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 Neil Large
Companio Bakery
C/o Agent

Agent (if used)

Mrs Caroline Payne
Emery Planning
1-4 South Park Business Court
Hobson Street
Macclesfield
SK11 8BS

Part 1 – Particulars of the application/development

Proposal: Part discharge of conditions 8 (Noise - External Equipment), 9 (Fumes, Vapours and Odours), 11 (Opening Hours), 31 (Commercial Waste Management) pursuant to planning permission 131730/JO/2021 for Unit 1 of Block B of the development.

Location: Land Off Oldham Street And Spear Street, Manchester, M4 1LF

Date of application: 2 February 2024

Application number: CDN/24/0070

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 8 - Noise
Condition 8 is hereby part discharged to allow the occupation of Unit 1 of Block B of the development on the basis of the information within the letter from Emery Planning dated 31 January 2024, the email from Emery Planning dated 15 March 2024, the NEW BX Eco-Connect+ Convection Oven specification document and Machine Noise Information document both received by the City Council as local planning authority on 15 March 2024.

Condition 8 cannot be fully discharged until the requirement of all occupiers of the commercial space is known and approved by the City Council as local planning authority. This condition has previously been part discharged to allow the occupation of Unit 2 of Block B. Full details of this part discharge are confirmed within application referenced CDN/23/0842.

Condition 9 - Fumes, Vapours and Odours
Condition 9 is hereby part discharged to allow the occupation of Unit 1 of Block B of the development on the basis that the proposed bakery oven would not require any extraction as this is built into its design, which condenses the steam and filters it into

clean drainable water as confirmed in the letter from Emery Planning dated 31 January 2024 and shown within the document including hood specifications and the drawing referenced 034_PLN_207 Rev P01 both received by the City Council as local planning authority on 2 February 2024 and on the basis that this remains the case for the duration of the use.

Condition 9 cannot be fully discharged until the requirement of all occupiers of the commercial space is known and approved by the City Council as local planning authority. This condition has previously been part discharged to allow the occupation of Unit 2 of Block B. Full details of this part discharge are confirmed within application referenced CDN/23/0842.

Condition 11 - Hours of Operation
The approved opening hours for Unit 1, Block B are as follows:

07:00 to 22:00 Daily

Condition 11 is therefore hereby part discharged for Unit 1, Block B. This condition will not be fully discharged until opening hours for all commercial units have been submitted to and approved in writing by the City Council as local planning authority.

This condition has previously been part discharged to allow the occupation of Unit 2 of Block B. Full details of this part discharge are confirmed within application referenced CDN/23/0842.

Condition 31 - Commercial Waste
Condition 31 can hereby be considered to be part discharged to allow the occupation of Unit 1 of Block B of the development provided that the waste from Unit 1 of Block B is managed in accordance with the letter from Emery Planning dated 31 January 2024, the email from Emery Planning dated 15 March 2024 and the drawing referenced 034_PLN_205 Rev P01 received by the City Council as local planning authority on 2 February 2024.

Condition 31 cannot be fully discharged until the requirement of all occupiers of the commercial space is known and approved by the City Council as local planning authority.

Date: 9 April 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.