Plan:8 Town Planning Ltd

Planning Support Statement

450 Barlow Moor Road, Chorlton-cum-Hardy, Manchester, M21 0BQ

Change of use of ground and first floors to a mixed use of restaurant with ancillary use of the front forecourt for shisha (sui generis)

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Prepared on behalf of: Mr Hiwa Zada

By: Plan:8 Town Planning Ltd

June 2026

1.0 Introduction

1.1 This Planning Support Statement (PSS) has been prepared by Plan:8 Town Planning Ltd on behalf of Mr Hiwa Zada in support of a planning application for the change of use of the ground and first floors of 450 Barlow Moor Road, Chorlton-cum-Hardy, Manchester, M21 0BQ to a mixed use comprising a restaurant with ancillary use of the front forecourt for shisha smoking (sui generis).

1.2 The application is submitted to Manchester City Council (MCC) as Local Planning Authority.

1.3 This statement sets out the planning context for the proposal, describes the proposed development, assesses the proposal against the relevant planning policy framework, and addresses the principal material considerations. The statement should be read alongside the following documents submitted in support of the application:

- NADA Architects Ltd — Existing and Proposed Plans and Elevations (drawings 25-1380 (01)001 to (05)001 inclusive, as revised to PL1 dated 22 June 2026)
- Acoustic Planning Report — Lighthouse Acoustics, ref. 1599/APR1, dated April 2026
- Odour Impact Assessment — Noise Assessments Ltd, ref. NALPRO080126.01a, dated January 2026
- Operations Management Plan — Mr Hiwa Zada, dated June 2026

2.0 The Site and its Surroundings

2.1 The application site is located on Barlow Moor Road, within the defined Chorlton District Centre. The site comprises a two-storey semi-detached building. The ground floor has most recently been in use as office accommodation (Use Class E) and is currently vacant. The first floor is in residential use as two self-contained flats.

2.2 The site has a forecourt area to the front (west) facing Barlow Moor Road, with a rear space to the east. The building is bounded to the north by a dental practice and to the south by an existing restaurant at 488 Barlow Moor Road. Residential properties lie to the east beyond the rear garden.

2.3 The site sits within an active commercial frontage. The existing restaurant to the south (488 Barlow Moor Road) and a further restaurant to the north (456-458 Barlow Moor Road) both feature covered external seating areas to their front elevations. The use of front forecourt areas for external dining and seating is therefore an established feature of this part of Barlow Moor Road.

2.4 The site is not within a Conservation Area and is not subject to any heritage designation. It is located within Chorlton District Centre as defined by the Manchester Core Strategy Policies Map.

3.0 Description of the Proposed Development

3.1 The proposal involves the change of use of the ground floor from office use (Class E) to a restaurant with ancillary shisha use on the external front forecourt (sui generis). The first floor, currently in use as two self-contained residential flats, is proposed to be converted to staff welfare, restaurant administration and storage accommodation ancillary to the restaurant use at ground floor level, as shown on the proposed floor plan (drawing 25-1380 (05)001, revision PL1, dated 22 June 2026).

3.2 The proposed ground floor layout incorporates a commercial kitchen, restaurant seating areas, a disabled WC, and a lobby. The basement, which exists below part of the ground floor footprint, is retained as basement accommodation ancillary to the restaurant.

3.3 External works to the front elevation include the installation of bi-folding glazed doors and windows at ground floor level, new powder-coated aluminium framing, and two retractable roof canopies over the front forecourt. A glass balustrade is proposed to the forecourt boundary. A 550mm diameter extraction duct is proposed to the rear elevation, running vertically to above eaves level.

3.4 The proposed restaurant will serve breakfast, lunch and evening meals, operating between 07:00 and 23:00 seven days per week. The front forecourt will be used as an external dining terrace throughout the day. Shisha will be available as an ancillary activity on the external front forecourt only, from 16:00 onwards, subject to the operational controls described in Section 5 of this statement and in the submitted Operations Management Plan.

3.5 The conversion of the first floor flats to staff welfare, restaurant administration and storage use removes two existing residential units from the building. The applicant acknowledges that this results in the loss of two dwellings and have had regard to Manchester City Council's housing policies in this regard. However, the conversion is necessary for the viable operation of the restaurant, and the ancillary nature of the first floor use to the ground floor restaurant is consistent with the pattern of use common to commercial premises of this type. The first floor will not be in independent commercial or residential use.

4.0 Planning History

4.1 The applicant is aware of a previous planning application at 450 Barlow Moor Road (reference 144693/FO/2025) which was withdrawn prior to determination. In the course of pre-application correspondence relating to that earlier application, the then case officer, David Lawless (Senior Planner, MCC), provided comments by email dated 3 March 2026. Those comments are material to the design of the current proposal and are addressed specifically in Section 5 of this statement.

4.2 Mr Lawless confirmed that a shisha smoking area at the front of the premises which is entirely outdoors would appear to comply with the relevant smoking legislation. He further confirmed that an enclosed area — such as the covered rear seating area proposed in the

earlier scheme — would not comply with the smoking legislation and would be considered unacceptable due to the likely impact of noise and fumes on the amenity of neighbouring residential properties.

4.3 The current proposal has been specifically designed to address those concerns. The shisha use is confined to the external front forecourt, served by a retractable roof canopy which must be fully retracted at all times when shisha is in use. The rear area does not form part of the shisha provision.

5.0 Use Class and Principal Planning Issues

5.1 Use Class

5.1.1 The primary use of the premises is as a restaurant, which falls within Use Class E(b) of the Town and Country Planning (Use Classes) Order 1987 (as amended). It is acknowledged that the addition of an ancillary shisha element may lead the Local Planning Authority to determine that the overall use is sui generis, given that shisha use does not fall within any Use Class.

5.1.2 The applicant's position is that the primary use of the premises is as a restaurant and that the shisha provision is genuinely ancillary to that primary use. On that basis, the proposal may be considered as a Class E use with an ancillary element. However, the applicant acknowledges that the Local Planning Authority may take the view that the overall use is sui generis, having regard to the Inspector's conclusions in the appeal decisions at 3-5 Park Crescent and 181-183 Wilmslow Road, Manchester (APP/B4215/C/24/3338867 and APP/B4215/W/24/3337185, decision dated 16 April 2025). The application has been framed accordingly and the supporting documentation addresses the material planning considerations on the assumption that the use is sui generis, so that the proposal is robustly supported on either basis.

5.1.3 The Inspector in those appeal decisions confirmed at paragraph 21 that shisha smoking inside premises would not result in undue harm to nearby residents, and that conditions regarding opening hours and extraction could adequately address any such concerns. The harm identified at those appeals arose specifically from the necessity for large sliding doors to be opened — releasing noise and odour towards nearby residential properties — and from the proximity of those properties to the appeal premises. The current proposal directly addresses both of those concerns, as described below.

5.2 Principle of Use — District Centre Location

5.2.1 The site is located within Chorlton District Centre as defined on the Manchester Core Strategy Policies Map. Policy C2 of the Manchester Core Strategy (MCS, adopted 2012) supports the vitality and viability of district centres and encourages a range of commercial uses within them, including food and drink uses.

5.2.2 Policy C10 (Leisure and the Evening Economy) is also relevant. That policy seeks to ensure that leisure and evening economy uses make a positive contribution to the vitality of the district centre and do not have an unacceptable impact on the amenity of nearby residents. The proposed restaurant, with ancillary shisha provision, is a use that would contribute positively

to the active frontage and evening economy of Chorlton District Centre, consistent with the established character of this part of Barlow Moor Road.

5.2.3 Saved UDP Policy DC10.1 (Food and Drink Uses) supports food and drink uses within district centre locations. The application site is within the defined district centre and the proposed use is consistent with the type of use that Policy DC10.1 is intended to support.

5.2.4 The principle of a restaurant use at this location is therefore considered to be acceptable in land use terms, consistent with the development plan and supportive of the vitality and viability of Chorlton District Centre.

5.3 Residential Amenity — Noise and Disturbance

5.3.1 Policy DM1 of the Manchester Core Strategy and saved UDP Policy DC26 (Development and Noise) are the principal policies relating to residential amenity and noise. Policy DM1 requires that development should not give rise to unacceptable adverse effects on the amenity of neighbouring occupiers. Policy DC26 requires that developments do not have an unacceptably harmful noise impact on people living and working in the city. The Inspector in the Rusholme appeals confirmed at paragraph 29 that these policies attract full weight and are consistent with paragraph 135(f) of the NPPF (December 2024), which requires that planning decisions create places with a high standard of amenity for existing and future users.

5.3.2 An Acoustic Planning Report has been prepared by Lighthouse Acoustics (ref. 1599/APR1, April 2026) and is submitted in support of this application. The report establishes existing background sound levels at the site through a continuous automated measurement survey undertaken between 17 and 20 April 2026. Measurements were taken at two positions: Position A (western facade, first floor level, overlooking Barlow Moor Road) and Position B (eastern facade, first floor level, overlooking the rear).

5.3.3 The lowest representative daytime LA90 background sound levels were measured as 50dB at Position A and 39dB at Position B. The lowest representative night-time LA90 background sound levels were 40dB at Position A and 35dB at Position B.

5.3.4 The report assesses operational sound breakout through the proposed open bi-folding doors to the nearest residential receptor, being the first floor of 488 Barlow Moor Road to the south. It concludes that the calculated LAeq operational sound level at that receptor due to the bi-folding doors being open is 49dB, which achieves the representative daytime LA90 background sound level of 50dB at the window of the nearest residential receptor. The proposed use is therefore considered to be acoustically acceptable.

5.3.5 The report recommends that the in-house loudspeaker system be connected to an electronic noise limiter/compressor, which will be commissioned by an acoustic consultant prior to the commencement of the use and set to achieve the Local Authority's requirements. The device will be lockable and a commissioning report will be issued to the Local Planning Authority on completion. These measures are incorporated within the Operations Management Plan submitted with this application.

5.3.6 It is noted that the acoustic report identifies the first floor of the application premises as being in residential use as a flat at the time of the survey. The current proposal includes the conversion of the first floor flats to staff welfare, restaurant administration and storage use

ancillary to the restaurant. As a consequence, the nearest independent noise-sensitive receptor will remain the first floor of 488 Barlow Moor Road, as assessed in the report. The removal of the residential units from the building is therefore consistent with and supportive of the acoustic assessment.

5.4 Residential Amenity — Shisha Use and the Canopy Protocol

5.4.1 The primary concern identified in the Rusholme appeal decisions, and reflected in Mr Lawless's pre-application comments, was the impact of shisha use on the amenity of neighbouring residential properties — in particular the necessity for large openings to remain open to satisfy smoking legislation compliance, thereby allowing noise and odour to escape.

5.4.2 The current proposal addresses this concern directly through the design and operational framework for the external terrace. The key features are:

- Shisha use is confined exclusively to the external front forecourt, facing Barlow Moor Road to the west. There is no shisha provision within the internal areas of the building or in any rear external area.
- The retractable roof canopy over the front forecourt will be fully retracted at all times when shisha is in use. The canopy will not be deployed in a closed or partially closed position whilst shisha is being served or used. This ensures full compliance with the Health Act 2006 and prevents the accumulation of shisha fumes beneath the canopy structure.
- The morning breakfast and lunch service on the external terrace (07:00 to 16:00) will not involve shisha. During this period the canopy may be deployed to provide weather protection for diners. The canopy/shisha rule does not apply during this period as no shisha is in use.
- Shisha will only be available from 16:00 and will cease by 22:30. The external terrace will be cleared of all customers by 23:00.

5.4.3 The front forecourt faces Barlow Moor Road, which is a busy commercial street with an established evening economy character. The nearest residential receptors to the west are across Barlow Moor Road. The residential properties to the east are separated from the front terrace by the building itself, which acts as an acoustic and odour barrier. The siting of the shisha use on the front forecourt therefore minimises the potential for impact on the most sensitive receptors.

5.4.4 The Inspector in the Rusholme decisions noted at paragraph 26 that, in the absence of noise impact assessments and odour assessments, he could not be satisfied that the use would not harm the living conditions of nearby residents. The current application is supported by both an Acoustic Planning Report and an Odour Impact Assessment. The applicant has therefore ensured that the evidential gap which was fatal to the Rusholme appeals does not arise in the present case.

5.4.5 The applicant also draws attention to the Inspector's observation at paragraph 21 of the Rusholme decisions that shisha smoking inside premises would not result in undue harm and could be addressed by conditions. This is consistent with the approach taken in the current proposal, where indoor shisha is not proposed and all shisha use is confined to the open-air external terrace.

5.5 Residential Amenity — Odour

5.5.1 An Odour Impact Assessment has been prepared by Noise Assessments Ltd (ref. NALPRO080126.01a, January 2026) in accordance with the EMAQ (2018) guidance 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. The assessment identifies that, without mitigation, the proposed use presents a High risk of odour impact, principally due to the proximity of sensitive receptors and the nature of the Middle Eastern cuisine proposed.

5.5.2 The assessment recommends a high level of odour control, specifically: fine filtration or an Electrostatic Precipitator (ESP) unit, followed by carbon filtration with a 0.2 to 0.4 second residence time, or a UV ozone system of equivalent performance. A detailed Odour Management Plan is set out within Section 7 of the Odour Impact Assessment and is reproduced and expanded within the submitted Operations Management Plan.

5.5.3 The extract duct will discharge to above eaves level at the rear of the building, on the eastern elevation, at a minimum discharge velocity of 10-15m/s (Moderate dispersion category under the EMAQ methodology). Full details of the proposed extraction system, including confirmation of discharge velocity, will be submitted to and approved by the Local Planning Authority by way of condition before the use commences.

5.5.4 The odour from the shisha use on the external front forecourt will be managed through the canopy protocol described above. By ensuring that shisha is only used in fully open-air conditions, dispersion of odour is maximised. The building itself provides a barrier between the open front terrace and the residential properties to the rear.

5.6 Design and Appearance

5.6.1 The proposed alterations to the external appearance of the building are considered to be appropriate and in keeping with the established commercial character of this part of Barlow Moor Road. The bi-folding doors and powder-coated aluminium framing at ground floor level are of a quality and character consistent with neighbouring commercial premises. The retractable roof canopies to the front forecourt are in keeping with the covered external seating structures operated by the adjoining and nearby restaurants.

5.6.2 The 550mm diameter extract duct to the rear elevation will discharge vertically to above eaves level, minimising its visual impact on the rear elevation and on neighbouring residential properties.

5.6.3 The proposed development is considered to satisfy the design requirements of Policy DM1 of the Manchester Core Strategy and the design principles of the NPPF.

5.7 Loss of Residential Units

5.7.1 The conversion of the first floor flats to staff welfare, restaurant administration and storage use results in the loss of two residential dwellings. MCC’s housing policies, and in particular Policy H1 of the Manchester Core Strategy, seek to maintain and increase the supply of housing in the city. The loss of residential units is therefore a material consideration to which some weight must be given.

5.7.2 However, it is submitted that this weight is limited in the present case for the following reasons. The two flats are small units within a predominantly commercial building on a main

commercial street within a district centre. The conversion is to an ancillary use that supports the viable operation of an active commercial use on the ground floor, consistent with the district centre function of the site. Staff welfare, restaurant administration and storage accommodation of this nature is a necessary and common ancillary use in commercial premises of this type. The units are not demonstrated to be in active residential use at the time of this application, the ground floor having been vacant for a significant period.

5.7.3 On balance, it is considered that the limited weight to be given to the loss of these two units is outweighed by the planning benefits of bringing a vacant commercial ground floor back into active use, supporting the vitality and viability of Chorlton District Centre, and providing a well-managed restaurant and leisure use consistent with the established character and function of this part of Barlow Moor Road.

6.0 Suggested Planning Conditions

6.1 The applicant is agreeable to the imposition of planning conditions to secure the matters set out in this statement and in the submitted Operations Management Plan. Without prejudice to the precise wording of any conditions imposed, the applicant considers that the following matters would be appropriate subjects for conditions:

- Hours of operation: 07:00 to 23:00, seven days per week, with no customers to be admitted after 22:30.
- Shisha use to be confined to the external front forecourt only. No shisha to be used or permitted within the internal areas of the premises at any time.
- The retractable roof canopy to be maintained in the fully retracted position at all times when shisha is in use on the external forecourt. Shisha not to be served or used when the canopy is in any closed or partially closed position.
- Shisha use on the external forecourt to cease by 22:30. External forecourt to be cleared of all customers by 23:00.
- Details of the proposed extraction system (including discharge height, velocity and odour abatement equipment) to be submitted to and approved in writing by the Local Planning Authority before the use commences, and installed in accordance with the approved details before first use.
- Mechanical ventilation details and a BS 4142 assessment to be submitted to and approved in writing by the Local Planning Authority before any mechanical ventilation is installed.
- Noise limiting device to be installed, commissioned and set by an acoustic consultant before the use commences. A commissioning report to be submitted to the Local Planning Authority. The device to be maintained in working order and not adjusted without the prior written consent of the Local Planning Authority.
- No subwoofers to be used at any time. No external amplified music on the forecourt at any time.
- No deliveries, refuse collections or external waste disposal outside the hours of 08:00-18:00 Monday to Friday and 08:00-13:00 Saturday.

- The Operations Management Plan (June 2026) to be implemented and maintained in full, and not varied without the prior written approval of the Local Planning Authority.

7.0 Conclusion

7.1 This statement has set out the case in support of a planning application for the change of use of 450 Barlow Moor Road, Chorlton-cum-Hardy to a restaurant with ancillary shisha use on the external front forecourt (sui generis).

7.2 The site is located within Chorlton District Centre, where restaurant and leisure uses are consistent with and supported by the development plan, in particular Policies C2, C10 and DM1 of the Manchester Core Strategy and saved UDP Policies DC10.1 and DC26. The proposal would bring a vacant commercial ground floor back into active use, contributing to the vitality and viability of the district centre.

7.3 The proposal has been carefully designed to address the concerns expressed by the Local Planning Authority in pre-application correspondence and to distinguish the current application from previous proposals and appeal decisions involving the applicant. In particular:

- Shisha use is confined to the external front forecourt only, in fully open-air conditions.
- The retractable roof canopy protocol ensures compliance with the Health Act 2006 and prevents the accumulation of shisha fumes, directly addressing the principal concern identified in the appeal decisions at 3-5 Park Crescent and 181-183 Wilmslow Road (APP/B4215/C/24/3338867 and APP/B4215/W/24/3337185).
- The application is supported by an Acoustic Planning Report, an Odour Impact Assessment and an Operations Management Plan — addressing the evidential gap which was identified as determinative in those previous appeal decisions.
- The proposed operating hours, noise management measures and odour control system are considered to be sufficient to protect the amenity of neighbouring residents to a standard consistent with Policies DM1 and DC26.

7.4 It is respectfully submitted that the proposal is acceptable in planning terms and that planning permission should be granted, subject to appropriate conditions as described in Section 6 of this statement.