MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/21/0385
Date registered valid:	21 May 2021
Proposal:	Discharge of condition nos. 14b, (Drainage), 15b (Contaminated land) and 21 (Environmental standards) relating to planning permission ref: 124985/FO/2019
Address:	Land Adjacent To 27 And 30 Gathurst Street , Manchester, M18 8GR
Ward(s):	Gorton & Abbey Hey Ward
Applicant:	Development Manager Kathy Poole One Manchester Lovell House, Archway 6, Manchester, M15 5RN
Agent (if any):	Mr Michael Stewart Michael Stewart Architecture 75 Parsonage Road, Stockport, SK4 4JL
Case officer:	Carl Glennon Tel: 0161 234 4530 Email: carl.glennon@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	28 July 2021

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:
Printed: 7 June 2021 Expired: 28 June 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: No

Tree Preservation Order: No

Consultations & Notification Responses

Environmental Health – No objection to the discharge of condition 15B.

MCC Flood Risk Management Team (FRMT) – No objection to the discharge of condition 14B, on the basis of the submitted and supplementary documents.

United Utilities Water PLC – Objection to the discharge of condition 14B but recommend that the comments of FRMT be sought.

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 polices 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

N/A

Condition(s) to be attached to decision for approval

1) The discharge of condition 14B (Drainage) is approved on the basis that the development has been implemented in accordance with the following documents and related works, and shall be maintained in situ thereafter:

Drainage Completion Report for Proposed Development: Gathurst Street, Manchester, M18 8GR by Sutcliffe Ref: LRD30068 Revision: 001 dated: May 2021 received 21 May 2021
Data sheets
Storm Sewer Design 30068 - Gathurst Street North Site Calculation
Storm Sewer Design 30068 - Gathurst Street South Site Calculation
with hydrobrake control to orifice plate
Orifice plate details attached to email from Whitfield Brown dated 23 July 2021.

2) The discharge of condition 15B (Contaminated land) is approved on the basis that the development has been implemented in accordance with the following document:

Phase IV Validation Completion Report at Gathurst Street Manchester by Sutcliffe referenced: 30068-SUT-ZZ-00-RP-G-704-0001 Issue: P01 Date: February 2021.

3) The discharge of condition 21 (Environmental standards) is approved on the basis that the development has been implemented in accordance with the following document: Letter from Element Sustainability Ref: 20202.067 dated 14 April 2022, including details relating to: Environmental Standards Statement Rev. 1 Ref: Z36466, Specification and emission performance evidence and verification photographs, and that the implemented details shall be maintained in situ thereafter.

Appendix 1 – List of consultees & neighbours notified

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 -
Area Team Boundary - Name: NORTH2