

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/1065

Date registered valid: 18 November 2024

Proposal: Discharge of Condition 11a (Contamination) and 18 (Drainage Strategy) attached to planning permission 137912/FO/2023

Address: Police Station, Plant Hill Road, Manchester, M9 8LU

Ward(s): Higher Blackley Ward

Applicant: Mr Michael Berrie Tyson Construction

Agent (if any): Mr Louis Farquharson JDA Architects

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

Recommendation: Approve

Date of recommendation: 10 February 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 20 November 2024

Expired: 11 December 2024

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

United Utilities - United Utilities has no objection to condition 18 being discharged.

LLFA - Advise that condition related to surface water drainage can be discharged.

Environmental Health – 11.12.2025 have considered the following reports submitted for the above CDN application:

Curtins Phase I Preliminary Risk Assessment, Ref. 077873-CUR-00-XX-RRP-GE-014, dated May 2021

GeoCon Phase II Site Investigation Report, Ref. GSI 1941 MP PII Report V2, dated November 2023

GeoCon Remediation Strategy Report, Ref. GSI 2209 GB RS Report V1, dated October 2024

They advise that:

Human Health:

The proposed 600mm capping layer (or removal of MG to natural strata) is acceptable with respect to the identified elevated lead levels, however we would advise that a marker membrane/geotextile be installed at the base of the cover system in areas where asbestos fibres have been identified and where MG will not be completely removed. *Outstanding.*

The imported/site-sourced soils validation sampling criteria in Table 6.1 of the Remediation Strategy should be amended to those in MCC's guidance note rather than the YALPAG guidance. *Outstanding.*

Section 6.1.5 should include the proposed frequency of cover system depth validations. In general, for developments of more than 10 properties we would expect 1 in 3 gardens to be depth validated. *Outstanding.*

Ground Gas:

Further documented justification is required for the Moderate / Low Risk Rating concluded in the Phase I PRA and subsequent reports with respect to potential ground gas migration from the referenced landfill sites. *Outstanding.*

Section 6.4.9 of the Phase 2 report states that "Where possible, monitoring has been carried out under a minimum of two occasions where low and falling atmospheric pressure were present together." Whilst it is appreciated that monitoring during this combination of conditions is not always achievable, none of the monitoring rounds were undertaken during falling pressure conditions and this point should be clarified. *Outstanding.*

The calibration certificate for the ground gas meter is required for the relevant monitoring periods. *Outstanding.*

When the above additional information has been provided we will be able to consider the adequacy of the monitoring (6 rounds over 3 months) and CS2 classification.

Controlled Waters: The conclusion of very low risk is accepted.

Due to the issues highlighted above as outstanding they cannot currently recommend discharge of Condition 11.

Further comments - 10.02.2025

They have considered the updated GeoCon reports (Phase 2 Investigation Report, Ref: GSI 1941 MP PII Report V3 dated January 2025, and Remediation Strategy, Ref: GSI 2209 GB RS Report V2 dated January 2025) submitted for the above CDN application, and can confirm that the updates are acceptable and they would have no objection to the discharge of part a of Condition 11 (Contamination) of approval 137912/FO/2023.

The agreed remediation approach are summarised below:

Soft landscaped areas: removal of minimum 600mm Made Ground (or to natural strata where MG <600mm thick), 600mm clean cover with geotextile marker membrane between residual MG and cover system.

CS2 gas protection measures.

Issues

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct

prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

Condition no.11a (contaminated land)

11a) The information in the reports below has been reviewed.

-Phase 1 Preliminary Risk Assessment ref: 077873-CUR-00-XX-RP-GE-014 version V01 received 18th November 2024 : as updated by

-Phase 2 Investigation Report, Ref: GSI 1941 MP PII Report V3 dated January 2025, and
- Remediation Strategy, Ref: GSI 2209 GB RS Report V2 dated January 2025) received 24th January 2025.

On the basis that the development is implemented in accordance with the measures in the Phase 2 Investigation Report, Ref: GSI 1941 MP PII Report V3 dated January 2025, and Remediation Strategy, Ref: GSI 2209 GB RS Report V2 dated January 2025 referenced above condition no.11a is discharged.

Condition no.18 (Drainage Strategy)

18) The details in the Drainage Strategy & Maintenance Document rev.P03 dated 08.12.2022, Drainage Strategy plan ref: C-0001 rev.P05 , and details in the SW design hydraulic data dated 21.10.2024 have been examined and are considered to be acceptable.

On the basis that the development is implemented in accordance with the measures in the documentation referenced above condition no.18 is discharged.

Appendix 1 – List of consultees & neighbours notified

United Utilities Water PLC
Environmental Health
MCC Flood Risk Management

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA