

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/0862

Date registered valid: 2 September 2025

Proposal: Discharge of Conditions 1 (Time), 2 (Specified Plans), 3 (Use), 4 (Fumes), 5 (Part A Noise Equipment), 6 (External Flue), 7 (Roller Shutters) and 8 (Bins) attached to planning permission 141702/FO/2024

Address: 595 Cheetham Hill Road, Manchester, M8 5EJ

Ward(s): Cheetham Ward

Applicant: Mr Latakshi Devadiga Rashmi Potnis LPR Ch Ltd

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

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

Recommendation: Approve and Refuse

Date of recommendation: 19 November 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:

Printed: 11 September 2025 Expired: 2 October 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

Article 35 Declaration

N/A

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

1. Condition 1 (Time) cannot be discharged as it is a requirement for the implementation of the development.
2. Condition 2 (Specified plans) cannot be discharge as it details requirements for the implementation of the development.
3. Condition 3 (Use) cannot be discharged as it is an on-going requirement of the authorised development.
4. The discharge of condition 4 (Flue) is refused as:
 - i. The submitted details have not demonstrated that the dispersal of fumes and odours could be undertaken without undue harm to neighbouring occupants via the adjacent window positioned in the south-west roof plane;
 - ii. The submitted technical specification has not been related to the flue design submitted for consideration a part of drawings referenced 5B Front and side elevation and 7A Rear elevation.

The proposed arrangements for fume and odour extract are therefore unacceptable.

5. The discharge of Part A of condition 5 (Noise and equipment) is approved subject to the development being implemented in accordance with:
 - i. Document 595 Cheetham Hill Road Manchester Plant Sound Assessment report 1436/PSA1 30 May 2025 by Lighthouse Acoustics accompanying planning permission referenced: 141702/FO/2024;
 - ii. Supplemented with the technical specification response received by the local planning authority on 2 October 2025.

Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

6. Condition 6 (Flue removal) does not require formal discharge. It requires the removal of the existing flue following the installation of its replacement. It also requires the reinstatement of the related section of the gable wall using matching materials.

7. The discharge of condition 7 (Roller shutters) is approved subject to the implementation of the development in accordance with:

- i. The detail of drawing referenced: Proposed elevations Ref: 05;
- ii. The technical specification received by the council as local planning authority on 13 October 2025 detailing the proposed installation of a perforated roller shutter with a black colour treatment and internally mounted housing box.

The approved details shall be implemented in accordance with the approved details upon commencement of the operation of the bin store and maintained in situ thereafter.

8. Condition 8 (Waste) cannot be discharged as it is an on-going requirement of the authorised development.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Appendix 2 – Planning constraints

Article 4 Direction - Multiple