

Planning

Growth & Development

Delegated officer report for planning application

Application no. 144565/FO/2025

Date registered valid: 19 November 2025

Proposal: Change of use to a restaurant (Class E(b)use) together with the installation of external extraction flue

Address: 593 Cheetham Hill Road, Manchester, M8 5EJ

Ward(s): Cheetham Ward

Applicant: Mr Ibraheem Mohammed

Agent (if any): Mr Tanveer Mohammed, TMA-Co Limited

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

Recommendation: Approve

Date of recommendation: 13 January 2026

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 22 December 2025

Standard consultations:

Printed: 4 December 2025 Expired: 27 December 2025

Neighbour notifications

Printed: 4 December 2025 Expired: 27 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: No

Tree Preservation Order: No

Description of area

This application relates to a part of two storey units that project beyond the building the front of a former public house that has been converted into shops. The application property is located the junctions formed by Cheetham Hill Road and Back St Marks Lane and Robin Hood Street. The property has brick elevations and slate pitched roof. The existing shopfront is concealed behind roller shutters that the have been in situ for a number of years. The shopfront the related fascia signage is related the principal elevation to Cheetham Hill Road and the returning (southern) elevation. The upper floor extends above No 595 and into the roof space. However, the upper floor does not extend fully over the first floor and roof space (as shown in Fig.1).



Fig.1 – Extent of the application property



Fig.2 – Views of the application property

Description of development

It appears that the property has been historically used as a retail shop. However, on-line images indicate that the premises has also been previously used as a beauty salon providing services that fall outside retail (Class E) use. Such use is sui generis and has not been supported with the appropriate planning permission. Also, there is no record of planning permission being granted to facilitate the use of the first floor above Nos 593 and 595. The proposed Class E (b) use therefore requires planning permission.

The proposed development involves:

- i. Ground floor – Customer access to an internal staircase, cooking area and internal bin storage.
- ii. First floor – Customer seating area and kitchen.
- iii. Roof space storage and office.

Externally, an extraction flue would emerge from an internal roof void and arising from the side elevation. It would be positioned above windows in the side elevation and project by 1.1 metres above the eaves. The flue would incorporate a black colour treatment.



Fig.3 – Proposed elevations and layout

The following application is related to the development:

144566/AO/2025 - Advertisement consent for the display of 2 no. internally illuminated fascia signs

Site history

- i. 027585: Approved - 21.10.1986 593/595, Cheetham Hill Road, Cheetham
Removal of the second floor of an existing property and the demolition and rebuilding of the first floor and re-roofing
- ii. 025027: Approved - 16.10.1985 593/5, Cheetham Hill Road, Cheetham Hill
Conversion of cellars to form extension to shop and reopening of staircase next to adjacent public house.

Consultations & Notification Responses

Local businesses and residents – No comments received.

Environmental Health – The following comments have been received:

- i. The development should be related to a scheme for fume extraction.
- ii. Opening hours should be conditioned to Sunday to Saturday: 11.00 to 23:00.
- iii. Deliveries, servicing and collections, including waste collections should be conditioned and not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.
- iv. Noise attenuation conditions are requested in relation to the building and externally mounted equipment.
- v. A waste management plan condition is requested confirming bin sizes and collection details.

Highways – Have requested a condition relating to a site management plan, including arrangements for bin collection / storage, servicing and deliveries.

Issues

National Planning Policy Framework Plan-making and national decision-making policies December 2025 - The above draft document is the subject of public consultation, which expires on 10 March 2026. Notwithstanding the above, this emerging guidance is material to consideration of the proposed development.

The Framework re-affirms that the planning system has the following objectives (paragraph 16):

- a. An economic objective
- b. A social objective –health, social and cultural well-being; and
- c. An environmental objective.

Paragraph 17 states these objectives are not criteria against which every development proposal can or should be judged. Development plans and decisions should play an active role in guiding development towards sustainable solutions, but in doing so, should take local circumstances into account, to reflect the character, needs and opportunities of each area.

As well as setting out the procedural policies relating to plan making (including strategic planning and new local plans) and decision making, the draft NPPF sets out objectives, policies for plan making and policies for decision making across key policy areas in a clearer and more rules-based way.

The following chapter is relevant to the proposed development:

Chapter 14: Achieving well-designed places - This chapter redrafts Chapter 12 of the current Framework: 'Achieving Well-Designed Places.' It includes national decision-making policies. The following aspects of policy DP3 are relevant to the consideration of the development: context; liveability; built form and identity. It is considered that the development would relate appropriately and cohesively to the style and character of the existing house and its context. Chapter 14 would therefore be positively responded to.

The following chapters of the current NPPF amended most recently in December 2024 are also referenced:

Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion (paragraph 96). It is not considered that the introduction of a flue would unduly harm the amenities of the area and its operation can be managed through the attached conditions. The proposed restaurant use would secure a viable and sustainable use for the application property. Chapter 8 would therefore be accorded with.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource and is relevant to key planning issues of significance to applicants and local authorities. In considering this application the following aspects of the PPG have been appropriately responded to:

- i. Consultation and pre-decision matters;
- ii. Health and well-being;
- iii. Noise.

It is considered that the development would be appropriately related to the above objectives for the reasons set out in the report.

The Places for Everyone Plan - The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'. The nine constituent local authorities will now consider the Inspectors' Report and the adoption of Places for Everyone. The first Council meetings to approve the plan will be Salford and Wigan (28 February). The plan was considered at the Full Council meeting in Manchester on 20 March 2024 and was subsequently approved on 21st March 2024. Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance. The following policies are relevant:

Policy JP-P6 (Health) - States that development should maximise its positive contribution to health and wellbeing, whilst avoiding any potential negative impacts of new development. It is considered that the development, comprising a restaurant use and flue installation, would be appropriate given the context of the site. Policy JP-P6 would therefore be accorded with.

JP-S1 (Sustainable development) - In this case, the development would facilitate a permitted change within Class E thereby securing a sustainable use for the ground floor. Policy JP-S1 would thereby be accorded with.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.' The following policies are relevant to the proposed development:

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. 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.

The development would facilitate the operation of a ground floor Class E use, with a proportionate first floor seating area. The development would positively contribute to the commercial offer in the district and adjoining parade. Emissions and noise would be managed through conditions. Policy SP1 would thereby be accorded with.

Policy C 2 District centres - States that development will support thriving district centres, with distinct local character, providing a good range of accessible key services, including retail, health facilities, public services, leisure activities and financial and legal services. It promotes

the efficient use of land and housing where it supports the vitality and viability of the district centre. The development would accord with these objectives.

Policy C 3 North Manchester District Centres - Cheetham Hill and Harpurhey – States that development should promote vitality during the daytime will be supported. The proposal relates to a development involving day-time operations. Policy C3 would thereby be accorded with.

Policy EN19 Waste - Requires consideration how the sustainable waste management needs of the end user will be met. This case the permitted change would be supported with waste and recycling storage arrangements supplemented with the measures delivered by condition. Policy EN19 would thereby be accorded with.

Policy DM1 (Development Management) - 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. Relevant considerations in this case are:

- o Appropriate siting, layout, scale, form, massing, materials and detail;
- o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development with due regard to the character of the surrounding area;
- o Effects on amenity;
- o Accessibility - In relation to inclusive access and sustainable transport modes;
- o Community safety and crime prevention;
- o Design for health;
- o Refuse storage and collection.

Given the nature of the development, it is considered that the siting of the flue would have a proportionate visual impact. Conditions would secure the appropriate operation of the restaurant uses. The configuration of the application property would prevent the delivery of inclusive access. Satisfactory waste and recycling arrangements are capable of being delivered. Policy DM1 would thereby be accorded with.

Unitary Development Plan (UDP) saved policies -The following saved UDP policies are also considered to be relevant:

Policy E3.3 (Environmental Improvement and Protection) - States that all development in Manchester should meet high standards of urban design and opportunities for good design, which enhance the overall image of the city should be fully realised, particularly along major radial roads, such as Cheetham Hill Road. The elevational alterations considered by this application would be limited to the proposed flue installation. The related impact would be acceptable for the reasons outlined in this report and policy E3.3 would be positively responded to.

DC10 (Food and Drink uses) – Although the proposed use relates to a permitted change, policy DC10 is relevant in the assessment of the development on the amenities of the area and the operation of related equipment.

Policy DC10.1 – Requires consideration of potential impacts on the amenity of neighbouring residents and arrangements for the storage and collection of refuse and litter.

Policy DC10.4 – Discusses the need to include conditions to address, amongst other things, the management of noise, fumes, smells, the storage of refuse and the collection of litter

The development relates appropriately to a district centre context, and conditions would manage to operation of the proposed flue and related equipment. The development would improve waste management arrangements. Policy DC10 would thereby be accorded with.

Policy DC26 (Development and noise) - A conditions have been included to attenuate noise from the installed flue. Policy DC26 would thereby be accorded with.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. In this case, officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The proposal is acceptable and therefore determined within a timely manner.

Principle of the development – As stated the flues installation relates to a change of use to Class E. The included conditions relate specifically to the installation of the flue and management of waste storage would aid the management of the operation of the use. The principle of the development is acceptable in the surrounding context retail and commercial use.

Management of fume emissions and noise – The proposed flue would have some visual impact. However, the configuration of the first floor accommodation would prevent the installation of a flue on the rear elevation. The proposed flue would be positioned in the most appropriate position. The indicated visual impact would be mitigated by its size and black colour treatment. At this stage, it is not apparent whether operational plant would be positioned within the building or attached to external elevations. In response two noise attenuation conditions have been included to secure appropriate noise attenuation to the application property and any required external plant and equipment. The included conditions are necessary to safeguard the amenities of the area and secure the appropriate future occupation of the site.

Opening hours – The following propose opening hours are considered to be acceptable in a district centre context and have been conditioned: Sunday to Saturday: 11:00 to 23:00.

Servicing and site management – A condition has been included to ensure that deliveries, servicing and collections, including waste collections do not take place outside the following hours: 07:30 to 20:00, Monday to Saturday. No deliveries/waste collections shall take place on Sundays and /or Bank Holidays. A condition requiring the approval of a site management plan to ensure that the development does not unduly harm the operation of the adjacent light controlled crossing. This condition requires agreement of arrangements for the presentation of bins to an identified collection points and their return to the bin enclosures and a strategy for undertaking of servicing and deliveries from the site, including customer deliveries.

Waste management – The proposed arrangements would locate bin storage within the building. A condition would ensure that appropriately sized bins would be provided in support of the development. As stated, bin collection arrangements would be included in the site management arrangements. The development is capable of delivering appropriate waste management subject to these conditions.

Access - The configuration of the application property would prevent the delivery of inclusive access.

Conclusion – The proposed formation of a Class E restaurant use over two floors would be appropriate in the surrounding district centre context. The proposed flue installation would be acceptable subject to the application of a black colour treatment and conditions to manage its operation.

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

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The proposal is acceptable and therefore determined within a timely manner.

Condition(s) to be attached to decision for approval

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawing received by the City Council as local planning authority on 19 November 2025:

Proposed Plans Elevations Rev 041_03 Rev C.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

3) The development hereby approved relates to the operation of the ground and first floor of 593 Cheetham Hill Road as restaurant under Class E (b) of the Town & Country Planning Use Classes Order 1987 (amended).

Reason – For the avoidance of doubt and in the interests of the amenities of the area, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

4) The premises shall not be open outside the following hours:
Sunday to Saturday: 11:00 to 23:00.

Reason – In the interests of the amenities of the area pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester, saved policy DC10 of the Unitary Development Plan and the National Planning Policy Framework

5) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason – In the interests of the amenities of the area pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester, saved policy DC10 of the Unitary Development Plan and the National Planning Policy Framework.

6) Prior to first use of the development hereby approved a scheme for the extraction of any fumes, vapours and odours from the premises shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented before the use commences and shall remain operational thereafter.

Reason - In order to ensure the efficient dispersal of cooking odours from the premises in the interests of the amenity of neighbouring occupiers and to ensure that any ventilation flues/ducting can be accommodated without detriment to character and appearance of the host building and the surrounding area in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester, saved policy DC10 of the Unitary Development Plan and the National Planning Policy Framework.

7) The authorised extraction flue shall be implemented with a black colour treatment as indicated on drawing referenced: Proposed Plans Elevations Rev 041_03 Rev C. The implemented colour treatment shall be maintained in situ thereafter.

Reason – In the interests of the amenities of the area, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

8) a) Prior to the occupation of the development, either a scheme that demonstrates that any plant equipment will achieve a rating level of 5dB (LAeq) below the typical background (LA90) level in each octave band at the nearest noise sensitive location, or a scheme showing a method to acoustically treat/insulate any plant equipment so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level in each octave band at the nearest noise sensitive location, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall then be carried out in accordance with the approved details.

b) Prior to the first [use of the ground floor and first floor commercial units], a verification report, which will include post-completion testing, shall be submitted to and approved in writing by the local planning authority to validate that the plant equipment achieves a rating level of 5dB

(LAeq) below the typical background (LA90) level in each octave band at the nearest noise sensitive location.

c) In the event of non-conformity with a rating level of 5dB (LAeq) below the typical background (LA90) level in each octave band, then any measures/changes required to achieve conformity shall be carried out. Any required measures/changes and verification shall continue until conformity has been achieved and agreed in writing by the local planning authority, before the use can commence.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

9) a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively.

b) Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable 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.

Reason – To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

10) a) Before the occupation of the development, a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

11) Before the occupation of the development a site servicing strategy shall be submitted and approved in writing by the City Council as local planning authority. The scheme shall include details of arrangements for the presentation of bins to an identified collection points and their return to the bin enclosures and a strategy for undertaking of servicing and deliveries from the site, including customer deliveries. The approved scheme should demonstrate that servicing on the site would not unduly impact upon the operation of the adjacent light controlled crossing. The approved scheme shall be implemented upon the first occupation of the authorised extension and shall remain in situ whilst the use or development is in operation.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1, C2, DM1, T1 and T2 of the Core Strategy for the City of Manchester.

Informative

1) Guidance for developers can be found via the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

2) Waste management - The following additional information should be provided:

i. An appropriately sized container for pulvable / cardboard waste

3) Fumes - The applicant will need to consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval. The strategy should include risk assessments for odour and noise and be based on appropriate guidance such as that published by EMAQ titled 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' dated September 2018. Details should also be provided in relation to replacement air.

The application includes a risk assessment for the kitchen extraction system which has rated the site as requiring high level of odour control which we can accept. We will need the details of the proposed odour and fume control measures to be installed commensurate with a high risk rating. Environmental Health need a drawing showing the full kitchen extraction system only from the cooker hood to the extraction terminal identifying all the filters, fume and odour abatement equipment, fans, inspection hatches in the ductwork and the termination detail.

Environmental Health also need a full maintenance and cleaning strategy outlining the daily, weekly monthly and annual maintenance, cleaning and replacement requirement and frequencies for each of the components including the filters, fume and odour abatement equipment, fans and ductwork and identification of what is required and who is responsible for each process.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Flat 2, 2 Back St Marks Lane, Manchester, M8 5EU
Flat 1, 2 Back St Marks Lane, Manchester, M8 5EU
597 Cheetham Hill Road, Manchester, M8 5EJ
Printers, Back St Marks Lane, Manchester, M8 4FW
Basement, 597 Cheetham Hill Road, Manchester, M8 5EJ
Flat 4, 591B Cheetham Hill Road, Manchester, M8 5EJ
Flat 3, 591B Cheetham Hill Road, Manchester, M8 5EJ
Flat 2, 591B Cheetham Hill Road, Manchester, M8 5EJ
Flat 1, 591B Cheetham Hill Road, Manchester, M8 5EJ
591A Cheetham Hill Road, Manchester, M8 5EJ
591 Cheetham Hill Road, Manchester, M8 5EJ
Rear Of, 595 Cheetham Hill Road, Manchester, M8 5EJ
595 Cheetham Hill Road, Manchester, M8 5EJ
18 Bury Old Road, Manchester, M8 9JN

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

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH AREA