

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

Partial approval of details reserved by condition

Applicant

Raju Haider
Commercial Kitchen & Bar Ltd
Suite 2.2 My Buro
20 Market Street
Altrincham
WA14 1PF

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Partial discharge of conditions 3 (Acoustics), 9 (Acoustics Plant), 11 (Fumes), 13 (Hours), 15 (External Hours) and 16 (External Music) in relation to application 108963/FO/2015/C1 in relation to retail Unit 1a.

Location: Land Bounded By Medlock Street / River Street And Number One First Street , Manchester City Centre , Plot 5 Of The First Street Masterplan

Date of application: 22 October 2025

Application number: CDN/25/1029

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.

Hours

The following information has been submitted for consideration in respect of this planning condition, received by the City Council as the Local Planning Authority:

- 17:00 to 23:00, Monday to Sunday

The above information submitted has been considered and is acceptable. The development shall now be carried out in accordance with the above.

Condition 13 is now formally discharged solely in relation to Retail Unit 1a.

External Hours

The following information has been submitted for consideration in respect of this planning condition, received by the City Council as the Local Planning Authority:

- Letter dated 16th December

The above information submitted has been considered and is acceptable. The development shall now be carried out in accordance with the above.

Condition 15 is now formally discharged solely in relation to Retail Unit 1a.

External Music

The following information has been submitted for consideration in respect of this planning condition, received by the City Council as the Local Planning Authority:

- Letter dated 16th December

The above information submitted has been considered and is acceptable. The development shall now be carried out in accordance with the above.

Condition 16 is now formally discharged solely in relation to Retail Unit 1a.

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.

Acoustics

The information submitted in relation to the discharge of Condition 3 has been considered and is not acceptable.

There is no mention of noise breakout from the commercial unit in the report, only plant noise. The acoustic assessment must also assess any general noise breakout from the unit and how this might be mitigated.

Condition 3 is therefore not formally discharged solely in relation to Retail Unit 1a.

Acoustics Plant

The information submitted in relation to the discharge of Condition 9 has been considered and is not acceptable.

It will not be satisfactory to discharge this until we know what the mitigation measures are. This information must be obtained from the M&E Consultant/extract engineer and then the specifications must be provided to their acoustician so the report can be updated to reflect what is being proposed and the expected noise levels.

Condition 9 is therefore not formally discharged solely in relation to Retail Unit 1a.

Fumes

The information submitted in relation to the discharge of Condition 9 has been considered and is not acceptable.

You will need to provide a kitchen extraction strategy so show how you will meet the level of odour control required in the risk assessment. We would expect it to include the specifications for the odour control and servicing and maintenance arrangements. This can be in a report form with schematic drawings showing the kitchen extraction system with the locations of the odour control measures.

Condition 11 is therefore not formally discharged solely in relation to Retail Unit 1a.

Date: 24 December 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.