

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0578

Date registered valid: 2 August 2021

Proposal: Discharge of planning condition 5 (Ground Conditions) associated with planning permission 127761/JO/2020

Address: Lampwick , Old Mill Street, Manchester, M4 6LW

Ward(s): Ancoats & Beswick Ward

Applicant: Mr Carl Brierley Lampwick Site Office, Central Retail Park, Great Ancoats Street, Manchester, M4 6DJ

Agent (if any): Mr Sean Kirkbride jmarchitects Floor 3, 54 Princess Street, Manchester, M1 6HS

Case officer: Jennifer Atkinson
Tel: 0161 234 4517
Email: jennifer.atkinson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 7 September 2021

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

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 – 23.08.2021 have noted the following (extracts have been copied from the report in italics):

Task 7: Over-excavation of service corridors and installation of Protectaline (or similar) pipework. Service corridors are to be completed by the main contractor during the construction phase. Sisk will take photographic evidence once service corridors are completed showing over excavation (by at least 300mm) and installation of clean bedding gravel around the pipe. These photographs can be included within Appendix H post-completion of works

Officers will need to see these photographs, so if they have not been included in appendix H already then they will need to be.

Hydrock has assessed the testing data and confirm that it meets the criteria for imported materials set out within the remediation strategy.

They need to confirm the total volume and the source of the imported soils to verify that only three validation samples was enough.

03.09.2021 -have looked at the soil data and agree with the conclusions that the slight elevation is a low risk (due to the grass cover), and can therefore recommend discharge of condition 5.

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

5) The Remediation Verification report dated 29th July 2021 document ref: MLLW-HYD-XX-XX-RP-C-110007-S2_P04 and waste transfer notes received 2nd August 2021, together with the soil sampling data and the email containing Jason Bradley interpretation of the data (dated 02.09.2021) received 03.09.2021 have been considered . On the basis of the information detailed above , I can confirm condition no.5 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 Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH2

Area Team Boundary - Name: NORTH1