

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0752

Date registered valid: 21 October 2022

Proposal: Discharge of condition 4 (site investigation) attached to planning permission referenced 121909/FO/2018

Address: Ashton Old Road , Manchester, M11 1AA

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Jon Antoniou STOR 128 Ltd Blackbrook Gate 1, Blackbrook Business Park, Taunton, Somerset, TA1 2PX

Agent (if any): Ms Jenka Kaslik STOR Power Ltd Blackbrook Business Park, Taunton, Somerset, TA1 2PX

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 16 December 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:

Printed: 21 November 2022

Expired: 12 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: No

Tree Preservation Order: No

Consultations & Notification Responses

Environmental Health – No objection.

United Utilities Water PLC – No comments received.

Highway Services – No objection.

Environment Agency – No objection but have requested a watching brief during construction relating to specific forms of contamination that might be encountered and related advice regarding action that should be taken.

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:

Article 35 Declaration

N/A

Condition(s) to be attached to decision for approval

4) The discharge of condition 4 (site investigations) is approved on the basis that the development is implemented in accordance with the details of the following documents referenced:

i) 1119 Ashton Old Road, Manchester Ground Investigation Report - Report for: Eco NRG Solutions Ltd dated: 1st September 2017 Ref: T&P Ref: 2017Sep_ASH1867_GI Report_Issue2 by T & P Regeneration Ltd;

ii) 1119 Ashton Old Road, Manchester - Supplementary Ground Investigation Report - Report for: Stor 104 Ltd Reference: P0755/CS-1625 Issue 02 dated 20 October 2022 by T & P Regeneration Ltd.

Informative

1) Environment Agency Comments

The information submitted does not indicate a source of Dense Non-Aqueous Phase Liquids (DNAPL) at the site. However, the further investigation has found limited quantities of Semivolatile Organic Compounds (SVOC), specifically 2,4,6-Trimethyl-3heptene and cyclohexenes. These are likely residual by-products of heavier hydrocarbons and are in very small quantities and there is no indication from the limited information of the investigation of significant contamination.

Should evidence of further contamination be discovered during the works we would strongly recommend that the applicant informs the Environment Agency at the earliest opportunity.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
United Utilities Water PLC
Highway Services
Environment Agency

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA