

Planning

Growth & Development

Delegated officer report for planning application

Application no. 144454/FO/2025
Date registered valid: 25 November 2025
Proposal: Installation of commercial extraction system including flue.
Address: 1 Chorlton Place, Manchester, M21 9AQ
Ward(s): Chorlton Ward

Applicant: Mr Robin Alex
Agent (if any): Mr Nadir Khan, NK Architects
Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 13th January 2026

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 1 December 2025

Standard consultations: Printed: 5 December 2025 Expired: 28 December 2025

Neighbour notifications: Printed: 5 December 2025 Expired: 28 December 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

The application relates to a two-storey flat roofed building of red brick, forming part of the former Chorlton Cross shopping centre in Chorlton District Centre.

The property features a glazed shopfront with a retractable canopy awning above to its southern, southeastern and eastern elevations with white uPVC privacy windows at first floor level. Its western elevation, fronting onto an alleyway, features vents and other servicing equipment.

The ground and first floors of the property appear to feature a Class E (Commercial, Business, and Service) use.

The surrounding area is predominantly commercial in terms of its character, though residential properties are evident further afield to the northeast and south of the application site.





Description of development

The applicant is seeking planning permission for the “Installation of commercial extraction system including flue”.

Planning history

103438/FO/2013/S1 – Installation of shopfront to front and side – Approved (2013).

103439/AO/2013/S1 - Installation of 3 internally illuminated fascia signs, 3 associated awnings and one projecting sign – Approved (2013).

120313/TCA/2018 - Works to trees - proposed pruning works incorporating T3, T4 - 2 x Horse Chestnuts, Crown lift to 5m; G1 - Sycamore/Lime/Beech crown lift to 5m and reduce property sides to give 2m clearance and G2 - Fell 1 Sycamore and remove deadwood from adjacent Sycamore – No objection (2018).

122607/AO/2019 - Installation of three non-illuminated fascia signs – Approved (2019).

Consultations & Notification Responses

Local residents – no response received.

Chorlton Civic Society – no response received.

MCC’s Environmental Health Services stated: *“the applicant has not provided a supporting acoustic report or a satisfactory odour impact assessment with the application, as residents are located within 20m of the proposed flue. In the absence of proper design (the inclusion of a flat cowl for instance will restrict odour dispersion) and risk assessment, the proposed kitchen extraction system will likely cause disamenity to the nearest residents (and future residents in the proposed redevelopment of the former Chorlton Precinct) due to noise and odours, as such the application should be recommended for refusal”.*

Following a further review of the submitted details **MCC’s Environmental Health Services** stated: *“I have looked at the information, and it is unchanged from what was submitted with the application. The risk assessment is based on residential being between 20m and 100m away when in fact the nearest is less than 20m, so this will increase the score. This will not change the overall risk score, but it is more accurate. I also commented that the low level cowl is not acceptable as odours will not be effectively dispersed (this is covered in the EMAQ guidance). There is still no acoustic report either for the kitchen extraction system. Our comments are unchanged, and we still recommend that this application is refused”.*

Policies

Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that decisions must be made in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework reinforces this requirement in paragraphs 2 and 47, whilst paragraph 12 indicates that the presumption in favour of sustainable development does not alter the statutory status of the development plan as a starting point for decision-making and that, where a planning application conflicts with an up-to-date development plan, permission should not normally be granted.

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:

- Policy DC10 – Food and Drink Uses
- Policy DC26 – Development and Noise

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas

The National Planning Policy Framework (NPPF, 2024)

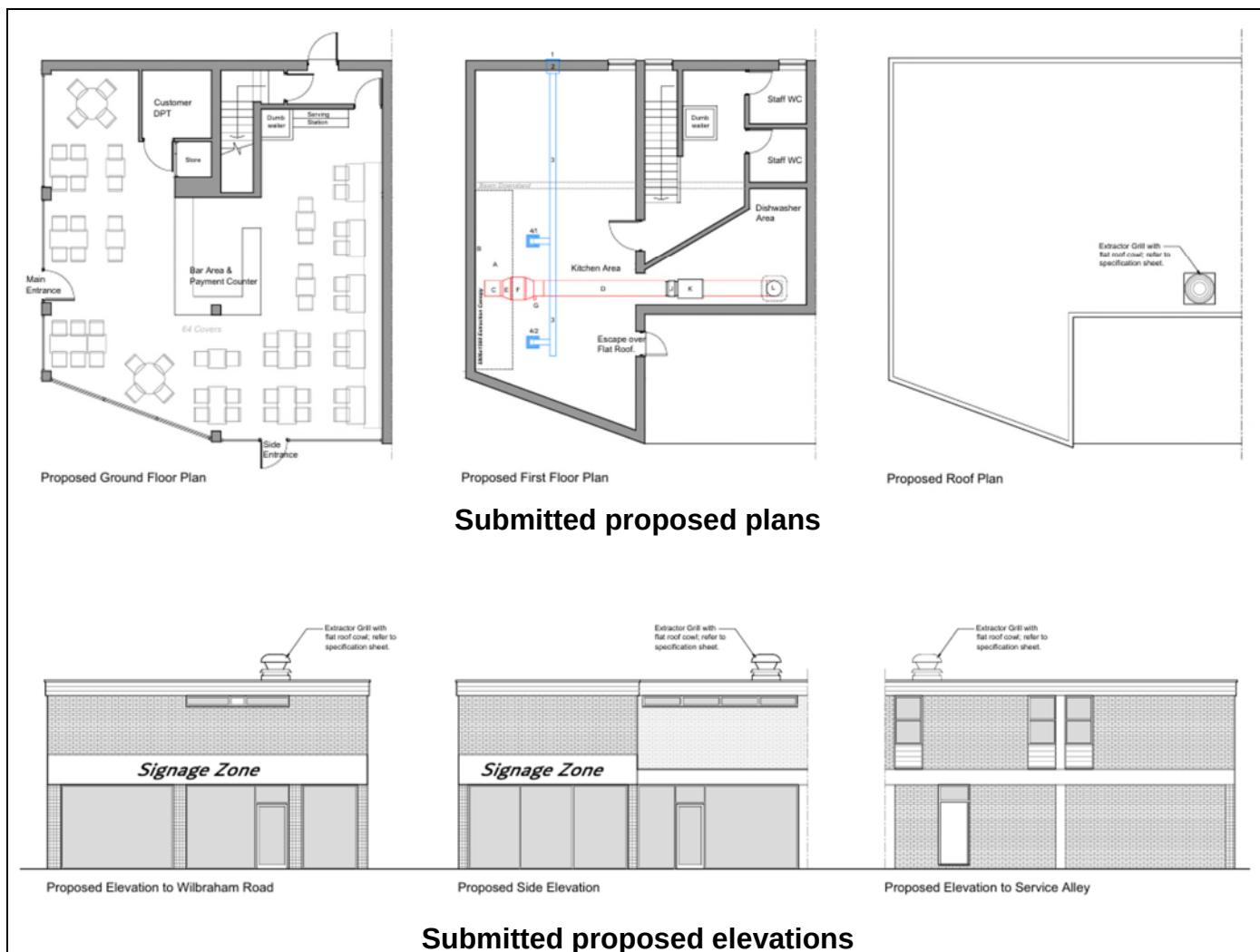
- Chapter 12 – Achieving Well-Designed Places

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.

- Policy JP-P1: Sustainable Places
- Policy JP-S1: Sustainable Development
- Policy JP-S5: Clean Air

Draft National Planning Policy Framework (NPPF, 2025) – The Government has published a consultation draft of the NPPF, intended to improve housebuilding rates through a clearer, more predictable and faster policy basis for decision and plan making. While this draft is not yet adopted, it is a material consideration.

- Chapter 14 – Achieving Well-Designed Places
 - Policy DP3: Key principles for well-designed places



Issues

Principle – in the case of this application, the principle of the proposal is considered unacceptable and cannot be supported as it conflicts with the development plan policies and associated guidance listed in the preceding section. There are factors of sufficient weight in terms of harm caused to the residential amenity of neighbouring occupiers that warrant the refusal of the application.

On this basis, the proposal is deemed to conflict with the principles set out under saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Manchester Core Strategy, chapter 12 of the National Planning Policy Framework and policies JP-P1, JP-S1, and JP-S5 of Places for Everyone.

Appearance and visual amenity – the proposed extraction flue would project approximately 0.828m above the property's flat roof and would be set back around 9.454m from the principal elevation fronting Wilbraham Road. It would maintain a gap of 0.5m to the eastern roof edge, 0.9m to the adjoining premises to the north, and 7m to the western roof edge, with a diameter of 1m.

Given its siting away from the roof edges and the existing precedent for similar installations within the surrounding area, including other units within the Chorlton Cross shopping centre, the flue is not considered to form an overly prominent or visually incongruous feature. While some degree of visual harm would arise, this is not considered unduly harmful in the context of comparable equipment present in the vicinity.

Residential amenity – the proposed extraction flue would be located within approximately 20m of the nearest residential properties along Wilbraham Road. No supporting acoustic report has been submitted with the application, nor has a satisfactory odour impact assessment been provided, or appropriate design measures such as the inclusion of a flat cowl to restrict odour dispersion.

Environmental Health has advised that the development is likely to result in unacceptable levels of noise and odour for existing occupiers within the vicinity of the site, as well as future residents associated with the proposed redevelopment of the former Chorlton Precinct. In the absence of an acoustic report or adequate odour impact assessment, the applicant has failed to demonstrate that the equipment can operate without causing harm. The emission of cooking odours and mechanical noise in such close proximity to residential receptors is considered to result in an unacceptable impact on the living conditions of nearby occupiers.

The proposal therefore fails to safeguard residential amenity, contrary to saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Manchester Core Strategy, and paragraph 135 of the National Planning Policy Framework, all of which seek to ensure a high standard of amenity for existing and future users

Conclusion - the proposal, by virtue of its proximity to residential properties and the absence of adequate mitigation and design measures, would result in undue harm to the residential amenity of the area through excessive noise and odour emissions.

The development is therefore considered to be contrary to the principles set out under saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Manchester Core Strategy, Chapter 12 of the National Planning Policy Framework, and policies JP-P1, JP-S1, and JP-S5 of Places for Everyone, all of which seek to ensure that development safeguards the amenity of existing and future occupiers.

The agent of the application was informed of the above issues and notified of the LPA's intent to refuse the proposal.

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: Refuse

Article 35 Declaration

Officers have worked with the agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Significant issues have arisen during the consideration of this application, and a satisfactory resolution has not been reached.

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

1) The proposed development would result in unacceptable harm to the residential amenity of nearby occupiers, particularly those residing along Wilbraham Road, due to noise and odour emissions associated with the extraction system. The applicant has failed to demonstrate that adequate mitigation measures have been incorporated to prevent such impacts. Consequently, the proposal is contrary to saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Manchester Core Strategy, Chapter 12 of the National Planning Policy Framework, and policies JP-P1, JP-S1, and JP-S5 of Places for Everyone, which collectively seek to ensure development safeguards the amenity of existing and future occupiers.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Chorlton Civic Society

4 Chorlton Place, Manchester, M21 9AQ
Advertising Right Outside 601, Wilbraham Road, Manchester, M21 9AN
Flat 3, 601 Wilbraham Road, Manchester, M21 9AN
Flat 2, 601 Wilbraham Road, Manchester, M21 9AN
Flat 1, 601 Wilbraham Road, Manchester, M21 9AN
2 Chorlton Place, Manchester, M21 9AQ
Ground Floor, 595 - 597 Wilbraham Road, Manchester, M21 9AJ
First Floor, 595 - 597 Wilbraham Road, Manchester, M21 9AJ
480 Wilbraham Road, Manchester, M21 9AS
6 Chorlton Place, Manchester, M21 9AQ
5 Chorlton Place, Manchester, M21 9AQ
478 Wilbraham Road, Manchester, M21 9AS
478A Wilbraham Road, Manchester, M21 9AS

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - South Manchester PD Restriction - Class B1(a) To C3
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA