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

Part 1 – Particulars of the application/development

Proposal:

Variation of Condition 2 (specified plans) attached to planning permission 140632/FO/2024 to make elevational alterations.

Location:

The Point 173 Cheetham Hill Road Manchester M8 8LG

Application reference:

PLA-2026-000563

Applicant:

Mr Khaled Hasan

Date of application:

03 June 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 to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

Condition(s) attached to this decision

1) The development must be begun not later than 16 October 2027.

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:

Location Plan and drawings referenced 18-14/06/A (existing and proposed ground floor plan) and 18-24/02/D (proposed roof terrace plan), received by the City Council as Local Planning Authority on 26 July 2024, drawing referenced 18-24/07/C (proposed roof plan and site), received by the City Council as Local Planning

Authority on 10 October 2024 and drawing referenced 18-24/05 F, received by the City Council as Local Planning Authority on 3 June 2026.

Reason - To ensure that the development is carried out in accordance with the approved plans and documents, pursuant to policies SP1 and DM1 of the Manchester Core Strategy

3) The development hereby approved shall only be implemented in accordance with the external materials, received by the City Council as Local Planning Authority on 24 February 2026, as agreed as part of discharge of condition application referenced CDN/26/0176.

Reason - To ensure that the appearance of the development is acceptable to the City Council as Local Planning Authority, in the interests of the visual amenity, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

4) The development hereby approved shall only be implemented in accordance with the construction management details shown on drawing referenced 18-24/13/C (enabling works site plan) received by the City Council as Local Planning Authority on 24 February 2026 and supplemented by details received via e-mail dated 5 April 2026, as agreed as part of discharge of condition application referenced CDN/26/0176

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

5) Deliveries, servicing and collections, including waste collections shall not take place outside of the following hours: 07.30 to 20.00 hrs Monday to Saturday; 10.00 to 18.00 hrs on Sundays and Bank Holidays.

Reason - To safeguard the amenities of nearby residential occupiers, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

6) The premises hereby approved shall not be open outside the following hours: - 12.00 - 02.00 hrs daily.

Reason - In interests of 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 Manchester Core Strategy.

7) Notwithstanding details submitted, the restaurant/bar hereby approved shall not be occupied until an updated scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as Local Planning Authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation. No bins shall be stored outside the curtilage of the site other than on the day of collection.

Reason - In the interests of amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

8) Notwithstanding details submitted, a more detailed 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 prior to occupancy and shall remain operational and maintained thereafter.

Reason - In the interests of the amenities of nearby occupiers in order to comply with saved policy DC10 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy. The strategy should include risk assessments for odour and noise and be based on appropriate guidance such as that published by EMAQ titled 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' dated September 2018. Details should also be provided in relation to replacement

9) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Notwithstanding details submitted, prior to commencement of the use hereby approved a scheme shall be submitted to and approved in writing by the City Council as Local Planning Authority in order to achieve the required rating level and to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences.

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 minimise the impact of the development and to prevent a general increase in preexisting background noise levels around the site, pursuant to saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy. The submitted assessment does not include assessment at the neighbouring buildings and only includes assessment of the a/c unit and has not included noise from the Kitchen Extraction equipment or any chiller units etc..

10) a) Notwithstanding details submitted, the premises shall be acoustically insulated and treated to limit the breakout of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as Local Planning Authority.

b) Prior to first occupation of the development hereby approved, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal 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 internal noise criteria.

Reason - In order to safeguard the amenity of existing and future occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1, H1 and DM1 of the Manchester Core Strategy. The assessment needs to include noise breakout from patrons at the neighbouring building and consideration of noise breakout if windows are left open.

11) The use hereby approved shall not become operational until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as Local Planning Authority. Details shall include the number of spaces, means of enclosure, shelter, access and security measures. The approved space and facilities shall then be retained and permanently reserved for bicycle parking so long as the use is operational.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Manchester 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

Adverts

Any signage may require an application for advertisement consent.

Mining

Please see information relating to mining in Appendix A.

Date: 20 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 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.

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.

Appendix A - Mining Information

Mining Remediation Authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Standing Advice valid from 1st January 2025 until 31st December 2026