

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0495

Date registered valid: 21 July 2022

Proposal: Discharge of condition 4b (ground conditions verification) attached to planning permission referenced 122030/FO/2018

Address: Land Off Gate Street/Victoria Street, To The Rear Of Nos 2-24 Range Street & 1-33 Hovis St , To The Rear Of Nos 2-24 Range Street & 1-33 Hovis Street, Manchester

Ward(s):

Applicant: Ms Victoria Nield Mosscares St Vincents Housing Group 7th Floor
Trafford House, Chester Road, Manchester , M32 0RS

Agent (if any): Simon Dennis Bernard Taylor Partnership Ltd Elizabeth House , 486
Didsbury Road, Stockport, SK4 3BS

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

Recommendation: Approve

Date of recommendation: 9 August 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 27 July 2022 Expired: 17 August 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 28.07.2022 - have reviewed the WML Validation Completion Report, ref. 9001G-WML-XX-ZZ RP-G-0004 dated July 2022, submitted in respect of the above application and advise that the rationale for the shortfall in the thickness of capping material placed in garden areas is accepted. A representative selection of waste transfer documents is however required in order to demonstrate appropriate off-site disposal of materials before they can recommend discharge of Condition 4b.

Updated commented 08.08.2022 following submission of waste transfer notes -
Have no objection to discharge of 4b.

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:

Article 35 Declaration

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

4b) The Validation Completion report 9001G-WML-XX-ZZ-RP-G-0004 dated July 2022 prepared by WML and received on 21st July 2022, has been examined and considered in association with the set of waste transfer notes (DHI Excavations) dated between 01.04.2022 and 27.04.2022 received 5th August 2022. On the basis that the development has been implemented in full accordance with Validation Completion report and the waste transfer notes (DHI Excavations) , I can confirm that condition no.4b 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 Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH AREA