MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Part 1 – Particulars of the application/development

Proposal:

Change of Use of upper floors from commercial use (use class E) to residential (use Class C3) to form 4no. 2-bedroom self-contained apartments, creation of 4no. car parking spaces, associated landscaping works, and provision of a replacement external steel staircase.

Location:

170 - 172 Cheetham Hill Road Manchester M8 8LQ

Application reference:

145247/FO/2026

Applicant:

Mr Jawid Rohollah Iskandari

Date of application:

06 March 2026

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **refused** in accordance with the application and plans submitted for the reasons listed below.

Article 35 Declaration

Officers have worked with the applicant in a positive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, but these concerns cannot be overcome, given that the principle of development in unacceptable. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

Reason(s) for decision

1) The application site is located within the established employment area of Strangeways, which is characterised by a concentration of long-standing commercial and industrial businesses. The operations of these existing businesses have the potential to give rise to significant noise and disturbance, including activity associated with 24-hour servicing and other operational requirements, which could adversely affect the amenity of nearby residential occupiers. Further, the emerging regeneration strategy for the area promotes employment-led development. In this context, the proposed change of use to residential accommodation on the upper floors is not considered compatible with the area's employment objectives. It would therefore be inappropriate to introduce a sensitive residential use into an environment where occupants would be susceptible to noise and operational impacts from established businesses, contrary to the Agent of Change principle and in order to safeguard residential amenity, pursuant to policies SP1, EC1, EC2, EC3, EC4, CC1 and DM1 of the Manchester Core Strategy (2012), saved policy DC5 and DC26 Unitary Development Plan for the City of Manchester

(1995), Policy JP-J2 of the Places for Everyone Joint Development Plan (2024), the Strangeways and Cambridge Strategic Regeneration Framework and the National Planning Policy Framework (2026).

2) The proposed development would result in the loss of employment floorspace, contrary to saved Policy CC10 of the Manchester Unitary Development Plan (1995), Policies DM1, EC1, EC2 and EC4 of the Manchester Core Strategy (2012), Policies JP-J2 and JP-J4 of the Places for Everyone Joint Development Plan (2024), the Strangeways and Cambridge Strategic Regeneration Framework (2025), and the National Planning Policy Framework (2026). These policies seek to safeguard this area for employment-generating uses associated with the Strangeways Employment Area, which is principally characterised by industrial, wholesale and warehouse operations. A residential use is incompatible with these objectives and would undermine the strategic aim to maintain and enhance economic activity within the locality.

3) The proposed development by reason of the proposed access arrangement to the flats (no.s 2 & 4) at the rear would lack surveillance from the public domain and provide opportunities for crime and anti-social behaviour, undermining the security of prospective residential occupiers. As such, the proposal would fail to secure a satisfactory standard of residential amenity, contrary to the objectives of creating safe, inclusive and sustainable communities in line with the provisions of policies SP1, DM1 and H3 of the Core Strategy (2012), policy DC5 Unitary Development Plan for the City of Manchester (1995) and the National Planning Policy Framework (2026).

Date: 21 August 2026

Signed: 
Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 (as amended) does not include any consent or approval under any other enactment, byelaw, order or regulation.

2. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 (as amended) within six months of the date of the notice of the decision. However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

   - 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.

   - 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

   The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/appeal-planning-decision The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

   The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

   If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990 (as amended), namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority of the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

   In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The

circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990 (as amended).

Right of challenge on planning application decision

A third party does not have a right of appeal against a decision on a planning application. Instead, there is a right of challenge (a Judicial Review) which is limited to lawfulness of the procedure that we have taken in coming to that decision.

Any challenge must be based on the following and not the merit of the decision:

- Procedural irregularity
- Irrationality
- Illegality

Any application for permission to bring such a challenge (which is through the High Court) must be made within 6 weeks of the date of the decision being issued.