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
Warrington
WA3 6YF

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 15 (hours of use), 17 (waste management), 43 (construction programme for community building) and 44 (maintenance and management strategy for community building) attached to planning permission referenced 134504/FO/2022

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

Date of application: 15 January 2024

Application number: CDN/24/0019

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. 15 (hours of use)
The hours set out in the submitted proposed opening hours of the Bennett Street Community Centre - Mondays to Fridays 09:00 to 22:00 hrs and Saturdays 09:00-17:00hrs (Closed on Sundays and Bank Holidays) have been reviewed and are considered to be satisfactory.
On the basis that the Community Building is only be occupied in accordance with the approved hours of opening set out above, condition no.15 is discharged.

Condition no. 17 (waste management)
The refuse storage arrangements on shown on Waste Management Plan ref: KH006-A700 rev.K , site layout plan ref : KH006- A100 rev.V, have been considered in conjunction with the details in the Waste Proforma (all received on 6th March 2024). On the basis that the development is implemented in accordance with the details on the plans and waste proforma referenced above, as part of the development, before the Community Building is brought into use and remain in situ for as long as the Community Building is in use , condition no.17 is discharged.

Condition no.43 (Construction Programme
The Extract from the Construction Programme relating the community building received 15th March 2024 has been examined in conjunction with the Weekly Progress chart colouration key received 5th February 2024.On the basis that the is implemented in accordance with the approved timeframe in the documentation referenced above and is retained thereafter, condition no.43 is discharged.

Condition no.44 (Maintenance)
The Quarterly Building Maintenance Schedule- Bennett Street received on 15th January 2024 has been considered in conjunction with the 4CT Limited Proposed Building Maintenance Regime Bennett Street Community Centre received 27th February 2024.
On the basis that the is implemented in accordance with the measures set out in the documentation referenced above and thereafter managed and maintained in accordance with the approved details, condition no.44 is discharged.

Date: 6 March 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.