

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

Partial approval of details reserved by condition

Applicant

Mr S Scudder
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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of condition 2 (materials), 4 (ground conditions), 5 (ground condition verification), 6 (CMP), 7 (Demolition), 8 (surface water drainage), 13 (boundary treatment), 14 (landscaping), 16 (environmental standards) attached to planning permission referenced 125682/FO/2019

Location: 45 Harrop Street, Manchester, M18 8RN

Date of application: 11 December 2020

Application number: CDN/20/0732

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 16 (ES)

The details contained with the submitted Energy Statement received by the City Council as Local Planning Authority on 16 November 2020 are satisfactory. Subject to implementation of the agreed measures, condition 16 can 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 2 (materials)

Insufficient details have been provided. Samples or coloured brochure extracts of the proposed materials are required in order to assess the impact of the full palette of materials. Until such time that details are received and agreed by the City Council as Local Planning Authority, condition 2 cannot be discharged

Condition 4 (ground conditions)

The submitted ground survey submitted contains no details of the monitoring locations at the site. No historical maps have been submitted and no gas monitoring has been undertaken at the site. Until such time that details of this are submitted and agreed by the City Council as Local Planning Authority, condition 4 cannot be discharged.

Condition 5 (ground verification)

No completion/verification report has been received. This condition can only be discharged upon completion of the development, for which the completion/verification report confirms that all necessary investigation and remediation measure have been implemented in accordance with agreed measures, pursuant to condition 4. As such, condition 5 cannot be discharged at this time.

Condition 6 (CMP)

No information has been submitted regarding the control of noise during the demolition and construction phases of the development. Information will need to be submitted which confirms how noise will be managed, what the limits are and who will be responsible for managing this. Until such time that details of this are received and agreed by the City Council as Local Planning Authority as part of an updated construction/demolition method statement/management plan, condition 6 cannot be discharged.

Condition 7 (demolition)

No information has been submitted regarding the control of noise during the demolition and construction phases of the development. Information will need to be submitted which confirms how noise will be managed, what the limits are and who will be responsible for managing this. Until such time that details of this are received and agreed by the City Council as Local Planning Authority as part of an updated construction/demolition method statement/management plan, condition 7 cannot be discharged.

Condition 8 (surface water drainage)

Insufficient surface water drainage details have been submitted.

Condition 8 require the following information to be provided.

- Evidence that the use of green SuDS have been maximised in the design;
- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within a Critical Drainage Area;
- Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;
- 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 climate change in any part of a building;

- 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 needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.

- Hydraulic calculation of the existing and proposed drainage system;

- Construction details of flow control and SuDS elements.

Until such time that the above details are submitted and agreed by the City Council as Local Planning Authority, condition 8 cannot be discharged.

Condition 13 (boundary treatment)

Insufficient details have been provided in relation to the proposed boundary treatment. Condition 13 requires the submission and agreement of plan indicating the positions, design, materials and type of boundary treatment/gates to be erected. Further details are required in relation to the design and materials of the proposed boundary treatment. Until such time that details are submitted and agreed in writing by the City Council as Local Planning Authority, condition 13 cannot be discharged.

Condition 14 (landscaping)

The submitted landscaping scheme shown on drawing numbered 752.004 is inadequate and shows insufficient detail. The following matters are of concern:

- In contrast to the approved layout, plot 3 shown on the submitted drawing is entirely hard landscaped to the rear and does not include a rear garden area;

- Artificial grass is proposed. It is required that the rear gardens be laid to lawn;

- No details of the planting species have been provided;

- The specification of the hard landscaping is required i.e manufacturer's specification.

Until such time that an amended landscaping scheme is submitted to and agreed in writing by the City Council as Local Planning Authority, condition 14 cannot be discharged.

Date: 18 January 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.