

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0860

Date registered valid: 28 November 2022

Proposal: Discharge of condition 9 (SBD) and 14b (ground conditions verification) attached to planning permission referenced 120104/JO/2018

Address: Land Adjacent To Kingsbridge Road And Camelia Road , Manchester, M9 5SQ

Ward(s): Harpurhey Ward

Applicant: Dr M Ajmal Prime Developers Ltd Unit 2 Brook House, Old Wood Lane, Cheadle, SK8 2PE

Agent (if any): Mr Barry Tang Tang and Associates Ltd - Chartered Architects 10/F 1 City Approach, Albert Street, Eccles, Manchester, M30 0BG

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

Recommendation: Approve

Date of recommendation: 3 January 2023

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 8 December 2022 Expired: 29 December 2022

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 – 23.12.2022 initially requested a copy of the updated Phase 2 report *LKC Final Phase 2 Geo-Environmental Investigation, Risk Assessment and Remediation Strategy undertaken by LKC (Ref: LKC 17 1427-02, dated 4th May 2018)*.

Having been signposted to the copy which was submitted as part of CDN/20/0600 (Discharge of conditions 3 (Construction Management Plan), 4 (wheel wash), 14a(ground conditions) and 21 (drainage) attached to planning permission referenced 110464/MO/2015/N1), and was considered in connection with the discharge of condition no.14a, they have advised (03.01.2023) that they have now reviewed the updated Phase 2/RS report together with the Site Completion Report and can advise that they have no objection to the discharge of the above condition.

Issues

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.9 – SBD Accreditation

9) The submitted Secure by Design Accreditation Gold Award for Plot nos. 1-12 Kingsbridge Road development ref: 2017/0515/SBD/01 dated 25th November 2022 is noted . On the basis of the submitted accreditation certificate, condition no.9 is discharged.

Condition no.14b - Ground conditions verification

14b) The content of the Site Completion report ref: LKC 22 1442 dated 10th November 2022 have been examined in conjunction with the updated Phase 2 report LKC Final Phase 2 Geo-Environmental Investigation, Risk Assessment and Remediation Strategy undertaken by LKC (Ref: LKC 17 1427-02, dated 4th May 2018) (submitted in conjunction with the discharge of condition no.14a). On the basis of the content of the Site Completion report ref: LKC 22 1442 dated 10th November 2022, condition no.14b is discharged.

Appendix 1 – List of consultees & neighbours notified

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

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

HSE COMAH Zone - H2654 OZ - Tennants Distribution Ltd Outer Zone

Flood Zones Type 2 (low to medium risk) -

Flood Zones Type 3 (high risk) -

Area Team Boundary - Name: NORTH AREA