

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

Town & Country Planning Act 1990 (as amended)

Planning Permission

Part 1 – Particulars of the application/development

Proposal:

Change of use to commercial kitchen and food delivery operation (Sui Generis) with associated external alterations.

Location:

94 - 98 Fairfield Street Manchester M1 2WR

Application reference:

142949/FO/2025

Applicant:

Rehan Galway & Derry Holdings Ltd

Date of application:

12 May 2026

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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the application.

Condition(s) attached to this decision

- 1) The development must be begun not later than three years beginning with the date of this permission.

Reason - Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

[insert plan references]

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.

- 3) Within 2 months of the date of this permission, the brick infill works as shown on Drawing NP-087-PL-104 Rev B shall be implemented and the materials shall be of a similar appearance and painted to match the exterior of the existing brickwork.

For the avoidance of doubt this refers includes the removal of existing painted breeze block infills and replacement with painted brickwork to match the exterior of existing brickwork.

Reason - In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies SP1 and DM1 of the Core Strategy and the requirements of the National Planning Policy Framework.

- 4) a) Prior to the installation of the extract flue as shown on a drawing NP-087-PL-104-B and NP-087-PL-103-B (Received 1 May 2026), a scheme for the extraction of any fumes, vapours and odours (including details to confirm the colour of the flue) from the premises shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the use commences and shall remain operational thereafter

b) Prior to the first use of the development hereby approved, confirmation shall be submitted for the approval of the City Council as Local Planning Authority that the approved scheme has been implemented.

c) In the event of non-conformity with the details approved in part a of this condition, then any measures/changes required to achieve conformity shall be carried out. Any required measures/changes and verification shall continue until conformity has been achieved and agreed in writing by the Local Planning Authority, before the use can commence.

Reason - In order to ensure the efficient dispersal of cooking odours from the premises in the interests of the amenity of neighbouring occupiers and to ensure that any ventilation flues/ducting can be accommodated without detriment to character and appearance of the host building and the surrounding area in accordance with policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

- 5) a) The internal (where required to extract externally) and externally mounted plant, equipment and servicing to the external plant room shall be installed in accordance with the Noise Impact Assessment: 32081 Revision A, prepared by ACP, Dated January 2026, received by the City Council as Local Planning Authority on 25th March 2026. This demonstrates that the plant hereby approved will achieve a rating

level of 5dB (LAeq) below the typical background (LA90) level in each octave band at the nearest noise sensitive location.

b) Prior to the first use of the extraction flue and associated equipment/servicing hereby approved, a verification report, which will include post-completion testing, shall be submitted to and be approved in writing by the Local Planning Authority to validate that the plant approved can achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

c) In the event of non-conformity with a rating level of 5dB (LAeq) below the typical background (LA90) level in each octave band, then any measures/changes required to achieve conformity shall be carried out. Any required measures/changes and verification shall continue until conformity has been achieved and agreed in writing by the Local Planning Authority, before the first operation of the plant hereby approved.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site. Pursuant to policies SP1 and DM1 of the Core Strategy and saved policy DC26 of the UDP.

- 6) The development hereby approved shall operate in accordance with the Operational Management Plan and Waste Management Strategy Version 2 (Received by the City Council as Local Planning Authority on 22 May 2026) and shall be retained in place for the lifetime of the development.

Reason - To ensure the safe operation of the site in respect to access and deliveries and also adequate refuse arrangement are put in place for the use pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

- 7) The car parking and delivery driver drop off/collection points shall have demarcated bays in accordance with the details shown on drawing No.NP-087-PL-101 Revision C (Received by the Local Planning Authority on 12 May 2026) and shall be retained and maintained for the lifetime of the development thereafter.

Reason - To ensure the provision of clearly defined car parking spaces and aisles in the interest of the safe operation of the site and the protection of neighbouring amenity in accordance with Core Strategy Policy DM1, Saved Unitary Development Plan Policy DC26 and the National Planning Policy Framework.

- 8) The premises shall not be open outside the following hours:

10:00 until 22:00 Monday to Sunday

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

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: www.manchester.gov.uk/roads-and-transport/street-naming-and-numbering

Fume extraction

The applicant will need to consult with a suitably qualified ventilation engineer and submit a kitchen fume strategy report for approval. The strategy should include risk assessments for odour and noise and be appropriate guidance such as that published by EMAQ titled 'Control of Odour and Noise from Commercial Exhaust Systems' dated May 2022. Details should also be provided in relation to replacement air.

HS2

Firstly, from comparison of the application red line boundary plan with limits of land subject to formal S106 Directions for Phase 2b of HS2, it is evident that the site is located entirely within HS2 safeguarded land.

Secondly, you will be aware that safeguarding is an established part of the planning process, designed to ensure that land which has been identified for major infrastructure projects is protected from conflicting developments. Further information and guidance for Local Planning Authorities on the process is available online here: <https://www.gov.uk/government/collections/safeguarding-information-and-maps-for-hs2#guidance>.

As you may also have seen, the Government has recently announced its growth strategy for the North, which includes its plans for investment in Northern Powerhouse Rail (NPR). NPR will seek to create a turn of mind railway, improving connections between the key cities along the Northern Growth Corridor: Liverpool, Manchester, Bradford, Leeds, Sheffield and York, with connectivity benefits across the rest of the North. Full information on this announcement can be found at: [Northern Growth Strategy: Case for change - GOV.UK](#)

To support the delivery of the NPR scheme, HS2 Ltd will resume work on the High Speed Rail (Crews and Manchester) Bill (the 'Bill'). The Bill has been carried over from the last Parliament and will be used to support the section of route into Manchester via Manchester Airport, which will also include a new station at Piccadilly.

Using the Bill to support the delivery of NPR makes use of the significant progress already made and it can be seen there is reference to a commitment to developing a new rail link between Birmingham and Manchester.

Now, turning to the application proposals, the site falls within land that remains safeguarded for the construction/operation of Phase 2b of HS2 and the applicant is advised that a series of highways diversions and closures of Fairfield Street are potentially required for delivery of the HS2 programme in that location. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/104444/HS2_Phase_2a_Act_Environmental_Statement.pdf for further information of the community area collections previously published for the High Speed Rail (Crews and Manchester) Environmental Statement.

It is also acknowledged that the application proposals are for change of use of an existing building with only relatively minor external alterations required to enable the development. However, as a consequence of construction and logistics requirements the property may be subject to some disruption whilst the road diversions mentioned above are undertaken for enabling utility and construction works.

Accordingly, the applicant is advised that any grant of planning consent and subsequent works to the site will be time limited due to HS2 Ltd's interest in acquiring the land using future Bill/Act powers. If those powers are not granted with provisions in the previous HS2 Phase 2a Act then any future replacement or relocation of those powers will reflect the current provision, and any additional costs would be the responsibility of the developer.

Date: 02 July 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 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 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 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.

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.