

Town & Country Planning Act 1990 (as amended)
Planning (Listed Building & Conservation Area) Act 1990 (as amended)

Partial approval of details reserved by condition

Applicant

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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 4 (Construction Management Plan), 5 and 6 (Contaminated Land), 7 (Surface Water Drainage), 8 (Car Parking/Driveway), 9 (Materials), 10 (Secure by Design), 11 (Air Quality), 13 (Cycle Parking), 15 (Drainage Maintenance), 16 (Bird and Bat Boxes), 18 (Bin Store Details), 19 (Landscaping), 21 (Rear Windows) and 23 (Highway Works) attached to planning permission 125114/FO/2019

Location: 18 Kingsley Road, Manchester, M22 4NL

Date of application: 30 June 2021

Application number: CDN/21/0468

Part 2 – Particulars of decision (1)

Manchester City Council gives notice that the following detail(s) referred to in Part 1 are **approved** in accordance with the information set out below.

Condition 13 - Cycle Parking

The cycle parking details as shown on drawing King-01 is considered to be acceptable and condition 13 can be discharged provided that the approved cycle parking is in situ prior to first occupation and made available thereafter.

Condition 18 (Bin Store Details)

Drawing King -01 provided details of the proposed bin stores for each property and these are considered to be acceptable. The approved details shall be implemented prior to the first occupation of the dwellinghouses for this condition to be discharged.

Part 2 – Particulars of decision (2)

Manchester City Council gives notice that the following detail(s) referred to in Part 1 are **refused** in accordance with the information set out below.

Condition 4 - CMP

In order to discharge condition 4, further information is required as detailed below:

- o The site working hours do not correlate with the Council's permitted construction hours of Monday - Friday: 7:30am - 6:00pm, Saturday 8:30 - 2:00pm and Sunday/Bank Holidays: No Work. The applicant should confirm that they will work within these hours.
- o There is very little information about noise other than they would scrutinise the Vibration and Noise Risk Assessments from contractors. Some information on what they would expect from these assessments would be helpful other than to not cause a Statutory Nuisance.
- o Confirmation is sought that all vehicles can enter and exit the site in a forward gear. If this is not the case, then the management of these movements should be detailed. Due to the residential location of the site it is recommended that a strategy to consult local residents/point of contact for resident issues etc. is included in the construction management plan.

Conditions 5 and 6 Contam Land

No information was provided to discharge condition 5 and 6 and therefore these conditions cannot be discharged.

Condition 7 -SWD

In order to discharge the drainage planning condition 7, further information is needed to confirm that the proposed drainage design is adequate to manage flood risk.

The outstanding evidence required:

- o Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 40% climate change in any part of a building. The hydraulic model needs to correspond with the proposed drainage layout (and including manholes) to ensure there is no flooding on site during the critical 1 in 100 year event plus 40% CC.
- o Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. The flood water should be routed away from the buildings and towards the less vulnerable areas i.e. open spaces, car parks and roads. A layout with overland flow routes to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site. The overland routes drawing should be a comparison between proposed internal finished floor level and external elevations.
- o Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.
- o Confirmation of the invert level for the connecting UU manhole to confirm a gravity connection is feasible.

Lastly, the information submitted indicated that the development will include perforate pipes to collect runoff from under the permeable paved areas and then connect to a

combined sewer. In an extreme surcharge event in the public sewer the sub base of the paved areas could become polluted and would cause odour and pollution issues.

Condition 7 cannot be discharged.

Condition 8 - Car Parking/Driveways

In order to satisfy condition 8 of the approval the car parking/driveway for the dwellinghouses indicated on the approved plans shall be surfaced, demarcated and shall be made available for car parking use prior to the dwellinghouses hereby approved being occupied.

Condition 8 cannot be discharged at this time.

Condition 9 - Materials

The following information was submitted for consideration:

1. Grey interlocking roof tiles to be Marley Edgemere
2. Facing Brickwork to be Farnley Red Multi plain brickwork with buff mortar, Below DPC. heads and sills to be solid due western with buff mortar.
3. Facing Brickwork to be Farnley Red Multi plain brickwork with buff mortar, Below DPC. heads and sills to be solid due western with buff mortar.
4. Vertical timber cladding
5. Dark Grey PVC guttering and downpipes
6. Dark Grey PVC - canopy
7. Dark Grey PVC - framed glazing
8. Dark Grey PVC - framed glazed sliding door
9. Timber Door
10. Metal balustrade
11. Glass balustrade
12. Glass rooflights

The above materials have been considered, however not all details have been provided.

In accordance with approved drawing PL007 Rev P4, point 1 should be details of standing seam metal roofing. Point 3 should be decorative brickwork and a sample board should be provide on site to show how this will contrast with the point 2 brickwork.

Details of the timber cladding are required together with a physical sample.

Points 5 to 8 as per the approved drawings should be dark grey ppc.

No details of the type and colour of the door, metal balustrade, glass balustrade and rooflights have been provided.

Therefore, further information is required for submission and consideration before this condition can be formally discharged.

Condition 9 cannot be discharged.

Condition 10 - SBD

The following information was submitted for consideration:

o Letter titled Re: SECURED BY DESIGN (SBD()) - 18 & 18A Kingsley Road, Northenden, Manchester reference: 2019/0887/SBD/01

The above information is considered to be satisfactory that works can commence on site, in order for condition 10 to be discharged and prior to first occupation written confirmation of a secured by design accreditation must be submitted to and acknowledged in writing by the Council as local planning authority.

Condition 11 - Air Quality

Drawing King-01 states that "an electric vehicle home charge unit rated 7.2kW is to be installed where indicated on the site Layout Plan (1 per dwelling). The cabling shall be of sufficient capacity to enable a minimum mode 7.4kW (32A) charging." It is unclear from the plans where these will be located, as they have not been annotated on the drawing. There are small circles on the plans adjacent to the 6 cars in the terrace, which could possibly be the charge point, but there is no indication of where the charge points will be for the semi-detached properties.

Therefore further information is required in order to discharge condition 11.

Condition 15 (Drainage Maintenance)

In order to discharge the drainage planning condition 15, further information is needed to confirm that the proposed drainage design is adequate to manage flood risk.

The outstanding evidence required:

- o Verification report providing photographic evidence of construction as per design drawings;
- o As built construction drawings if different from design construction drawings;

Condition 16 (Bird and Bat Boxes)

Drawing King-01 indicates that 2 no. habitat bat boxes and 6 no. Schwegle 1FR bat tubes are to be provided and are considered to be acceptable. However no details have been provided for the bird boxes. In order to discharge the condition, 2 no. swifts boxes should be shown on the drawings and to be erect either within/on the new properties.

Condition 16 cannot be discharged at this time.

Condition 19 (Landscaping)

DRAWING: M638/KRM/LAND/01 and DRAWING: M638/KRM/LAND/02 has been reviewed and additional planting should be provided to the southern most Beech Avenue property as only hedging at the front of the property has been provided, this is insufficient to discharge the planning condition.

Condition 19 cannot be discharged.

Condition 21 (Rear Windows)

Details are required of the the proposed glazing for the Rear Windows as per the approved drawings the lower sections shall be opaque glazing.

Condition 21 cannot be discharged.

Condition 23 (Highway Works)

Confirmation is required that the applicant has entered into a S278 agreement with the Council's Highway Services in order to discharge condition 23.

Date: 25 August 2021

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This decision relates only to that required under the Town and Country Planning Act 1990 (as amended) or Planning (Listed Building & Conservation Area) Act 1990 (as amended) does not include any consent or approval under any other enactment, byelaw, order or regulation.

2. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 or sections 20 and 21 of the Planning (Listed Building & Conservation Area) Act 1990 within six months of the date of the notice of the decision. However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/appeal-planning-inspectorate. The Inspectorate will publish details of your appeal on the internet.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.