MANCHESTER CITY COUNCIL

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

Partial approval of details reserved by condition

Applicant

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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 9 (drainage information), 12 (Plant Noise), 15 (Fumes extraction information), 19 (Opening hours) and 29 (Bat and bird box information) attached to planning permission 138377/FO/2023

Location: Upper And Lower Campfield Market Halls , Liverpool Road, Manchester, M3 3NG

Date of application: 7 March 2025

Application number: CDN/25/0220

Part 2 – Particulars of decision (a)

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

Condition 29 Bats
The following information has been submitted in respect of this planning condition:

- Statement received by the City Council, as Local Planning Authority, on the 7 March 2025

The above information has been considered and is acceptable.

Condition 29 is now formally discharged.

Part 2 – Particulars of decision (b)

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

Condition 9 Drainage
The following information has been submitted in respect of this planning condition:

- Statement received by the City Council, as Local Planning Authority, on the 7 March 2025

The above information has been considered and is not acceptable. The following information is required:

The scheme is utilising the existing drainage surface water drainage layout, and the point of discharge is the public sewer.
The developer has provided a CCTV survey of the existing network.

However, the survey fails to identify the point of outfall and connectivity to the public sewer.

The Lanes Group PLC CCTV Survey (ref: LSO0373827, date; 27.06.2024) states the point of discharge to be an "Unknown type Drain/Sewer". As per the above point, the developer will need to demonstrate the discharge location is the public sewer prior to approval.

The maintenance report states that the responsibility of the required maintenance fall to multiple authorities. No details have been provided for these multiple authorities, please confirm who will be responsible for maintenance and operation of the proposed drainage.

Condition 9 is not formally discharged.

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

- Statement received by the City Council, as Local Planning Authority, on the 7 March 2025 and 6 May 2025

The above information has been assessed and is not acceptable. The following information is required:

A noise assessment of any plant, including that which requires louvred intake and or extractor located internally but ducting externally via louvred intake / extract to demonstrate compliance with the criteria can be achieved and details of any necessary mitigation measures where required.

Condition 12 is not formally discharged.

Condition 15 Fumes
The following information has been submitted in respect of this planning condition:

- Statement received by the City Council, as Local Planning Authority, on the 7 March 2025

The above information has been considered and is not acceptable. The following information is required:

The kitchen extraction proposals include a combined ESP and UV unit followed by carbon filters but the risk assessment found in the guidance document hasn't been submitted for review which will need to be completed and submitted. We will also need details of the pre filters to be installed prior to the ESP/UV unit and the diagram will need to be updated to identify these. Ideally, we would like to
see a simplified diagram of just the kitchen extract from cooker hood to extraction louvre identifying the filters, fume odour abatement fans and access hatches in the ductwork in relation to these components.

It looks as though the extract will be discharged 7m above the building but still not at vertical extraction and below the building roofline via a louvre which is not ideal or a preferred option so we will need additional information including diagram and photos of the surrounding area in relation to the louvred extraction including relation and distance to nearby receptors, particularly any windows
on the existing and neighbouring buildings and in relation to any air intakes on surrounding buildings.

We will need to review this before we can look to agree the proposals.

We will need a full maintenance, cleaning and replacement schedule for all the filters, ductwork, fans and fume and odour control equipment including daily, weekly, monthly and annual tasks and who is responsible. A robust and thorough cleaning and maintenance schedule will need to be submitted if lower level louvred extract is being proposed.

Condition 15 is not formally discharged.

Condition 19 Opening Hours
No details have been submitted for consideration

Condition 19 is not formally discharged.

Date: 30 May 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.