

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/1141

Date registered valid: 9 December 2024

Proposal: Discharge of Condition nos. 8 (CMP), 16a (Ground Conditions / Remediation) and 33 (Local Labour proposals) attached to planning permission ref: 133792/JO/2022.

Address: Land at Stockport Road, Swallow Street, Siddall Street and Pennington Street, Manchester

Ward(s): Longsight Ward

Applicant: Views Ltd

Agent (if any): Mr Julian Austin Paul Butler Associates

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approved and Refused

Date of recommendation: 30 January 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:

Printed: 19 December 2024

Expired: 12 January 2025

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

Highway Services– The following comments have been received:

- i. The CMP confirms that the duration of the works will be 24 months with the aim to start on site in the summer of 2025.
- ii. The CMP confirms that a strict delivery procedure will be in place and traffic marshals employed to manage deliveries and ensure that traffic flow is maintained. Contractors will be required to give 48-hours notice of deliveries and vehicles will unload / load within the site.
- iii. A Transport Note states that parking is available within close proximity of the site and parking beats were untaken to assess the potential available parking spaces.
- iv. A Traffic Management Plan (TMP) has been provided which includes details on parking, siting of waste, hoarding, access points and proposed signage.
- v. The TMP confirms that site access will be via Siddall Street and egress via Swallow Street, which will be managed by a banksman / traffic marshal.
- vi. Swept path analysis of a Skip, concrete mixer, flatbed truck has been provided and confirms that the above vehicle can access and egress the site safely.

The information is sufficient to allow us to recommend the discharge of the condition from a Highways perspective.

Environmental Health – The following comments have been received:

- i. Condition 8 – Recommendations have made been regarding the undertaking of works outside hours specified in the CMP and requirements for consents controlling noise construction sites.
- ii. Condition 16 A – Further amendments to the remediation strategy are required to fulfil the requirements of condition 16A.

Work & Skills Team – Recommend the discharge of condition 33.

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: Approved and Refused

Article 35 Declaration

N/A

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

8) The discharge of condition 8 (Construction Management Plan) is approved on the basis that the construction phase of the development is implemented in accordance with document referenced Earth Environmental and GeoTechnical Construction Management Plan Stockport

Road for Views Ref:A2951/24/CPM/V3 dated January 2025 and attached to email from Paul Butler Associates dated 29 January 2025.

16) The discharge of condition 16a (Ground Conditions / Remediation) is refused as the submitted document referenced Earth Environmental & Geotechnical Ltd Remediation Strategy Stockport Road Manchester Ref: A2951/24/RMS/V2 dated December 2024 does not fully address the requirements of the stated condition.

33) The discharge of condition 33 (Local Labour proposals) is approved subject the implementation of the construction phase of the development being undertaken in accordance with document referenced: Views Land adjacent to 786 Stockport Road, M12 4QJ, Local Benefit Proposals (r3) – Planning ref: 133792/JO/2022 dated November 2022 attached to Paul Butler Associates email dated 19 December 2024.

Informative

1) Construction Management - The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004) Email - highwaylicences@manchester.gov.uk.

The information is sufficient to allow us to recommend the discharge of the condition from a Highways perspective.

2) Construction site deliveries should be undertaken in accordance the Council's recommended working hours unless an application is made an authorised via Apply for consent: noise from construction sites

<https://www.manchester.gov.uk/xfp/form/2089>

Further information can be found via:

https://www.manchester.gov.uk/info/100006/environmental_problems/2956/tackle_a_noise_problem/9

3) Condition 16a (Ground Conditions / Remediation)

i. The proposals are acceptable for 450mm thickness of clean soil cover (minimum 150mm topsoil) in soft landscaped areas with geotextile membrane at the base, and deeper tree pits if proposed.

ii. The RS makes several references to "garden areas" which should be amended as it is understood that no private garden areas are proposed. Outstanding item.

iii. The Preliminary Conceptual Model in the Phase I report proposed an initial theoretical low risk to water supply/plastic water pipes, however the Revised Conceptual Model in the GeoEnvironmental Site Investigation report should address the elevated PAHs identified, with respect to the water supply pipework. Outstanding item.

iv. Section 8.0 of the RS - proposed contents of the Validation Report - should be updated with additional relevant contents as listed in MCC's guidance (Appendix A Checklist outlining the information required in support of a planning application - Verification Report (post completion)), including confirmation of no changes from the original remediation strategy, waste transfer notes etc. The VR should also confirm whether tree pits were required. Outstanding item.

v. The reports' conclusion that no ground gas protection measures are required is accepted, as is the foundation Design Sulphate Class.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Work & Skills Team

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Area Team Boundary - Name: NORTH AREA