

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0905

Date registered valid: 1 December 2021

Proposal: Discharge of conditions 4B (Remediation verification) and 21 (Crime Impact Assessment) attached to planning permission ref: 122897/FO/2019

Address: Bank Bridge Road, Land Adjacent To And Comprising Ilk Street And Alpine Street, Manchester, M11 4GD

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Gary Stringfellow The Casey Group Ltd Rydings Road, Rochdale, OL12 9HB

Agent (if any): Mr Gareth Reid MHA Architects Suite 1B Origin, 70 Spring Gardens, Manchester, M2 2BQ

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 27 January 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 9 December 2021 Expired: 30 December 2021

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Environmental Health -

22.12.2021 - Reviewed the BEK Verification Report, ref. BEK-19661-3, dated November 2021 and advised that :-

The report states that the private gardens 600 mm clean cover system applies to plots 26 to 62, however, approved BEK Remediation Method Statement, ref. BEK-19661-1 (Rev C), dated December 2019, states that this applies to plots 23 to 65. This is also the case for the soft landscaped areas 450mm cover in the areas of these plots. Action: These points require clarification.

The Plot Completion Certificates in Appendix C refer to BEK Remediation Method Statement, ref. BEK-19661-1 (Rev D), dated December 2019, whereas the approved RMS is Rev C. We have not had sight of any later revision. Action: As per point 1, this item requires clarification.

Appendix C is stated to contain a 'Selection of Plot Completion Certificates - Gas Membrane & Garden Capping Validation', however it contains one set of details for Plot 46 only. Action: Plot Completion Certificates are required for all validated plots, however, the annexed Source Test Data, Validation Chemical Test Results and Gas Membrane Data Sheet are not required for every relevant plot. The Gas Proforma should be provided for each. This information should preferably be uploaded to the portal or, alternatively, emailed to this team; unfortunately we cannot accept a CD as suggested in the report.

The validation of the capping layer in soft landscaped POS areas in the vicinity of Plots 26 to 62 is accepted. Action: See point 1.

The plots for which gas protection measures are required differ between the RMS and Verification Report, however, as those identified in the RMS (plots 43 to 57) are included within those covered by the Verification Report (42 to 58), this point will not be pursued. Action: As per point 3 above, Gas Proformas are required for all relevant plots.

6. As per sections 2.3.4 and 3.5.1 of the report, it is understood that material has been disposed of off-site. Action: A selection of waste transfer notes should be submitted.

7. It is understood that PE Barrier Pipe Type A has been installed and validated by United Utilities. Action: The report should include documentation of UU's validation or, alternatively, their consultation response for pipework materials (the latter requirement was included in our response to the RMS).

Due to the above outstanding items they cannot currently recommend the discharge of this condition.

10.01.2022- Advised they had not received the additional information referred to in the agent's email, however they had reviewed the RMS Rev D and noted that section 2.2.4 states "The plots which require garden capping are Plots 23 to 65." Section 2.2.5 also states "... a number of plots in the north of the site (Plots 43 to 57 inclusive) will require gas protection measures in accordance with Characteristic Situation 2." Section 3 includes the updated plots for capping and gas protection measures (26 to 62 and 42 to 58, respectively), but for site history/remediation documentation purposes a note should be included (they suggest at the end of section 2) regarding the change in development layout and plot numbering.

18.01.2022 - the validation certificates/letters on the portal are acceptable, all that now remains outstanding is the selection of waste transfer notes, UU documentation, and the inclusion of a note in the RMS to clarify the plot number changes.

19.01.2022- UU's confirmation of the acceptability of pipework material is also required.

27.01.2022 - Have no objection to the condition discharge.

Issues

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

4) The reports, plans and emails specified below have been examined:

Verification report ref: BEK-19661 -3 dated November 2021 received 1st December 2021;
Remediation validation letters for plot nos.26 to 62 (all) received 5th January 2022;
Remediation Method Statement (Report Ref BEK-19661-1 (Rev D)), dated December 2019
Rev D received 5th January 2022;
Email from planning agent dated 5th January 2022;
Email from planning agent dated 17th January 2022 confirming no remediation requirements for plot nos.1-25 and 63-66 (as per page 8 of BEK Remediation Method Statement Rev D);

Email dated 18.01.2022 from BEK Geo-Environmental Consulting Engineers to planning agent

Plan ref: BU0168-W01-P1 received 25th January 2022 and Email dated 25th January 2022 from planning agent confirming the barrier pipe is included in the design on plan ref: BU0168-W01-P1;

UUW Risk Assessment received 27th January 2022.

On the basis of the content of the reports, plans and emails detailed above can confirm that condition no.4b is discharged.

21) The submitted accreditation Gold Award Ref: 2019/0095/SBD/01 dated: 23rd November 2021 is considered to be satisfactory and condition no.21 is discharged .

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH2