

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0884

Date registered valid: 23 November 2021

Proposal: Discharge of planning conditions 2 (Materials), 4 (CMP), 5 (Ground Conditions), 6 (Verification Report), 7 (Drainage), 9 (Security Measures), 10 (Electric Vehicle Charging), 11 (Landscaping), 13 (Environmental Standards), 14 (Acoustics), 15 (Cycle provision) and 16 (Highways Works) associated with planning permission 125845/FO/2020

Address: Land Adjacent To 929 Oldham Road, Manchester

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Zulfi Belaj 42 Kilmington Drive, Manchester, M8 9BP

Agent (if any): Mr DK Seddon Howard & Seddon ARIBA 64 Washway Road, M33 7RE

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approved and Refused

Date of recommendation: 6 January 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 26 November 2021

Expired: 17 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

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: Approved and Refused

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

1) The external materials detailed within the submitted materials schedule (revision A) dated 3 August 2021, received by the City Council as Local Planning Authority on 23 November 2021, are acceptable. Namely:

Bricks - Forterra dark multi smooth 65mm wire cut facing brick;
Cills - Proctor cast stone in Yorkstone (stone colour);
Roof - Marley Modern interlocking roof tile (smooth grey);
Rainwater Goods - Brett Martin half round and round downpipes (black);
UPVC soffits and fascias (black);
Composite front door (black);
UPVC French doors (black);
UPVC casement windows (black Ash).

Subject to implementation of the agreed materials, condition 2 may be discharged.

2) The information contained within the submitted Construction Management and Environmental Plan (August 2021 V.1) received by the City Council as Local Planning Authority on 23 November 2021, is satisfactory. Subject to implementation of the agreed details, condition 4 can be discharged.

3) Condition 5 cannot be recommended for discharge for the following reasons:

- No gas monitoring data has been provided in the report and monitoring is stated to be ongoing;

- The response zones for the gas monitoring are all in the natural clay and no monitoring will be from the made ground. It is stated that the made ground may be retained on site, so there will be no data to suggest if there is any ground gas from the made ground.

- A detailed ground gas risk assessment is required which cross checks back to the conceptual site model and takes into account what will be happening on site, i.e foundation type and retention of made ground;

- Elevated PAH and TPH have been found, but there has been no specification, so it is not known if there are any vapour risks or if further delineation sampling will be undertaken from the 'black' material.

- Consultation is required with UU regarding the potable water supply pipes. This will need to be provided as part of the validation report.

-A detailed remediation strategy will be required once all site investigation works have been completed (gas monitoring and any delineation sampling).

Until such time that details to address the above have been submitted and agreed, condition 5 cannot be discharged.

4) Condition 6 requires that development be carried out in accordance with a previously agreed Remediation Strategy and a Completion/Verification Report be submitted. No such details have been received and as ground works have not been completed, it is premature to discharge this condition. As such, condition 6 cannot be discharged.

5) The information submitted to discharge condition 7 is not sufficient.

The below outstanding evidence is required:

-Confirmation of the invert level of the outfall, to ensure that a connection via gravity is feasible;

-Construction details of SuDS elements;

-Where surface water is connected to the public sewer, agreement in principle from United Utilities is required to demonstrate that there is adequate spare capacity in the existing system, taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice;

-A maintenance schedule.

Until such details are received and agreed, condition 7 cannot be discharged

6) Insufficient security details have been submitted to meet with the requirements of condition 9, In particular, details of how the site, and adjoining alley way, would be secured, during and after the construction process to prevent unauthorised access to the adjoining alley way.

Until such time that satisfactory details are received and agreed, condition 9 cannot be discharged.

7) The electric vehicle charging point document, together with the Pod Point Solo Smart Charger specification, is acceptable. Subject to implementation of the agreed details prior to first occupation of the dwellinghouse, condition 10 can be discharged.

8) The landscaping scheme shown on drawing referenced 2103/P/01 received by the City Council as Local Planning Authority on 23 November 2021, is satisfactory. Subject to full implementation of the agreed details, condition 11 can be discharged.

9) The details contained within the submitted Environmental Standards Statement received by the City Council as Local Planning Authority on 23 November 2021, are satisfactory. Subject to implementation of the agreed details, condition 13 can be discharged.

10) No details relating to condition 14 have been received. Until such time that details are submitted and agreed, condition 14 cannot be discharged.

11) The cycle storage area shown on drawing referenced 2103/P/01 received by the City Council as Local Planning Authority on 23 November 2021, is satisfactory. Subject to full implementation of the agreed details, condition 15 can be discharged.

12) The repaving/surfacing strategy and details of a scheme for the management and maintenance of the area of unadopted road immediately adjoining the frontage of the application site, as detailed on drawing referenced J7678/EX01 and Highway Maintenance Plan produced by Bell Munro Consulting Ltd, is satisfactory. Subject to ongoing implementation of the agreed details, condition 16 can be discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
United Utilities Water PLC

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 -
Manchester Cathedral Ownership - Manchester Cathedral Newton Heath Manor
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1