MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/24/0817
Date registered valid:	28 August 2024
Proposal:	Application to discharge conditions 3 (Construction Management Plan), 11 (contaminated land) , 18 (Drainage) and 20 (Ecology) 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:	Split decision
Date of recommendation:	**21.10.2024**

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:
Printed: 5 September 2024 Expired: 26 September 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

Highway Services - In regard to Condition 3 (Construction Management) a Construction Management Plan has been submitted. MCCs Events and Network Management Team have been consulted and have no concerns with the proposals. Therefore, the information is sufficient to allow us to recommend the discharge of the condition from a Highways perspective

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

Environmental Health- 23.09.2024
Condition 3 (Construction Management Plan)
The Tyson CMP, dated 20th August 2024, is generally acceptable although Saturday working hours / start time should be 8:30am rather than 8am as stated. Otherwise, they have no objection to the discharge of this condition.

Condition 11 (contaminated land)
According to their records, the appendices of the Preliminary Risk Assessment (Curtins, Ref: 077873-CUR-00-XX-RP-GE-014 Revision: V01 Date: 07 May 2021) submitted with respect to application 137912/FO/2023, remain outstanding (their memo of 26 September 2023). They advise they will be able to review the Phase II Site Investigation Report submitted for the CDN app (GeoCon, Ref: GSI 1941 MP PII Report V1, Date: November 2023) when this information has been received.

Further comments 15.10.2024
The CMP is acceptable for discharge of Condition 3, however we're unable to review the Phase II RS report submitted for Condition 11 until their previous comments (my email of 23/09/24) have been addressed as follows:

According to their records, the appendices of the Preliminary Risk Assessment (Curtins, Ref: 077873-CUR-00-XX-RP-GE-014 Revision: V01 Date: 07 May 2021) submitted with respect to application 137912/FO/2023, remain outstanding (our memo of 26 September 2023). They will be able to review the Phase II Site Investigation Report submitted for the CDN app (GeoCon, Ref: GSI 1941 MP PII Report V1, Date: November 2023) when this information has been received.

LLFA – 23.09.2024
Asked that :

- The layout be updated to include MH names corresponding to revised simulation package, so the layout can be cross-referenced to simulation package's MH and pipeline schedules.
- For confirmation (by layout annotation or email response) that the attenuation tank has appropriate easements or embedded design to protect the tank/nearby building foundations.
- Simulation package presented for 137912/FO/2023 uses 40%CC and therefore must be revised: Please submit simulation results for the 100+45% CC and MH/pipeline/storage schedule printouts for cross-checks. Standard comment: The applicant must present a consistent package to discharge this condition (Including all layouts and calculations). The layout and calculations must be jointly updated to account for any edits required. When preparing a resubmission, the applicant must ensure that the drainage layout and hydraulic calculations correspond, and that they can be cross-referenced for checks. This includes layout annotations and schedule printouts.
- Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site. The management of any flooded volume in the 100+45%CC simulation re-run must be shown on the layout.
- Hydraulic calculation of the proposed drainage system, including all engineering parameters, for simulation of 100+CC.

GMEU – 10.10.2024 Condition 20 can be discharged.

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 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: Split decision

Article 35 Declaration

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

Condition no.3 (Construction Management Plan)

3)The details on the Plant Hill Road - Site Layout plan ref: 1227 -A-DR-007 with access, compounds , canteen, store. etc annotated received 28th August 2024 have been reviewed in conjunction with the Construction Management Plan by Tyson dated 20th August 2024 received 10th October 2024. On the basis that the development is implemented in accordance with the report and plan referenced above for the full duration of the construction period , condition no.3 is discharged.

Condition no. 11 (Contaminated land)
11) The content of the Phase II site investigation report ref: GSI 1941 MP PII Report V1 received 28th August 2024 and Remediation Strategy report Ref: GSI 2209 GB RS dated October 2024 received 10th October 2024 have been examined. However, the appendices of the Preliminary Risk Assessment (Curtins, Ref: 077873-CUR-00-XX-RP-GE-014 Revision: V01 Date: 07 May 2021) (which were not submitted with respect to application 137912/FO/2023), remain outstanding.

On this basis insufficient information has been provided to enable the discharge of condition no.11, and condition no. 11 is not discharged.

Condition no.18 (Drainage)

18) The content of the Preliminary Drainage Strategy plan ref: 2109-SCE-00-00-DR-C-0001 rev. P03 , Drainage Strategy and Maintenance Document rev.P03 dated 08.12.2022 received 28th August 2024 have been reviewed . At this time further information is required in relation to appropriate easements in respect of the attenuation tank (or embedded design to protect the tank/nearby building foundations); the revision of the simulation package for the 100+45% CC; overland flow routes with the management of any flooded volume in the 100+45%CC simulation need to be re-run and shown on the layout, and hydraulic calculations of the proposed drainage system, including all engineering parameters, for simulation of 100+CC are required.

On this basis insufficient information has been provided to enable the discharge of condition no.18, and condition no. 18 is not discharged.

Condition no.20 (Ecology)

20) The Nesting Bird Surveys report dated 22nd August 2024 (ERAP Ltd 2024-306) received 28th August 2024 has been examined and is considered to be acceptable. I can therefore confirm condition no.20 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police

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