

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0015

Date registered valid: 12 January 2021

Proposal: Discharge of conditions 2 (materials), 4 (drainage), 13 (ground conditions), 15 (CMP), 17 (Air Quality) and 21 (Environmental Standards) attached to planning permission referenced 123295/FO/2019

Address: Workshop, Briscoe Lane, Manchester, M40 2XG

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Naphtaly Stamler, Cassel & Fletcher Construction Ltd, Auldbank House, 424 Bury Old Road, Prestwich, M24 1PR

Agent (if any): Mr Richard Shuttleworth, Equilibrium Architects Ltd, 435-437 Walmersley Road, Bury, BL9 5EU

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

Recommendation: Approved and Refused

Date of recommendation: 9 August 2021

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 13 January 2021 Expired: 3 February 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 specification, produced by Equilibrium Architects and received by the City Council as Local Planning Authority via e-mail on 10 May 2021, are satisfactory. Subject to implementation of the agreed materials, condition 2 may be discharged.

2) The drainage scheme shown on drawings referenced BRL-MAG-ZZ-XX-DR-C-0200/C3 and BRL-MAG-ZZ-XX-DR-C-0201/P1, together with the Drainage Condition Report (Rev 01) produced by Marston and Grundy LLP and letter received from Mrs Greenberg, received by the City Council as Local Planning Authority on 5 March 2021, is satisfactory. Subject to implementation and adherence to the agreed measures, condition 4 may be discharged.

3) Environmental Health have reviewed the following reports received by the City Council on 10 May 2021:

Desk Study with Walkover Survey (Ref: 6921) received by the City Council on 10 May 2021;
Geology and Mining Appraisal by Sub Surface (Ref: 6921A) received by the City Council on 10 May 2021;
Interim Soil Report by Eurofins (Ref: 21-04194-0) received by the City Council on 10 May 2021;
Site Investigation Report by Sub Surface (Ref: 6921C) received by the City Council on 26 May 2021.

Confirmation of the following matters are still required:

Confirmation that the site will all be concrete and not involve any landscaping;
United Utilities Risk Assessment for potable water pipes;
Further details of gas monitoring when completed.

Until such time that these details are received and agreed by the City Council as Local Planning Authority, condition 13 cannot be discharged.

4) The details contained within the Emergency Traffic and Management Plan and updated Construction Phase Health and Safety Plan, received by the City Council as Local Planning Authority on 4 February 2021 and 14 April 2021 respectively, are satisfactory. Subject to implementation of the agreed plan, condition 15 may be discharged.

5) The information contained within the submitted Air Quality Mitigation Strategy (Ref: SLR Ref: 410.57043.00001 Version No: V1.0) dated December 2020 and subsequent e-mail from SLR consulting dated 3 February 2021, is satisfactory. Subject to implementation of the agreed measures, condition 17 may be discharged.

6) The details contained within the submitted Environmental Standards Statement dated 25 January 2021, received by the City Council as Local Planning Authority on 27 January 2021, are satisfactory. Subject to implementation of the agreed details, condition 21 can be discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
HSE COMAH Zone - H1485 OZ - Bradford Road Holder Station (East) Outer Zone
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1