MANCHESTER CITY COUNCIL

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

Approval of details reserved by condition

Applicant

Mr Ray Collins
Kellen Homes
1st Floor
103 Dalton Avenue
Birchwood
Warrington
WA3 6YF

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 18a (Acoustics), 30 (Bird and Bat Boxes) and 32b (landscaping) attached to planning permission 134504/FO/2022

Location: Olympic Freight Terminal, Bennett Street, Manchester, M12 5NL

Date of application: 18 April 2024

Application number: CDN/24/0312

Part 2 – Particulars of decision

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

Condition no. 18a Acoustics
The content of the Noise and Vibration Impact Assessment report ref: 50-636-R1-4 dated 14th July 2022 has been reviewed and is considered to be acceptable . On the basis that the mitigation measures within the Noise and Vibration Impact Assessment report ref: 50-636-R1-4 dated 14th July 2022 are implemented in full before any of the directly associated dwelling units to the nearby rail lines are occupied, condition no.18a is discharged.

Condition no. 30 Bird and Bat Boxes
The Bennett Street Bat and Bird Box Strategy by Ecus dated 25th March 2024 (including locations shown on Figure 1 -Bat and bird box locations), together with visuals of the Schwegler Sparrow terrace and Schwegler Starling Nest box and Ibstock Enclosed Bat Box 'C' received 12.06.2024 have been examined and are considered to be acceptable. On the basis that the scheme is implemented in accordance with the measures within the report and visuals referenced above, prior to the occupation of the buildings, and retained at all times thereafter, condition no.30 is discharged.

Condition no. 32b Landscaping

The species, and associated planting locations, together a management and maintenance strategy, for the proposed landscaping referenced in the documents and shown on the plans specified below have been examined.

Revised BNG Assessment - Technical Note dated 15.03.2024
25 year management plan ref: YD1_2_013_BS_LMR001
Received 18th April 2024

Composite Plant Schedule ref: YD2 _CD_LP010 rev.T2
Composite Plant Schedule ref: YD2 _CD_LP100 rev.T4
Planting plan sheet 1 of 8 ref: YD2 _CD_LP101 rev. T4
Planting plan sheet 2 of 8 ref: YD2 _CD_LP102 rev. T4
Planting plan sheet 3 of 8 ref: YD2 _CD_LP103 rev T4
Planting plan sheet 4 of 8 ref: YD2 _CD_LP104 rev. T4
Planting plan sheet 5 of 8 ref: YD2 _CD_LP105 rev. T4
Planting plan sheet 6 of 8 ref: YD2 _CD_LP106 rev. T4
Planting plan sheet 7 of 8 ref: YD2 _CD_LP107 rev T4
Planting plan sheet 8 of 8 ref: YD2 _CD_LP108 rev. T4
Received 13th June 2024.

On the basis that the development is implemented in accordance with the details on the plans and in the documentation referenced above condition no.32b is discharged.

Date: 13 June 2024

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 (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.

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 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.