025

Application details

Type of application: Full Application Consent

Development type: Change of use

Standard consultations:
Printed: 30 April 2025 Expired: 22 May 2025

Neighbour notifications
Printed: 30 April 2025 Expired: 22 May 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: Not applicable

Tree Preservation Order: Not applicable

This application relates to a three-storey former public house building, at the corner of Cheetham Hill Road and Empress Street in the Cheetham Hill retail centre. The premises are now used as two Class E units, on the ground floor, with 4 x two-bedroom flats above, allowed by the following planning permission:

082612/FO/2007/N1 - Conversion of first and second floor of residential hotel to 4 no. two bedroom self-contained apartments with associated extension to form new staircase with retention of ground floor retail use and parking at rear - Approved 23 August 2007

It is now proposed to convert the two upper floors into a 10 bedroom house in multiple occupation (sui generis use). There would be 5 bedrooms, and a communal kitchen, on each floor, with a managers/caretakers office on the second floor. Access, to the rooms, would be as existing, from Empress Street at the rear of the property.

Within the rear yard area, 2 car parking spaces, 10 cycles spaces and separate waste storage, for the retail and residential uses, is proposed.

There are no proposed external alterations to the building.

Consultations & Notification Responses

Local residents/adjoining occupiers - No comments received.

Highways Services - Makes the following comments:

TRIP GENERATION AND JUNCTION CAPACITY:
In comparison to the former use, the level of trips generated is not anticipated to be dissimilar and as such no highways concerns are expected.

SITE ACCESSIBILITY:
The site is well accessed by sustainable modes. o Regular bus services and Metrolink services are available within walking distance of the site.

PARKING AND ACCESS:
The existing vehicle access will be retained as part of the proposals - acceptable in principle.
Existing off-street parking to be retained as part of the proposals - acceptable in principle.
Two car parking spaces will be retained at the rear of the site.

It is requested that information on how these parking spaces will be allocated is provided, as it is noted that the property could accommodate 10 residents and therefore the limited car parking could contribute to the level of vehicles parked on-street.

CYCLE PARKING:
It is stated that 10 cycle parking spaces will be in place - this is acceptable to Highways.
A secure and sheltered cycle store is noted at the rear of the site - this is acceptable to Highways.
Access to the cycle store will be via Empress Street.

REFUSE AND SERVICING:
A refuse store is noted at the rear of the site.
Kerbside collection is noted from Cheetham Hill Road.

Strategic Area and Citywide Support Manager - Recommend that conditions are attached, to any permission, in relation to construction hours and approval of the submitted waste management arrangements.

Greater Manchester Police - No comments received.

Neighbourhood Manager (North Neighbourhood Team) - Do not support this application, as it would appear to be an overdevelopment of the site with minimal amenity space, and they would prefer to see the retention of the 2 bed flats.

Issues

National Planning Policy Framework (December 2024) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services

and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:
a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So to is effective engagement between applicants. Communities, local planning authorities and other interests throughout the process (paragraph 131).

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-
- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy H3 relates to sites in North Manchester, and states that over the lifetime of the Core Strategy, will accommodate around 20% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within or adjacent to the parts of North Manchester that fall within the Regional Centre (Strangeways and Collyhurst area) and within Cheetham Hill and Harpurhey district centres as part of mixed-use schemes as well as along high frequency public transport routes.

Policy H11 relates to Houses in Multiple Occupation and states that a change of use from a C3 dwelling house to a C4 HMO will not be permitted where there is a high concentration of residential properties within a short distance of the application site falling within one or more of the following categories:
- Exempt from paying Council tax because they are entirely occupied by full time students.
- Recorded on Private Sector Housing's database as a licensed HMO.
- Any other property which can be demonstrated to fall within the C4 or sui generis HMO use class.

In cases where the concentration of such properties is significant but less high, the Council will examine property type and resident mix in more detail when considering an application for a change of use.

In areas of high concentration, extensions to HMOs (as defined in the Housing Act 2004) would not be permitted where this could reasonably be expected to lead to an increase in the level of occupation.

In parts of Manchester which do not have a high concentration of HMO/student housing but where the lack of family housing has threatened the sustainability of the community to the extent that regeneration activity with the specific intention of increasing the amount of family housing has taken place, there will be a presumption against changes of use which would result in the loss of a dwelling which is suitable for a family. Changes to alternative uses, including C4 and HMOs with more than six occupants, will only be acceptable where it can be demonstrated that there is no reasonable demand for the existing use. The approach above will also be used for change of use to a HMO which is classified as 'sui generis'.

Notwithstanding the policy requirements set out above, all proposals for change of use of existing properties into houses in multiple occupation, and all proposals for conversion of existing properties into flats (which might not necessarily fall within Class C4), would be permitted only where the accommodation to be provided is of a high standard and where it will not materially harm the character of the area, having particular regard to the criteria in policy DM1

Policy EN19 relates to waste and states that the Council will require all developers to submit a waste management plan to demonstrate how both construction and demolition waste will be minimised and recycled on site wherever possible and how the sustainable waste management needs of the end user will be met.

Policy T2 states that outside the City Centre all new development should provide appropriate car parking facilities, taking account of the guidance in Appendix B (of the Core Strategy). In all

parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B (this indicates maximum car parking standards for various uses).

Notwithstanding the above, Policy T2 requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking that may be required. Policy T2 requires the provision of proportionate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-
- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The property lies in the Cheetham Hill District Centre boundary, as identified in the plan

Saved Development Control policy DC26, of the Unitary Development Plan, relates to development and noise and states that 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.

Manchester Residential Quality Guidance 2016 sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The ambitions of the City are articulated in many places, but none more succinctly than in the 'Manchester Strategy' (2016). The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses. In relation to one bedroom, one person, units the minimum standard of accommodation is set at 37 square metres (35 metres where a shower room is proposed), and for one bedroom, two person units, the standard is 50 square metres.

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance was formally adopted in April 2007, and is therefore relevant in this case. At that time, Planning Policy Statement 3 'Housing' stated that to facilitate efficient delivery of high quality development, Local Planning Authorities should draw on relevant guidance and standards and promote the use of appropriate tools and techniques, such as Design Coding alongside urban design guidelines, detailed masterplans, village design statements, site briefs and community participation techniques.

In the City of Manchester, the relevant design tool is the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance. This guidance 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 CABE as being those urban design characteristics which create successful places, that is character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability.

The guidance advises that high quality design is a vital attribute of successful neighbourhoods, the design of streets should promote neighbourliness and design should respect and be informed by location. The guidance also advises that buildings should relate well to each other and building heights should be carefully considered. In terms of ease of movement, cul-de-sacs are discouraged, the street network should contribute to the character of the area, safe routes for cyclists and pedestrians will be promoted, and public transport should be easy to use. Places with attractive and successful public areas are encouraged with open spaces reflecting and accommodating future uses with children and young people being considered in the design and location of open spaces. Neighbourhoods should contain a mix of housing, safety and security are vital elements of the urban area, the impact of parking areas should be minimised and new developments should maximise access for disabled people.

Point 10.9 relates to external space and states that all residents should enjoy useable private amenity space wherever they choose to live in the City. All new developments should be designed to provide on-site amenity space which is fit for purpose and which is informed by, and relates to, the character of the area. Simply this means the provision of gardens that perform well as multi-functional space. Gardens are valuable within any development by contributing the following:
- A safe play area for children
- Additional storage outside the house
- The provision of outside drying area for clothes which additionally assists the environmental sustainability of a development
- Space in which to relax which helps the overall sense of well-being
- An increased amount of planting which enhances the quality of the natural environment
- The space to provide home grown food which benefits the health of the local community.

Places for Everyone - The approved Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs. Securing higher densities in the most accessible locations is identified as helping to maximise the ability of people to travel by walking, cycling and public transport and reduce the reliance on the car.

Relevant policies of PfE in this instance are:
JP-S1: Sustainable development
JP-C8: Transport Requirements of New Development
JP-P1: Sustainable Places

Principle - In the case of this application, the principle of the proposed change of use is not considered acceptable as it is in conflict with the policies and associated guidance indicated above.

It is noted that the site lies within a District Centre, where residential uses are common, about ground floor retail/commercial uses, and that a residential use of the upper floor flats, as 4 self-contained units, is authorised. A continued residential use of the upper floors is therefore appropriate. However, It is considered that the type of accommodation proposed, with an increased number of individual unrelated occupiers, would facilitate an over intensive use of the property that would have an unacceptable impact, on the general area, due to increased levels of activity formed by people with different lifestyles and patterns of behaviour, increased noise, disturbance, waste storage demands and car parking requirements. This needs to be compared with the existing arrangement on site, of 4 x two bedroom apartments, each of which is in accordance with minimum space standards, and each of which are capable of accommodating small families

Houses in multiple occupancy also often lead to transient occupancy, whereby occupants have little vested interest in the area and can in part, alter the character of an area as a neighbourhood of choice.

HMOs tend to attract people who will live in the property for a comparatively short period of time and consequently they do not have the same interest in the well-being of an area as those who are less transient such as a family. It is believed that this cyclical change in occupiers can have a negative impact upon both residential amenity often due to poor or no management and a general lack of civic pride. As such, the cumulative effects of HMOs can have an adverse impact upon the character and appearance of an area.

It is further maintained that the use would facilitate an over intensive use of the property and would lead to problems associated with increased levels of activity formed by people with different lifestyles and patterns of behaviour, increased noise, disturbance, waste storage demands and car parking requirements.

On this basis, the development is considered to conflict with policies DM1, SP1, H4 and H11 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

Residential Amenity - Policies DM1 and SP1 of the Core Strategy indicate that consideration should be given to the effects of development upon the amenity, living conditions and the well-being of residents. Whilst there are no houses directly adjoining the site, there are residential uses, above nearby commercial units, and residents in nearby streets where overspill on-street parking, from the district centre, is an evident problem.

Paragraph 130(f) of the NPPF also states that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

In this case, the Council has concerns in relation to the over-intensive use of the property, as a result of the proposed level of occupancy.

Whilst the City Council has no control over who can occupy a property, it can help prevent properties from being over intensively used, by restricting the number of occupants and the creation of certain types of accommodation.

HMO accommodation in particular can often cause problems in residential neighbourhoods due to the level of activity associated with unrelated people living together. It is considered that a collective group of individuals with different lifestyles and different patterns of behaviour, as opposed to traditional family occupancy, can result in more frequent comings and goings, with associated noise and disturbance. This in turn can have an adverse impact upon the living conditions of neighbouring residential occupiers, to the detriment of their residential amenity.

The principal effects include increased levels of activity, noise nuisance, negative impacts upon the physical environment and streetscape due to inadequate management of refuse storage and pressure upon local parking provision.

In this case, the lack of sufficient off-road car parking provision forms a particularly harmful factor. It is accepted that the site is in a fairly good accessible location, but this does not preclude the potential for car ownership for up to 10 separate individuals in an area where on-street parking is already intensive.

It is therefore considered that the increased occupancy of the property would undoubtedly lead to increased competition for on-street parking spaces, in an area which already experiences on-street parking difficulties.

It is considered that the potential introduction of a number of cars associated with the property with little provision of off-road parking would lead to further parking on-street and exacerbate parking problems for existing residents to the detriment of their amenity. This is indicative of the over intensive use of the property and is not therefore considered satisfactory.

Standard of accommodation - The single person rooms are small in size with the majority having a floorspace of approximately 20 square metres or below which fall considerably below the minimum space standards for one bedroom flats. It is accepted that the guidance relates to self-contained accommodation, to include living rooms and kitchen/dining rooms, as well as bedroom space, but, in this case the rooms contain just a bed and shower/WC with only a communal kitchen, on each floor, with no communal lounge/sitting area, and no useable outdoor amenity space.

This needs to be compared with the existing arrangement on site, of 4 x two bedroom apartments, each of which is in accordance with minimum space standrads, and each of which are capable of accommodating small families. It is therefore considered that these proposed floorspace figures demonstrate that the premises would be overcrowded and that the size of accommodation provided, would not provide quality accommodation for future occupiers of the premises and, as a result, it is considered that the proposal does not accord with the spirit of the Manchester Residential Quality guidance.

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 polices 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: Refuse

Article 35 Declaration

Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, and invited the withdrawal of the application, but the applicant did not take up this option. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

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

1) The proposed change of use would result in the loss of 4 units of family sized accommodation which would reduce the standard and availability of such housing in the area, undermining the provisions of policies H4, H11 and SP1 of the Manchester Core Strategy, which seek to provide an appropriate mix and balance of housing provision in the locality, in order maintain a sustainable neighbourhood and cohesive housing market.

2) The proposal would result in an over intensive use of the property resulting in the creation of low quality/substandard living accommodation for the occupants of the development, including the lack of adequate parking arrangements which would create the demand for on street car parking, within the local area. In addition, the proposal would result in a significant intensification of occupation, waste generation and comings and goings at the site which would increase level of noise, disturbance and activity for proposed and existing residents. The proposal would therefore have an unacceptable detrimental impact upon the residential amenity of of residents in the surrounding area and would therefore be contrary to the provisions of policies SP1, H11, T2 and DM1 of the Manchester Core Strategy, saved policy DC26 of the Unitary Development Plan for the City of Manchester and guidance in the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Basement Store, 565 - 567 Cheetham Hill Road, Manchester, M8 9JE
488 - 490 Cheetham Hill Road, Manchester, M8 9JP
Flat 2, 482A Cheetham Hill Road, Manchester, M8 9JW
Flat 1, 482A Cheetham Hill Road, Manchester, M8 9JW
480 Cheetham Hill Road, Manchester, M8 9JW
GODFATHER CAFE, 1A Copthall Lane, Manchester, M8 9EP
20 Humphrey Street, Manchester, M8 9JR
476 Cheetham Hill Road, Manchester, M8 9JW
482 Cheetham Hill Road, Manchester, M8 9JW
458 Cheetham Hill Road, Manchester, M8 9JW
2 Bury Old Road, Manchester, M8 9JN
484 Cheetham Hill Road, Manchester, M8 9JW
478 Cheetham Hill Road, Manchester, M8 9JW
4 Bury Old Road, Manchester, M8 9JN
476A Cheetham Hill Road, Manchester, M8 9JW
480A Cheetham Hill Road, Manchester, M8 9JW
First Floor, 565 - 567 Cheetham Hill Road, Manchester, M8 9JE
Ground Floor, 565 - 567 Cheetham Hill Road, Manchester, M8 9JE
565 - 567 Cheetham Hill Road, Manchester, M8 9JE
Flat 1, 1A Copthall Lane, Manchester, M8 9EP
North Manchester Jamia Mosque, 3 Woodlands Road, Cheetham, Manchester, M8 9LF
Ground Floor, 480 Cheetham Hill Road, Manchester, M8 9JW
Police Station, 551 Cheetham Hill Road, Manchester, M8 9HX
2 Humphrey Street, Manchester, M8 9JR

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(a) 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