MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)
Planning (Listed Building & Conservation Area) Act 1990 (as amended)

Refusal of details reserved by condition

Applicant

E Aftab
Allied London Campfield Developments Limited
Suite 1 Bonded Warehouse
18 Lower Byrom Street
Manchester
M3 4AP

Agent (if used)

Mrs Deborah Baker Barnett
Zerum
South Central
Suite 4E
11 Peter Street
Manchester
M2 5QR

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 12 (Plant) and 13 (Noise) pursuant to planning permission 138377/FO/2023

Location: Upper And Lower Campfield Market Halls , Liverpool Road, Manchester,

Date of application: 28 July 2025

Application number: CDN/25/0720

Part 2 – Particulars of decision

Manchester City Council gives notice that the detail(s) referred to in Part 1 are **Refused** in accordance with the information set out below.

Condition 12 Plant
The following information has been submitted in respect of this planning condition:

- Condition 12 report ref. 23190-R05-B26 September 2025 preapred by Sandy Brown recieved by the City Council, as Local Planning Authority, on the 29 September 2025

- Email from Zerum dated the 10 October 2025

The above information was not submitted in a timely manner to allow the LPA to consider the information within the stautory time frame.

Condition 12 remains outstaing on the basis the LPA could not be satisifed that the following information was submitted:

- The upper Campfield site includes 1 roof mounted plant room and it has been suggested that the noise levels were unmeasurable against the background. Where

were the measurements taken? These should be taken at 1m from the plant room so measurements will need to be taken from the roof level rather than ground level. There may be receptors facing or higher than the roof mounted plant which will experience greater noise from the plantroom discharge than ground level so assessment will need to be made based on measurements taken at roof level and also comment to confirm if any receptors are in line of sight or overlook the plant room. A rating table will need to be provided with reductions used for distance and screening based on measurements at 1 metre from the plant discharge louvre.

- Is there a kitchen extraction system to be installed as part of the café use? This will also require assessment against the condition. Similarly, any chiller units that may not be within the plant room associated with the café use will also need to be identified and assessed.

Condition 12 is not formally discharged.

Condition 13 Noise
The following information has been submitted in respect of this planning condition:

- Condition 13 report 23190-R06-A 24 July 2025 preapred by Sandy Brown recieved by the City Council, as Local Planning Authority, on the 28 July 2025

The above information has been considered and is not acceptable. A request for further information was made on the 5 September for the following:

The diagram in figure 1 doesn't highlight the residential receptors to the North in Blue as referred to so this will need to be amended.
Attended measurements were taken externally facing the Oxnoble. We will also need attended measurements externally to account for the residential properties to the north to measure noise levels / breakout from the other side of the building facing these residential receptors.
Measurements of the upstairs ceiling mounted speakers in the bar area have been undertaken and at maximum use were around 70 to 74dB which is within the proposed internal limits previously recommended. How are these levels at the maximum Volume? Is this due to the speaker capability or is this because the internal noise level has been set and controlled by a limiter? If it is a limiter then we will need evidence to demonstrate it has been installed, set and made tamperproof.
The 2 larger wall mounted speakers downstairs were not operational when verification measurements were being completed. We will need testing to include these speakers to confirm they either do not have the capacity to go over the 70-74dB level or confirm they have been linked into the limiter. Also, the noise breakout may be different externally with these speakers in use depending on the building performance in this location or if any doors open downstairs.
Were the attended measurements externally taken with doors open? This will be required if not. Have lobbied door sets been installed?
Have all the redundant building louvres been blocked off as recommended in the initial report? Evidence will need to be provided under validation.
Night time attended measurements will be required if it is proposed that the events or use of speakers occurs after 23:00
The results seem to show that the when the music is on, the noise level is greater at the Oxnoble receptor than when the music is off so would not meet the requirement of 5dB below the background?

The Upper Campfield site will still need breakout validation assessment under this condition so regardless of the above, we can't recommend discharge until the Upper Campfield site has been finalised and validated.

No further information has been submitted.

Condition 13 is not formally discharged.

Date: 13 October 2025

Signed:

Julie Roscoe
Director of Planning, Building Control & Licensing

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

Notes

1. This decision relates only to that required under the Town and Country Planning Act 1990 (as amended) or Planning (Listed Building & Conservation Area) 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 or sections 20 and 21 of the Planning (Listed Building & Conservation Area) Act 1990 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-inspectorate. The Inspectorate will publish details of your appeal on the internet.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

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.

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

4. If either the local planning authority or 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 their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

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.