

Discharge of Conditions

Proposal: Erection of two storey extension to wholesale cash and carry building (sui generis)

Location: 39E Broughton Street, Manchester, M8 8LZ

Date of application: 28 January 2022

Application number: 131031/FO/2021

Condition Number 03

No above ground development that is hereby approved shall commence unless and until samples and specifications of all other materials to be used on all external elevations of the development, have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed materials.

Attached file "Material Schedule" the existing and proposed materials.

Condition Number 05

The development hereby approved shall be implemented in accordance with the submitted Phase 1 Desk Study Report (Ref: 21.08.05 - Rev O) produced by Demeter Environmental Ltd dated September 2021 and received by the City Council as Local Planning Authority on 27 September 2021.

Prior to commencement of development, the following details shall be submitted for approval in writing by the City Council as Local Planning Authority. The development shall then be carried out in accordance with the approved details:

- Proposed measures to be installed to satisfy gas protection under classification CS2*
- Details of the hydrocarbon vapour proof membrane to be installed*
- A water supplier risk assessment to confirm the water supply pipe type to be installed*
- A verification report to confirm no contamination was found.*

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

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 assessment.

A Phase I Desk Study Report (which includes a preliminary risk assessment) is submitted to Manchester City Council under the National Planning Policy Framework (introduced March 2012), and the Guidance on 'Land contamination risk management (LCRM)'. This report supports the planning application for the site. It is stated in executive summary on page 04 that:

- The current use of land “comprised of an area of concrete hard standing which was used for parking and access to the adjoining properties. The history narrated says that “Initially (1848) the site formed part of a larger parcel of open land, the 1892 map identifies an excavation on the site, which was associated with a clay pit to the south and east. By 1931 the site is still undeveloped but appears to form part of a works to the south of the site. The 1933 map identifies the factory as a Aquatite Mill (Garment Rainproofing). The 1977 identifies the site as between two units. The 2009 aerial plate identifies a small building on the southern boundary and vehicles on the site. Street level imagery indicates the site is the loading bays for the adjoining properties.
- Potential Sources of Contamination is “Made ground Mill / commercial buildings, In-filled excavations Landfill.”
- Potential Contaminants of Concern, “Wide range of contaminants in the made ground (if present) VOC’s / SVOC’s Ground gases (CO₂, CH₄, H₂S, CO).”
- To determine if the site is impacted by ground gases:
“In lieu of a program of gas monitoring, it is proposed that gas protection measures are incorporated into the building design.

Given that one of the potential sources of gas is **a landfill** the highest Characteristic Situation is CS2 (Table 8.5 of CIRIA C665), and gas protection measures to this standard will be sufficient to break any potential contaminant linkages regarding ground gases.

Based on the guidance in BS 8485:2015+A1:2019 a score of 1.5 will be required.

Details of the protection measures will be provided once this report has been accepted, but is likely to be:

BS 8485:2015+A1:2019 – Score of 1.5

Installation of a gas resistant membrane meeting the criteria set out in BS8485:2015 – Score of 2.0

- *At 4.1.2 it is narrated that “Deposits of made ground are present 15m N, 20m NE, 131m S and 198m N of the site. (P-16)”*

7.1.2 Contaminated land is defined under Section 78A(2) of the Environmental Protection Act 1990 IIA, as “Any land which appears to the Local Authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land that:

- Significant harm is being caused, or there is significant possibility of such harm being caused, or Pollution of controlled waters is being or is likely to be caused”
- At 7.1.3 it is stated “Thus land can be defined as contaminated if it is causing significant harm; or where substances in, on or under the land are polluting a controlled water, or there is a significant risk of this happening.
- At 7.1.4 Current approaches (Guidance on ‘Land contamination risk management (LCRM), Part IIA of the Environmental Protection Act 1990 and the National Planning Policy Framework) to risk assessment of contaminated land suggest the construction of a Preliminary Conceptual Model.
- It is evident that made ground is far away from the discussion made by the writer of report and there is no indication / record in council of presence of any contamination of land for such a small site which is already surrounded by built up area since 1933. Even development near the site have no report of contamination or presence of any gases.
- The detail of wall and floor Foundation recommended by the structural engineer with GAS PROTECTION MEASURES is submitted separately.

It is ensured that if any presence of gas is detected during the excavation, it will be informed to council appropriate remedial action will be taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy, with information to council.

Condition Number 06

Notwithstanding details submitted, prior to the commencement of development, a construction management outlining working practices during development shall be submitted to and approved in writing by the City Council as Local Planning Authority, which for the avoidance of doubt should include:

- Measures to control noise and vibrations.

- *Dust suppression measures.*
- *Compound locations where relevant.*
- *Location, removal, and recycling of waste.*
- *Detail of an emergency contact telephone number.*
- *Parking of construction vehicles; and*
- *Sheeting over of construction vehicles.*

The development shall only be carried out in accordance with the approved construction management plan.

To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy, the construction management plan is being submitted.

Condition Number 08

Notwithstanding details submitted, prior to the commencement of above ground works, full details of the proposed roller shutters shall be submitted to and agreed in writing by the City Council as Local Planning Authority. Details shall include colour, security specification and level of perforation.

In the interests of security and visual amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy, the details of roller shutter “Frame Shield 120 Tubular Motor operated Fire Shutter” are submitted.