

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0518

Date registered valid: 12 July 2021

Proposal: Discharge of condition no. 5 (secured by design) - Phase P (plots187-196); Phase Q (plot 221-236); Phase AR (plots 237-244); Phase R (plots 245 & 246); Phase C (plots 247-249).; Phase T (plots 250-257);Phase U (plot 257-272).;Phase V (Housing plot numbers 274-289);, Phase Y (plots 294 and 295); and Phase Z (Housing plot numbers 296-301);, and discharge of Condition 8 (contaminated land)- for all Phase AR plots (Plots 237-238 and 239-244); part of Phase V (Plots 276, 277, 279, 280, 281, 282, 283 and 289); for all Phase C (Plots 247 to 249); for part of Phase T (Plots 250, 251, 252, 253 and 254); for part of Phase Q (Plots 228 to 236 discharged).; attached to planning permission ref: 118379/JO/2017

Address: Brunswick Neighbourhood, Manchester, M13 9TQ

Ward(s): Ardwick Ward

Applicant: Mr Craig Nemeth Vistry Partnerships North West Innovation House , Kelburn Court, Birchwood, Warrington, WA3 6UT

Agent (if any): Mr David Tye Paul Butler Associates Ltd 31 Blackfriars Road, Salford, M3 7AQ

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 20 August 2021

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 13 July 2021 Expired: 3 August 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

Design for Security - Having achieved Secured by Design accreditation they would support condition 5 (Secured by Design) of this planning permission being discharged.

Environmental Health - Condition no.8 can be discharged for the above plots.

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 submitted Secure by Design Accreditation Certificate relating to Phases P 187-196, Q 221-236, AR 237-244, R 245 & 46, C 247-249, T 250-257, U 257-272, V 274-289, Y 294 & 295 & Z 296-301 has been noted .

I can therefore confirm that condition no.5 is discharged in relation to Phase P (plots187-196); Phase Q (plot 221-236); Phase AR (plots 237-244); Phase R (plots 245 & 246); Phase C (plots 247-249).; Phase T (plots 250-257);Phase U (plot 257-272).;Phase V (Housing plot numbers 274-289); Phase Y (plots 294 and 295); and Phase Z (Housing plot numbers 296-301).

8) The content of the submitted documentation referred to below has been examined and is considered to be acceptable.

Letter dated 19th December 2019 from Redstart confirming cover levels in rear gardens relating to Phase Q, Plots 228 - 233;
letter dated 12 February 2020 confirming cover levels in rear gardens relating to Phase Q, Plots 234 - 236 & Phase V, Plots 276 - 277 & 279 - 281;
letter dated 3rd June 2020 from E3P to validate the thickness of the cover system that had been placed within the rear garden of plots 237-238, 245-246, 282-283 & 289 at the site of Brunswick;
letter dated 31st July 2020 from E3P to validate the thickness of the cover system that had been placed within the rear garden of plot 239;
letter dated 5th August 2020 from E3P to validate the thickness of the cover system that had been placed within the rear garden of plot 240-242 & 244;
letter dated 7th August 2020 from E3P to validate the thickness of the cover system that had been placed within the rear garden of plot 243 & 247-254;

I can therefore confirm that condition no.8 is discharged for all Phase AR plots (Plots 237-238 and 239-244); part of Phase V (Plots 276, 277, 279, 280, 281, 282, 283 and 289); for all

Phase C (Plots 247 to 249); for part of Phase T (Plots 250, 251, 252, 253 and 254); and for part of Phase Q (Plots 228 to 236).

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Greater Manchester Police

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Flood Zones Type 2 (low to medium risk) -

HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

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