

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0610

Date registered valid: 25 August 2022

Proposal: Discharge of conditions 14a (ground conditions), 16 (CMP), 19 (drainage) and 22a (acoustic insulation) attached to planning permission referenced 133433/FO/2022

Address: 1515 Ashton Old Road, Manchester, M11 1GR

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Kevin Murphy KMM Homes C/o Agent

Agent (if any): Mrs Carol Clarke Bramhall Town Planning Limited Rhion Court (In Accountancy), 6 Station View, Hazel Grove, Stockport, SK7 5ER

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

Recommendation: Approve

Date of recommendation: 13 December 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:

Printed: 31 August 2022 Expired: 21 September 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

Highway Services – No objection to the discharge of condition 16.

Environmental Health - No objection to the discharge of condition 19 subject to the implementation of the development in accordance with the submitted and supplementary drainage details.

Flood Risk Management Team – No objection to the discharge of condition 14A, 16 and 22A subject to the implementation of the development in accordance with the submitted and supplementary drainage details.

United Utilities Water PLC – No objection to the discharge of condition 19. An informative has been included advising of developer obligations regarding the undertaking of works in close proximity to a public sewer.

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

N/A

Condition(s) to be attached to decision for approval

14) The discharge of condition 14a (ground conditions) is approved on the basis that the development is implemented in accordance with the details of the following documents, including asbestos removal:

Phase I Environmental Assessment: The Former Grove Public House, 1515 Ashton Old Road, Manchester, M11 1GR Ref: 42210R1/Iss- Rev A and supporting appendices by Peak Environmental Solutions dated 10 March 2022:

Discovery strategy for site at The Grove, Openshaw Planning Reference CDN/22/0610 attached to email from Bramhall Town Planning dated 5 December 2022;

Letter relating to the discovery strategy from CC Geotechnical Ltd attached to email from Bramhall Town Planning dated 29 November 2022;

Demolition Asbestos Survey Report Site Address: The Grove Public House, 1515 Ashton Old Rd, Openshaw, Manchester, M11 1GR dated 12 October 2022 by JPR Asbestos Services Limited.

When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and prior to occupation a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

16) The discharge of condition 16 (Construction Management Plan) on the basis that the construction phase of the development is implemented in accordance with the following

documents: Construction Phase Plan by KMM Homes Revision 1 attached to email from Bramhall Town Planning dated 29 November 2022 and email from Bramhall Town Planning dated 5 December 2022 confirming sheeting over of construction vehicles.

19) The discharge of condition 19 (drainage) is approved on the basis that the development is implemented in accordance with the following documents:

The Former Grove Public House, 1515 Ashton Old Road, Manchester M11 1GR Proposed Residential Development Drainage Strategy for KMM Homes by Integra Consulting Ref: 3338-DS Rev A dated October 2022

Email from Bramhall Town Planning dated 7 October 2022 and attached Integra Consulting (Engineers) Ltd document date 2 September 2022 Network 2019.1 Storm Sewer design and Below ground drainage strategy layout (No Topo) Ref: 3338/001 Rev P1 attached to email from Bramhall Town Planning dated 31 October 2022

United Utilities Letter referenced: UUPS-ORD-310889 dated 29 July 2022 and sewer plan referenced 21 Backwell Street, Manchester, M11 1NE.

Email from Bramhall Town Planning dated 7 October 2022 and attached Groundsure documents Ref: HMD-8570732.

The development shall be constructed and completed in accordance with the approved details.

22) The discharge of condition 22a (acoustic insulation) is approved on the basis that the development is implemented in accordance with the following document referenced: Noise impact assessment Ref: YA407.P1 Full planning application for the demolition of existing building and construction of three residential dwellings (Use Class C3), with access, landscaping and associated infrastructure - The Former Grove Public House 1515 Ashton Old Road Manchester M11 1GR Version 2.0 dated July 25 2022 by Y Acoustics.

Prior to first occupation of the residential units, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Informative

1) United Utilities comments - A public sewer crosses the site and we will not permit building over it. We require an access strip for maintenance or replacement. The minimum distances that might be acceptable to United Utilities are detailed within Part H of the Building Regulations however, we recommend the applicant determines the precise location, size, depth and condition of the pipeline as this is likely to influence the required stand-off distance from any structure.

2) The contractor should continue to liaise with the MCC Highways and Resilience Team, for associated hoardings/fencing highway licences and any temporary traffic regulation orders for the closures of any highway on a temporary basis. As part of the licensing and approvals process the routing of construction traffic and site access arrangements will be determined.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
United Utilities Water PLC

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA