MANCHESTER CITY COUNCIL

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Mr Latakshi Devadiga Rashmi Potnis
LPR Ch Ltd
595 Cheetham Hill Road
Manchester
M8 5EJ

Agent (if used)

Mr Talat Zeria
HSH Engineering Design Service Ltd
428 Cheetham Hill Road
Manchester
M8 9LE

Part 1 – Particulars of the application/development

Proposal: Installation of new external flue at the rear of the maintaining the existing flue pipe on the side of the property including installation of a new internal shutter to the side of the property

Location: Rear Of 595 Cheetham Hill Road, Manchester, M8 5EJ

Date of application: 13 February 2025

Application number: 141702/FO/2024

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

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) attached to this decision

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 drawings and documents received by the City Council as local planning authority on 10 December 2024 and 13 February 2025:

Planning application forms

Location plan with a red edge
Proposed Elevations Ref: 05
Proposed plan and elevations Ref: 06.

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 shall operate in conjunction with the use of the ground floor of 595 Cheetham Hill Road, Manchester, M8 5EJ as a restaurant (Class E (b)) and for no other purpose.

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 DC26 and policies JP-P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone

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

Reason - In the interests of the amenities of the occupiers nearby properties and to comply with saved policy DC10 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Core Strategy for the City of Manchester, saved policy DC26 and policies JP-P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

5) a) Before the implementation of the development, any externally mounted ancillary equipment required in association with the Class E use of the property, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority to secure a reduction in the level of noise emanating from the equipment.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise 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 safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester, saved policies DC10 and DC26 of the Unitary Development Plan and policies JP-P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

6) The following the installation of the flue hereby authorised, the existing flue to the northern elevation shall be removed in accordance with the detail of the email from HSH Engineering Design Service Ltd dated 12 February 2025. The related gable wall shall be reinstated using matching materials, which will be maintained in situ thereafter.

Reason - To safeguard the amenities of the arear and the appearance of the streetscene, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester, saved policies DC10 and DC26 of the Unitary Development Plan and policies JP-P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

7) Before the waste arrangements are brought into use, a scheme shall be submitted to and approved in writing by the City Council as local planning authority, detailing the specification and colour treatment of the proposed roller shutters detailed on drawing referenced Proposed plan and elevations Ref: 06. The approved scheme shall be implemented in accordance with the approved details upon commencement of the operation of the bin store and maintained in situ thereafter.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation and to secure appropriate arrangements for the storage of bins, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester, policy DC10 of the Unitary Development Plan and policies JP-P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

8) Upon first occupation the development, the arrangements for waste and recycling storage, as detailed on drawing referenced Proposed Elevations Ref: 05 and Proposed plan and elevation Ref: 06 shall be fully implemented and maintained in situ thereafter.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation and to secure appropriate arrangements for the storage of bins, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester, policy DC10 of the Unitary Development Plan and policies JP-P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

Informatives

Building Regulations 2010
This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements
Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:
http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

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

Date: 9 April 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 permission refers only to that required under the Town and Country Planning Act 1990 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 within six months of the date of the notice of the decision.

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, 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

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.