

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0353

Date registered valid: 5 May 2021

Proposal: Discharge of conditions 3 (Materials), 13 (Waste storage), 16A (Ground conditions), 17 (Construction Management Plan), 20 (Surface water drainage), 30 (Tree protection), 31 (Acoustics) and 32A (Mining legacy assessment) relating to planning permission ref: 125474/FO/2019

Address: Land Adjacent To Mayton Street Manchester, M11 2AN

Ward(s): Clayton & Openshaw Ward

Applicant: Ms Victoria Young One Manchester Lovell House, 6 Archway, Manchester, M15 5RN

Agent (if any): Mr Daniel Tomlinson GWP Architecture 1 Lidgett Lane, Leeds, LS8 1PQ

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 28 October 2021

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:

Printed: 8 June 2021 Expired: 29 June 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: No

Tree Preservation Order: No

Consultations & Notification Responses

Highway Services – Confirm no objection to the discharge of condition 13 and 17 in email dated 25 May 2021.

Environmental Health - Confirm the following:

Condition 13 – No objection.

Condition 16A – No objection to the discharge of Part A subject to the maintenance of a watching brief, including measures to address any further identification of asbestos during construction. Should asbestos be encountered a 'marker membrane shall be placed at the base cover system and the remediation strategy suitably updated in accordance with the requirements of Part B of condition 16.

Condition 31 - The recommendations contained within the Druk noise assessment (ref. DRUK/ACC/RS/GWPAWCOM/2794MSRA2, dated 14th April 2021) are acceptable. The development shall be implemented in accordance with the approved details and a verification report submitted prior to the first occupation of the development.

Neighbourhood Team Leader (Arboriculture) – No objection. Landscaping details are acceptable. Received 21 June 2021.

Flood Risk Management Team – No objection subject to the implementation of the development in accordance with the surface water drainage details, including the conditions specified within the Land Drainage Consent MCC014/07/2021 issued by the Lead Local Flood Authority.

Greater Manchester Police Design for Security - No objection to the discharge of condition 13.

United Utilities Water PLC – No objection subject to the implementation the development in accordance with submitted details.

The Coal Authority – No objection to the discharge of condition 32A. The authority has advised that the whole of condition 32 can be discharged if the LPA is minded to do so.

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

N/A

Condition(s) to be attached to decision for approval

3) The discharge of condition 3 (Materials) is approved on the basis that the development is implemented in accordance with the following materials and specifications:

Brickwork

Grey brick – Ibstock New Ivanhoe Cream

Red multi brick – Ibstock Ivanhoe Westminster

Feature glazed brick detail in light green– Ibstock Umbria

Roof

Red Weinberger TLE Rustic Roof tile

Grey Weinberger TLE Grey Roof tile

Frames

Windows – UPVC Anthracite Grey RAL 7016

Doors - UPVC Anthracite Grey RAL 7016

Doors – Light oak finish.

The development shall be maintained thereafter in accordance with the approved details.

13) The discharge of 13 (Waste storage) is approved on the basis that the development is implemented in accordance with the bin enclosure details as shown on drawing referenced: Brick Walls & Bins Store Details 1914-GWP-XX-ZZ-DR-A-(90)-0005 Rev 01 and Waste Management Strategy drawings Ref: 1914-GWP-XX-ZZ-DR-A-(90)-0006 Rev.C03. The approved details shall be implemented before the first occupation of the related houses and maintained in situ at all times thereafter.

16) The discharge of 16A (Ground conditions) is approved on the basis that the development is implemented in accordance with documents referenced:

i. Remediation Strategy for a site at Mayton Street, Openshaw undertaken for One Manchester by WML Consulting Ltd Ref: 8755G-WML-XX-ZZ RP-G-0003B dated October 2020;

Phase 2 Geo-Environmental Investigation & Assessment for Mayton Street, Openshaw undertaken on behalf of Eco-Res LLP by WML Consulting Ltd Report No. 8755G-WML-00-XX RP-G-0002 Rev B dated July 2020.

Part A of condition 16 is discharged subject to the maintenance of a watching brief in relation to emerging contamination, including measures to address any further identification of asbestos during construction. Should asbestos be encountered a 'marker membrane shall be placed at the base cover system and the remediation strategy suitably updated in accordance with the requirements of Part B of condition 16.

Following implementation and completion of the approved remediation scheme and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

17) The discharge of 17 (Construction Management Plan) is approved on the basis that the entire construction phase of the development is implemented in accordance with document ref: Construction Management Plan Project: Mayton Street, Manchester Client: One Manchester Principal Contractor: John Southworth Builders Ltd.

20) The discharge of 20 (Surface water drainage) is approved on the basis that the development is implemented in accordance with documents referenced:

Mayton Street Site Plan Drainage Overlay drawing Ref: 1914-GWP- 01-01-DR-A-(SK)-(SK)74 WML Consulting drawings:

Drainage Strategy Plan Ref: 8755G/WML/00/XX/DR/C/0002/Rev P09

Typical Drainage Sheet 1 of 2 Ref: 8755G/WML/00/XX/DR/C/1003/Rev P02

Typical Drainage Sheet 2 of 2 Ref: 8755G/WML/00/XX/DR/C/1004/Rev P07

Flood level and FFL plan Ref: 8755G/WML/00/XX/DR/C/1004/Rev P01

Drainage Utility Drawing Ref: 0221-GTC-001

Drainage calculation drawings:

8755 Mayton Network R1.MDX Storm Sewer Design by Modified Rational Method by Micro Drainage

8755 Mayton Network 1-23 Storm Sewer Design by Modified Rational Method by Micro Drainage

Hydro Brake Optimum calculation Ref: 8755 dated 3/8/21

Hydro Brake Optimum control panel drawing Ref: SHE-0103-5000-1200-5000

Land Drainage Consent MCC014/07/2021 issued by the Lead Local Flood Authority

CCTV survey document by Lane Group plc Ref: Mayton Street - PJ00417102 dated 17/8/2021

United Utilities email 19 July 2021 confirming sewer ownership details.

30) The discharge of 30 (Tree protection) is approved on the basis that the construction phase of the development is implemented in accordance with the following details:

i. Drawings referenced: Site landscaping: 1914-GWP- 01-01-DR-A-(PA)-006, including the demarcation of the tree protection zone and erection of protective fencing to its perimeter. The protective fencing shall remain in place at all times during the construction phase apart from circumstance where hand digging and working is required within the protective zone;

ii. Email dated 28 October 2021 from GWP confirming that metal protective fencing would be installed with a minimum height of 2.1 metres around the perimeter of retained trees within the application site.

31) The pre-commencement part of condition 31 (Acoustics) is approved on the basis that the development is implemented in accordance with document referenced: Assessment of the Existing Noise Climate in the Vicinity of the Proposed Residential Development at Mayton Street, Openshaw, Manchester by Druk Limited Report Reference:

DRUK/ACC/RS/GWPAWCOM/2794MSRA2

Date: 14th April 2021.

However, upon completion of the development and before first occupation of the residential units, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

32) The discharge of Condition 32A (Mining legacy assessment) is approved on the basis that the development is implemented in accordance with document referenced: Phase 2 Geo-Environmental Investigation & Assessment for Mayton Street, Openshaw undertaken on behalf of Eco-Res LLP by WML Consulting Ltd Report No. 8755G-WML-00-XX RP-G-0002 dated July 2020.

Following implementation and completion of the approved remediation scheme and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

Appendix 1 – List of consultees & neighbours notified

The Coal Authority
Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Police
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 Zone - All Exceeding 90M
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH2