MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/23/0557
Date registered valid:	15 August 2023
Proposal:	Discharge of condition 6 (CMP) for the remediation work phase of the development attached to planning permission referenced 131895/JO/2021.
Address:	Coleshill Street, Manchester, M40 8HH
Ward(s):	Miles Platting & Newton Heath Ward
Applicant:	Mr Christopher Langdon EQUANS Services Ltd & Landcare (East Manchester) Ltd
Agent (if any):	
Case officer:	Sue Wills Tel: 0161 234 4524 Email: sue.wills@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	18 September 2023

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:
Printed: 18 August 2023 Expired: 8 September 2023

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 - With regards to condition 6 the information provided in the submitted Construction Management Plan is sufficient to allow them to recommend the discharge of this condition from a Highways perspective.
The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Network Management teams via Email -highwaylicences@manchester.gov.uk highwaynetworkmanagement@manchester.gov.uk

Environmental Health -21.08.2023 -originally advised that the hours stated in the report did not adhere to MCC permitted times, and this should be revised . In addition deliveries to site should also keep to MCC permitted times.

The air pollution/quality re construction should include an AQ report regarding all works and vehicle movements. Noise and vibration should be monitored. More details are required regarding equipment, timings and methods that will be used to mitigate noise and vibration. Residents should be informed and a complaints procedure needs to be incorporated.

Further comments 01.09.2023 - the CMP cross references the remediation strategy and the site layout shows the site compound area in the same place as agreed in the remediation phasing plan, so there are no additional comments to make regarding ground conditions.

Further comments 04.09.2023 - There should be an emergency number for complaints and a log of any calls ; noise to adhere to measures in CMP ; and bibration to be monitored.

Further comments following revised CMP – 18.09.2023
Condition no.6 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:

Article 35 Declaration

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

Condition no.6 -CMP

The Construction Management Plan revision 02 dated August 2023 by McAuliffe received on 31st August 2023 has been examined in relation to remediation work phase of the development, and is considered to be satisfactory . On the basis that the measures in the Construction Management Plan revision 02 dated August 2023 are implemented for the full duration of the remediation works, condition no.6 is discharged for the remediation works element of the development .

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Site of Biological Interest - Name: Rochdale Canal, Stott's Lane - Ducie Street Basin
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
HSE COMAH Zone - H1485 OZ - Bradford Road Holder Station (East) Outer Zone
HSE COMAH Zone - H1485 MZ - Bradford Road Holder Station (East) Middle Zone
HSE COMAH Zone - H3595 OZ - Bradford Road Holder Station (West) Outer Zone
Hazard - Degussa Limited
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) -
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Area Team Boundary - Name: NORTH AREA