

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0423

Date registered valid: 3 June 2021

Proposal: Discharge of conditions 6a and 6b (ground conditions) attached to planning permission referenced 104435/OO/2013/N1

Address: Land To The West Of Former Bowker Bank Industrial Estate , Off Bowker Bank Avenue, Manchester, M8 4LD

Ward(s): Crumpsall Ward

Applicant: Mr Chris Eccles Agent Acting for Blackley Developments Limited 55 St Catherine Drive, Hartford, Northwich, CW8 2FE

Agent (if any):

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

Recommendation: Approved and Refused

Date of recommendation: 18 August 2021

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 14 June 2021 Expired: 5 July 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 information contained within the following reports is satisfactory

E3P: "Blackley Mere, Blackley, Manchester M8 4LL: Phase I & II Geo-Environmental Site Assessment". Report Reference: 11-164-R1. October 2016.

- LK Consult: "Land at Blackley Mere Lower, Manchester. Geo-Environmental Investigation" Report reference: LKC 17 1257, May 2019.

- LK Consult: "Land at Blackley Mere Upper Reservoir, Manchester. Geo-Environmental Investigation". Report reference: LKC 19 1139, May 2019.

- C S Eccles Brownfield Consultancy: "Supplementary Groundwater Risk Assessment Report" Report reference: 182.03.2 31st January 2021).

- C S Eccles Brownfield Consultancy: "Remediation Strategy & Verification Plan" Report reference: 182.02.4 31st January 2021.

Based on the above reports and subject to the effective removal of waste and deleterious materials present on site and the submission and approval of a updated Site Investigation Report (addendum) and updated Remediation Strategy (to include updated gas protection measures), following ongoing dialogue with Environmental Health, condition 6a may be partially discharged in order to allow works to commence on site.

Full discharge can be provided upon submission and approval of the above requested details.

2) Condition 6b can only be discharged upon the submission and agreement of a Verification Report which confirms that the development has been implemented in accordance with an agreed remediation strategy. As such, condition 6b cannot be discharged at this time.

Appendix 1 – List of consultees & neighbours notified

Environment Agency
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 - Not Affected
Site of Biological Interest - Name: Bowker Vale Reservoirs
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH1