

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/0852

Date registered valid: 6 September 2024

Proposal: Discharge of conditions 3 (construction management plan), 5b (contaminated land) and 11 (highways works) attached to planning permission 135680/FO/2022.

Address: Land Off Ambrose Street , Manchester, M12 5DD

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr Marc Studholme Storage World

Agent (if any): Mr Alex Snow P4 Planning Limited

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

Recommendation: Approve

Date of recommendation: 11 November 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 16 September 2024

Expired: 7 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

The planning agent sent an email dated 22.10.2024 confirming that the applicant would like to withdraw the information submitted for condition 6 (surface water drainage) for application CDN/24/0852 currently in for determination, but would like all other information submitted for the other conditions to be determined.

Consultations & Notification Responses

Highways Services –18.09.2024

CONDITION 3 - CMP

A Construction Environmental Management Plan has been submitted.

Construction access will be enabled via the existing site access from Ambrose Street.

No external traffic management measures are proposed. Should external traffic management be required during the construction process, this will need agreement/permits from Highways Network Management and Licensing prior to

implementation (E-mail highwaylicences@manchester.gov.uk and highwaynetworkmanagement@manchester.gov.uk).

The applicant should be advised that any requirements for licensing, hoarding, scaffolding, skips and any associated temporary pedestrian/traffic management arrangements, including Section 50, will need discussion and agreement with the council's Highway Network Management and Licensing teams via Email -

highwaylicences@manchester.gov.uk highwaynetworkmanagement@manchester.gov.uk.

No dilapidation survey has been provided. Highways request that this is provided prior to condition discharge. As such, Highways recommend that the condition is not yet discharged.

CONDITION 11 - HIGHWAYS WORKS

Records indicate that no Section 278 Application has been made.

The applicant should note that Highways would only recommend condition discharge when the S278 technical approvals process for the application is at an advanced stage (following the S278 Application and payment of associated fees). The Section 278 Application can be made online at <https://www.manchester.gov.uk/xfp/form/1940>

As such, Highways recommend that the condition is not yet discharged.

Further comments 28.10.2024

Recommend discharge of Condition 3 (CMP) as an acceptable dilapidation survey has been provided. Feedback is awaited from Stat Approvals on Condition 11 (Highways works).

Further comments 08.11.2024

The highway condition for this development can be discharged at this stage.

Environmental Health -08.10.2024

Condition 3

The information submitted is sufficient. The document states that the contractor will consult LCC where noise levels will be excessive, but this may just be a typographic error.

Condition 5

The applicant will need to confirm that the asbestos survey has been undertaken for the existing building on site. Have any investigations been carried out below the demolished building? The proposed clean cover depth is not sufficient. The remediation document states 300mm depth but this should be a minimum of 450mm, as set out in our planning guidance document.

Further comments 29.10.2024

Condition 5

The remediation strategy dated October 24 has been revised and now includes the correct clean cover depth recommendations of 450mm which they can accept.

However, the applicant will need to confirm that the asbestos survey has been undertaken for the existing building on site. Have any investigations been carried out below the demolished building?

Further comments 08.11.2024

The information submitted is sufficient. They will still need to see the validation and completion report for the site when available.

United Utilities - Has no objection to condition 6 being discharged.

LLFA – recommended the refusal of condition no.6 due to insufficient information being provided for consideration.

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. 3 (construction management plan)

The Construction Environmental Management Plan Document ref: F-HS081 revision 2 dated October 2024 prepared by GK Construction & Project Management and photographs showing the condition of the footways and carriageways surrounding the site received 16th October 2024, has been reviewed in conjunction with the road condition survey revision 1 dated October 2024 received 24th October 2024. On the basis that the development is implemented in accordance with the measures in the documentation referenced above condition no.3 is discharged.

Condition no. 5b (contaminated land)

The Supplementary Site Investigation Letter Report ref: BEK/24060/240606/GK dated 6th June 2024 and Asbestos Management Plan report ref. BEK-24060-2 dated June 2024 received 6th September 2024 has been reviewed in conjunction with the remediation Method Statement report ref. BEK-24060-1A dated October 2024 received 16th October 2024 and the Refurbishment and Demolition Asbestos Survey dated 7th May 2024 received 4th November

2024. On the basis that the development is implemented in accordance with the measures in the documentation referenced above condition no.5b is discharged.

Condition no. 11 (highways works)

The details on the plans referenced below have been examined, and are considered to be acceptable.

- General Arrangement plan ref. 4435-D001
- S278 Site Clearance plan ref. 4435 – D002
- S278 Construction Materials plan ref. 4435-D003
- S278 Signs & Markings plan ref. 4435-D004
- S278 Standard Details plan ref. 4435-D005
- S278 Legal Plan plan ref. 4435-8278 LEGAL PLAN
- Swept Path Analysis plan ref. 4435-SP01
- TRO Plan (ref. 4435-TRO-01)

Received 6th September 2024

On the basis that the development is implemented in accordance with the details on the plans referenced above condition no.11 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA