

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/21/0276
Date registered valid:	6 April 2021
Proposal:	Discharge of condition 13 (drainage maintenance) 19 (external plant) 22 (ground conditions) and 23 (travel plan) attached to planning permission referenced 127087/JO/2020
Address:	Site Of Former Bellamy Court , Abbey Hey Lane, Manchester, M18 8DU
Ward(s):	Gorton & Abbey Hey Ward
Applicant:	Mr Mike Bagot Rowlinson Constructions Limited London House, London Road South, Stockport, SK12 1YP
Agent (if any):	Miss Bryony Preston Pozzoni Woodville House, 2 Woodville Road, Altrincham, WA14 2FH
Case officer:	Sue Wills Tel: 0161 234 4524 Email: sue.wills@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	25th October 2021

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 9 April 2021 Expired: 30 April 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

Flood Risk Management 21.04.2021-

The information submitted and uploaded onto the planning portal on 6th April 2021 has been considered.

In order to discharge the drainage planning condition, further information is needed to confirm that the proposed drainage design is adequate to manage flood risk.

The outstanding evidence required:

- Verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. (This needs to include maintenance regimes for ALL drainage on site, currently only maintenance for the attenuation tank is highlighted).

14.07.2021-

The information submitted and uploaded onto the planning portal on 2nd July 2021 has been considered.

In order to discharge the drainage planning condition, further information is needed to confirm that the proposed drainage design is adequate to manage flood risk.

The outstanding evidence required:

- Verification report providing photographic evidence of construction as per design drawings; photos should include attenuation tank and hydrobrake chamber
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This needs to include maintenance regimes for ALL drainage on site (such as Aco drains, gullies inspection chambers etc) currently only maintenance for the attenuation tank is highlighted.

28.07.2021 – in response to planning agent drainage queries

CIRIA does not have specific tables for general drainage elements that require no specific maintenance so there is not going to be a purple table for each of these.

The Management and Maintenance Document dated 30/03/2021 states 'There will be a site management health and safety document prepared in respect of the final development. This will include the required maintenance regime for the on-site drains and drainage facilities such as the channels, gullies, pipes, manholes and all SUDS facilities.'

The maintenance regime for the on-site drains and drainage facilities should be included within the Management and Maintenance Document. This document should be written in a way that the management company know the exact works required to maintain all the different types of drainage structures and the frequency of the works required. In addition any product specific maintenance regimes (supplied by the manufacturer) should also be submitted within this document.

Will details of the management company be required and if so will this discharge this element of the condition?

The details of the management company are not required to discharge this condition.

04.08.2021 - The information submitted and uploaded onto the planning portal on 30th July 2021 has been considered.

In order to discharge the drainage planning condition, further information is needed to confirm that the proposed drainage design is adequate to manage flood risk.

The outstanding evidence required:

- Verification report providing photographic evidence of construction as per design drawings; photos should include attenuation tank and hydrobrake chamber

23.08.2021 - The information submitted to the LPA on 18th August 2021 has been considered.

In order to discharge the drainage planning condition, further information is needed to confirm that the proposed drainage design is adequate to manage flood risk.

The outstanding evidence required:

- Verification report providing photographic evidence of construction as per design drawings; photos should include hydrobrake chamber

FRM 16.09.2021 Lead Local Flood Authority Comments (16/09/2021)

The information submitted to the LPA on 8th September 2021 has been considered.

They have no further comments regarding condition 13 and recommend it be discharged.

Highway Services -For condition 23, the submitted Travel Plan is sufficient to allow us to recommend the discharge of this condition from a highway perspective

Environmental Health 04.05.2021-the acoustic report to discharge condition 19 has been examined and it doesn't look like the report has covered the proposed air source heat pumps? Do these still form part of the development?

Following clarification that the scheme was revised to include the use of ground source heat pumps which have been implemented they advised:- 14.05.2021 they would need to see an acoustic report for the heat pumps before the external plant condition could be discharged. The information submitted for the other external plant was satisfactory.

21.05.2021- regarding condition no.22 ground conditions the submitted information is acceptable, but a verification report will be needed for the site .

10.06.2021 -Condition no.19 -The applicant will need to submit an acoustic report for these heat pumps to confirm that they comply with requirements of their external plant noise condition.

24.06.2021 – Condition no.22 -The validation report doesn't show the contamination hotspot highlighted in the remediation strategy where a deeper cover level of not less than 700mm of clean soil is required. Is this report for the whole site? If so, then they would need to see confirmation that the hotspot has been remediated sufficiently.

08.07.2021 -

If the applicant can confirm that the heat pump would be contained within the plant room then the condition can be discharged subject to the verification report being submitted. (NB condition no.19 does not have a verification requirement).

22.10.2021 - The information submitted is sufficient..

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:

Article 35 Declaration

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

Condition no. 13 (drainage maintenance)

The design details submitted in the plans and documents outlined below have been examined and are considered to be acceptable.

Plan ref: 3384-SHD-00-ZZ-DR-C-0100 rev.C3 (Drainage GA); 3384-SHD-00-ZZ-DR-C-0103 rev.C2 (Drainage Manhole Schedule); received 4th April 2021

Apartments Domestic Services, Ventilation and Drainage Layout (22/057/M/05 rev. I4); Mechanical Domestic Water Services Schematic(22/057/M/06 rev. I4); Plant Room Layout(22/057/M/07 rev. I2); Ground Floor Drainage Layout (22/057/PH/01 rev.I4); First Floor Drainage Layout (22/057/PH/02 rev.I2); Second Floor Drainage Layout (22/057/PH/03 rev.I2); Third Floor Drainage Layout (22/057/PH/04 rev.I2);received 16th June 2021

-Photographic evidence attached (4332_Photographic Evidence _ condition 13)
-The drawings 3384-SHD-00-ZZ-DR-C-0100 Drainage GA & 3384-SHD-00-ZZ-DR-C-0103 Manhole Schedule submitted with the original application are the As-built Construction drawings
-Revised Management and Maintenance Statement dated 1st July 2021;
Received 2nd July 2021

4332_attenuation tank 2 Image 01.jpg; 4332_attenuation tank 2 Image 02.jpg; and geocellular tank image received 17th August 2021

4332_Gorton_Hydrobrake Image 01.jpg; 4332_Gorton_Hydrobrake Image 02.jpg; 1st September 2021;

On the basis that the development is implemented in accordance with the drainage details on the plans and documents specified above condition no.13 is discharged.

Condition no. 19 (external plant)

The design details submitted in the plans and documents outlined below have been examined and are considered to be acceptable.

Heliotherm heat pump data ,and Heliotherm technical data sheet received 24.05.2021

Lowara Multisage Booster Pumps 3 Pumps Schedule revision 4 dated August 2020; plan ref: Ground floor Domestic Services and Ventilation layout (22/057/M/01 rev. I9); First floor Domestic Services and Ventilation layout (22/057/M/02 rev. I8); Second floor Domestic Services and Ventilation layout (22/057/M/03 rev. I8); Third floor Domestic Services and Ventilation layout (22/057/M/04 rev. I8)
Mechanical Schedule REV B
received 16th June 2021;

Confirmation from contractor in email dated 12th July 2021 that the Wilo Star Z hot water pump which was been referred to by the acoustician is located in the plantroom.

On the basis that the development is implemented in accordance with the plant details on the plans and documents specified above condition no.19 is discharged.

Condition no. 22 (ground conditions)

The information in the documents outlined below have been examined and is considered to be acceptable.

E3P Garden Validation Document Ref: 15-017 V1 Dated: 24th May 2021

Email dated 8th October 2021 from planning agent attaching comments from the sub consultant confirming the asbestos testing carried out on behalf of W Maher and Sons at Bellamy Court which confirmed the absence of asbestos, and that the material from Bellamy Court was disposed of at Churchill Enviro Limited and was in compliance with the relevant environmental permit.

Final Analytical Test report by Environlab ref: 19/07265 dated 2nd August 2019 received 8th October 2021.

E3P Remediation of lead contamination validation at Bellamy Court dated 29th September 2021 , and received 14th October 2021.

On the basis that the development has been implemented in accordance with the submitted documentation specified above condition no.22 is discharged.

Condition no. 23 (travel plan)

The submitted Residential Travel Plan received on 6th April 2021 is considered to be satisfactory. On the basis that the measures within the travel plan are implemented in full, I can confirm condition no.23 is 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 Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH2