MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/20/0576
Date registered valid:	17 September 2020
Proposal:	Discharge of Conditions: 3 (Material specifications), 10 (Construction Management Plan), 12 (Air Quality Assessment), 13 (Waste Management), 14 (Contaminated land), 15 (Drainage), 17 (Japanese knotweed), 18 (Ecology survey) and 19 (Bio-diversity strategy) relating to planning permission ref: 123132/FO/2019
Address:	Land At Junction Of Lawton Street And Cornwall Street, Manchester, M11 2EN
Ward(s):	Clayton & Openshaw Ward
Applicant:	Mrs Fozia Ahmed 22 Glendale Avenue, Manchester, M19 1FF
Agent (if any):	Mr Barry Tang Tang and Associates Ltd - Chartered Architects Entrance W1 First Floor, Westwood House, Greenwood Business Centre, Manchester, M5 4QH
Case officer:	Carl Glennon Tel: 0161 234 4530 Email: carl.glennon@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	16 May 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:
Printed: 24 September 2020 Expired: 15 October 2020

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

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

3) The discharge of condition 3 (Material specifications) is approved on the basis that the development is implemented in accordance with the following materials specifications that shall be maintained in situ thereafter:

i. Ibstock 63mm Staffordshire Slate Blue Smooth Clay Facing Brick;
ii. Quad Core Architectural Wall Panels KS600-1000 in Metallic Silver;
iii. Powder coated aluminium doors in Anthracite Grey RAL 7016.

10) The discharge of condition 10 (Construction Management Plan) is approved on the basis that throughout its construction phase, the development is implemented in accordance with the following document referenced: Construction (Design and Management) Regulations 2015 Construction Phase Plan - Erection of a commercial building to accommodate 1 no MOT station unit with first floor office and associated car parking and landscaping Buildcom Developments Ltd.

12) The discharge of condition 12 (Air Quality Assessment) is approved on the basis that the development is fully implemented in accordance with:

i. Document referenced REC Baseline Air Quality Assessment, Reference: AQ107955 dated: November 2019,including the recommendations set out in Table 6 of the approved document;
ii. The provision of one electric vehicle charging point as confirmed by Tang and Associates email of 30 October 2020 and in the position shown on drawing referenced Location Plan, Existing & Proposed Site Plan Ref: 9444/20 Rev F attached to Tang & Associates email dated 12 May 2022, which allows confirms that a charging capacity of 7KW/H would be achieved.

The approved measures shall be fully implemented upon occupation the development and retained in situ at all times thereafter.

13) The discharge of condition 13 (Waste Management) is approved on the basis that the development is implemented in accordance with document referenced: project Waste Management Plan, Cornwall Street, Openshaw, Manchester, dated 31 November 2020 Rev 1 by Phlorum Ltd. The agreed measures shall be implemented upon occupation of the development and maintained in situ at all times thereafter.

14) The discharge of condition 14 (Contaminated land) is approved on the basis that the development is implemented in accordance with documents referenced:

Cornwall Street, Manchester Phase 2 Geo Environmental Investigation Risk Assessment and Remediation Strategy Job Number: CL-602-LKC 20 1046-02-R2 (Revision 2) dated: December 2020 Typical Gas Membrane drawings – Land at junction of Lawton Street and Cornwall Street and Ground gas protection manufacturers specification by Proctor Issue July 2021 attached to Tang and Associates Architecture email dated 1 November 2020 and email from Tang and Associates Architecture dated 1 November 2021 confirming that the specified membrane would prevent methane and carbon dioxide CO2 emissions.

When the development commences, the development shall be carried out in accordance with the previously agreed remediation strategy and a completion / verification report shall be

submitted to and approved in writing by the City Council with the revised remediation strategy, which shall take precedence over any remediation strategy or earlier revised remediation strategy.

15) The discharge of condition 15 (Drainage) is approved on the basis that the development is implemented in accordance with the following documents:

Letter from Herrington Consulting Ltd Ref: SB/2555/10274 Rev 2 – Discharge of condition 15 for proposed development at Cornwall Street. Openshaw, Manchester, M11 2LH and associated details including:
Indicative drawings layout Ref: HC-255-501
Construction details drawing Ref: HC-2555-S02
Drainage long section Ref: HC-2555-S03
Herrington Consulting Ltd Storm Network – Proposed drainage network calculations dated 13 August 2021
Site reconnaissance drawing
Greenfield water run-off rates
UU Sewer record and water mains records
Operation and maintenance schedule – Previous pavement
Operation and maintenance schedule – Bio retention system
Hydro International – Warranty, maintenance an COSHH statement, including hydro brake details
UU email dated 12 August 2021 confirming acceptability of discharge rates

The development shall be fully implemented in accordance with the approved details, which shall be maintained in situ at all times thereafter.

17) On the basis that the development is undertaken in full accordance with the measures specified in document referenced: Proposed New Commercial Building Invasive Species Management Plan Cornwall Street Job Number: IPM 19 1063 Version 001 Date of Survey: 18th May 2020 by LK Group, I can confirm that the first element of the condition relating to the treatment of Japanese Knotweed has been satisfied . However, condition no.17 cannot be formally discharged until details verifying the eradication of Japanese Knotweed have been submitted to and approved in writing by the City Council as local planning authority . As such condition no.17 cannot be fully discharged at this time.

18) The discharge of condition 18 (Ecology survey)) is approved on the basis that the development is implemented in accordance with the details contained within documents referenced:

i. Planning Application 123132/OF/2019, Consent Condition 18 - update to Bat Survey Report (trees) to inform Bat Method Statement for Land at Cornwall Street and Lawton Street, Openshaw, Manchester, M11 2NT;
ii. Applicant email dated 11 April 2022 confirming that removal of trees was undertaken to in response to hazards caused by weather damage during February 2022 and was not related to works constituting the implementation of the development.

19) The discharge of condition 19 (Bio-diversity strategy) is approved on the basis that the development is implemented in accordance with document referenced: Strategy to Discharge Condition 19 of the decision notice ref 123132/FO/2019 (Manchester City Council) dated 3 July 2020 by Tyrer Ecological Consultants Ltd. The agreed measures shall be implemented upon occupation of the development, including measures for bat and swift habitats, and maintained in situ at all times thereafter.

Informatives

1) It is recommended that, prior to the commencement of the development, site investigations are undertaken to determine the possible presence of culverts other water assets within or in the vicinity of the application site that may be affected by the undertaking of the development. Should any culverts or water assets be identified appropriate safeguards that secure their protection should be implemented as part of the development.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
United Utilities Water PLC
Greater Manchester Ecology Unit

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
) -
Area Team Boundary - Name: NORTH2