

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/0915

Date registered valid: 26 September 2024

Proposal: Discharge of conditions 4 (CMP for phases 1 and 2 of the development), 5 (materials), 15b (ground conditions), 17 (boreholes), 29 (wildlife RAMS) and 55 (local benefits) attached to planning permission referenced 138788/FO/2023.

Address: Former Mellands Fields, Mount Road, Manchester, M18 7SU

Ward(s): Longsight Ward

Applicant: Miss Shannon Cooke Kellen Homes

Agent (if any):

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

Recommendation: Split decision

Date of recommendation: **27TH November 2024**

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 7 October 2024 Expired: 28 October 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

Environmental Health 21.10.2024 –
Condition 4 (CEMP)
No objection to discharge.

Condition 15 (ground conditions)
Brownfield Solutions Ltd (BSL) Remedial Strategy, Ref. NA/C5150/11739 Rev A, dated July 2023:

The previously submitted BSL letter report, Ref. TM/C5150/12974, dated 28th March 2024, stated that the sports pitches construction would consist of conventional grass turf over a clean

cover system. The Remediation Strategy (RS) indicates that artificial sports pitches are proposed and a cover layer would not be required. Clarification of this discrepancy is requested. The previous BSL letter report stated that tree and shrub pit proposals would comprise 900mm and 600mm pit depths respectively. The RS refers only to tree pits in the executive summary and provides no depth detail.

A growing medium greater than the proposed 100mm topsoil is required for shrubs/trees where made ground has been completely removed and a cover system as such is not required. The proposed contents of the final Verification Report should include the approved UKWIR Risk Assessment (which will then confirm in due course what potable water supply pipeline materials are required).

Due to the above outstanding issues they cannot currently recommend discharge of any part of Condition 15; please also note that an acceptable RS would satisfy part b of the condition only.

Further comments 13.11.2024

Have reviewed the submitted revised remediation strategy (BSL, ref. NA/C5150/11739 Rev D May 2024) against our previous comments of 21/10/24, and provide updated comments in blue:

1. The previously submitted BSL letter report, Ref. TM/C5150/12974, dated 28th March 2024, stated that the sports pitches construction would consist of conventional grass turf over a clean cover system. The RS indicates that artificial sports pitches are proposed and a cover layer would not be required. Clarification of this discrepancy is requested. **Fully addressed (grass turf over a clean cover system comprised of 200mm topsoil and 400mm subsoil over hi-vis geotextile layer).**

2. The previous BSL letter report stated that tree and shrub pit proposals would comprise 900mm and 600mm pit depths respectively. The RS refers only to tree pits in the executive summary and provides no depth detail. **Partly addressed but proposals for 600mm depth shrub pits in POS areas are required if relevant.**

3. A growing medium greater than the proposed 100mm topsoil is required for shrubs/trees where made ground has been completely removed and a cover system as such is not required. **Not addressed and we would make an additional point that the underlying material has not been adequately tested to confirm its suitability within proposed clean cover systems.**

4. The proposed contents of the final Verification Report should include the approved UKWIR Risk Assessment (which will then confirm in due course what potable water supply pipeline materials are required). **Not addressed.**

The additional further letter from Brownfield Solutions Ltd (document titled 'Additional info for c 15 25.10.2024.pdf') is the same as the above-referenced BSL letter report we previously provided comments on (our email of 30/04/24).

Further comments 27.11.2024

The additional information is acceptable with respect to satisfying Condition 15b (ground conditions); officers have agreed this morning with Brownfield Solutions that, subject to confirmation of its suitability as a growing medium, site-won material can be re-used within clean cover systems on site subject to an acceptability testing frequency of 1:100m³.

Highway Services – 04.11.2024

Highways note that the submitted CMP relates to construction works associated with the residential plots only (namely Phases 1 and 2 with reference to the approved phasing plan) and does not relate to works associated with the sports facilities, community hub or young person's accommodation (phases 1B & 3).

A temporary construction vehicle access is required from Wembley Road to enable remediation works and building of the residential plots. The temporary construction access will need to be subject to a Section 50 approval/permit, supported by appropriate pedestrian crossing measures at the site access.

Heras fencing is proposed around the site, which will be set-back at the site access to allow for sufficient vehicle visibility. Additional signage is proposed within the local area to advise of construction vehicle movements - this is welcomed by Highways given the residential nature of the surrounding area.

The CMP highlights that deliveries will be managed to take place outside of school AM/PM drop-off/collection times. This must be adhered to, given the construction access proximity to nearby schools.

The CMP outlines adequate measures to manage dust and dirt.

A contractor car park is proposed on-site which will provide 64no. parking spaces.

It is understood that the applicant is currently liaising with Highways Network Management in relation to utility works/connections. It should also be noted that there may be restrictions to potential utility works due to Section 58 restrictions currently in place in the vicinity of Matthews Lane and Mount Road - further discussions will be required. Any requirement for associated traffic/pedestrian management measures associated with utility works will also require review/approval from Highways Network Management and Licensing.

The applicant should be advised that any requirements for licensing, hoarding, scaffolding, skips and any additional temporary pedestrian/traffic management arrangements including warning signage, and Section 50 temporary vehicle access, will need discussion and agreement with the council's Highway Network Management and Licensing teams. Based on the above, Highways recommend that condition 4 is discharged in relation to phases 1 and 2 only.

Work and Skills – 04.10.2024

Advise that it looks like a good start for local labour for the project and request their contact details are forwarded as they would be happy provide support in any way they can in respect of local labour/ social value for Kellen Homes and their supply chains. They reference their Work & Skills weekly bulletin for vacancies etc, and links they have with providers that have work ready Manchester residents with CSCS cards.

However, the number of apprentices is extremely low with just 2 being proposed, for a 50m project they would expect significantly more either new or existing. They ask that this further explored by looking at their supply chain, and if they have any apprentices that could be included.

The number of new employees also looks low for the size of the project unless they are intending to bring a workforce from another project in which case could they add a figure into the sustained section (they have indicated a percentage from Manchester for sustained but not included an overall figure).

The second column Targets Achieved to date are for when they have started the project and are reporting which they are happy for them to do Quarterly or bi yearly.
The employability figures look fine.

Further comments 17.10.2024.

Have reviewed the updated suggested KPI information from Kellen Homes. The updated figures look better however while its understandable regarding the under 18 apprentices, Kellen Homes haven't indicated how many of the 10 will be from Manchester postcodes. They request a commitment to employ apprentices from Manchester before this condition is discharged and reiterate comments about the work & skills bulletin which they can use, and the introduction to

originations that have work ready Manchester residents that may be interested in an apprenticeship.

They also recommend looking at T level students which could be part of their commitment on KPI 8, and would be happy to do an introduction to Manchester collage who they know would be interested in placing some of their T level students on local projects to gain experience and meet their learning hours.

Further comments 30.10.2024

Request the completion of the tabs on the spreadsheet re where the apprentices are from as within a 5 mile radius of the city centre could be Salford (first digits of postcodes if they are concerned with GDPR).

They have a target of 20 apprentices for the project could they use a Manchester first approach to any future apprentices as well as ensuring this gets passed down to their supply chain. They ask they also use a Manchester first approach for work experience and education activities.

GMEU - Condition 29 – The information submitted is satisfactory. They therefore recommend that the first part of the condition, as it relates to the submission and approval of the method statement, be discharged.

Environment Agency 28.10.2024-

Acceptance of discharge of Conditions 15a and 15b

Based on the information provided, they are satisfied that conditions 15a and 15b can be discharged for 138788/FO/2023, therefore this is a partial discharge of condition 15.

Refusal of discharge of Condition 15c

Although the above subsections of condition 15 can be discharged, please note that regarding 15c (the requirement for a verification report) has not been satisfied. Condition 15c requires a validation and verification report, but this has not been produced or submitted.

Please note that until condition 15c is successfully discharged, they cannot recommend the discharge of conditions 16 and 17 for 138788/FO/2023.

Further comments 12.11.2024

At the moment there is no specific reporting submitted explaining how they are going to decommission the boreholes on site however, the remediation strategy talks about decommissioning and grubbing out on-site infrastructure etc. which, in the case of this site is going to be fine.

So, the position in that, to discharge 15(c)[Validation], they will by default discharge 17 [boreholes] as well as 16. In which case they happy to confirm to the local planning authority that they have no objection to the council deciding that commencement can go ahead as this will aid the overall commencement of development based on the final landform and built structures.

The EA confirm that they have no objections to the commencement of works aimed at creating a development ready development platform as per the methodology described in the Remediation Strategy by Brownfield Solution Limited which was presented recently.

In order to address and discharge condition 17 (Boreholes) they would expect the applicant to follow the good practice guidance for Good practice for decommissioning redundant boreholes and wells (EA, 2012) which can be found at the follow national archive address of

https://webarchive.nationalarchives.gov.uk/ukgwa/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6478_8cbe6f.pdf

The reporting on the process described for decommissioning wells and boreholes can, they feel, be reported separated (for Con. 17 only) or combined into the validation and verification submissions for condition 15(c).

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: Split decision

Article 35 Declaration

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

Conditions 4 (CMP)

4)The information below has been reviewed for phases 1 and 2 (phases confirmed by applicant email dated 04.11.2024).

-Construction Environmental Management Plan and Construction Traffic Management Plan
August 2024

-Site compounds and site storage plan ref: KH-008 A-010 rev. B

-Site compounds and vehicle tacking plan ref: KH-008 A-011

On the basis that the development is implemented in accordance with the details in the specified plans and documents above condition no.4 is discharged in respect of phases 1 and 2 of the development.

For clarity condition no. 4 is not discharged for phases 1B and 3.

Condition no. 5 (materials)

5) The materials on the materials schedule plan ref: KH008 A202 rev.A and Materials schedule refL KH007-A-201 rev.E date 25.11.2024)) in the locations on materials plan ref: KH007 A-208 rev.K. have been reviewed.

Facing brickwork

Ibstock Mixed Red Textured

Ibstock Grainger Autumn

Ibstock Grainger Antique

Heads and cills – Manchester brick – smooth buff

Brick detailing – Manchester brick – smooth red

Natural mortar

Danum grey roof tiles.

Doors and rainwater goods Black RAL9005

Window frames Anthracite RAL 7016

Flat entrance canopy GRP Anthracite RAL 7016

On the basis that the development is implemented in accordance with the details referenced above condition no. 5 is discharged for phases 1 and 2 of the development.

Condition no. 15b (ground conditions)

15b) The contents of the documents referenced below have been reviewed.

Brownfield Solutions letter ref: TM/C5150/12974 dated 28th March 2024 received 25.10.2024, as updated by Remedial Strategy ref: NA/C5150/11739 rev.E dated November 2024 received 19.11.2024

On the basis that the development is implemented in accordance with the information in the documentation referenced above, and that subject to confirmation of its suitability as a growing medium, site-won material can be re-used within clean cover systems on site, subject to an acceptability testing frequency of 1:100m³, condition no.15b is discharged.

Condition no. 17 (boreholes)

17) The contents of the documents referenced below have been reviewed.

-Letter dated 24th September 2024 in respect of condition no.17 from Kellen Homes

-Brownfield Solutions letter ref: AJS/C5150/13105 dated 8th May 2024 - Borehole Decommissioning Specification

This information is considered to be acceptable in respect of the pre-commencement requirement for a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes, and work can therefore commence on site.

However, as there is no specific reporting submitted explaining how the boreholes on site are going to be decommissioned, condition no.17 cannot be formally discharged at this time.

Condition no.29 (wildlife RAMS)

The contents of the documents referenced below have been reviewed.

-Construction Environmental Management Plan (section 3) and (Appendix 3) and contents of letter dated 24th September 2024 in respect of condition no.29 from Kellen Homes.

-Reasonable Avoidance Method Statement (RAMS) dated September 2024 - Pennine Ecological

On the basis that the development is implemented in accordance with the details in the documents above condition no.29 is discharged. Each phase of the development shall be implemented in accordance with the approved measures.

Condition no. 55 (local benefits)

55 The information set out below has been examined.

-Email from applicant on 14.10.2024 , and email from applicant on 29.10.2024 in relation to the employment of Apprentices.

-Construction Local Labour KPI proposal and reporting received 14th October 2024 as revised by KPI received 29th October 2024 as updated by apprentice information received 18th November 2024.

On the basis that the development is implemented in accordance with the details in the documents above condition no.55 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Ecology Unit
Work & Skills Team
Environment Agency

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 -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

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Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH AREA