MANCHESTER CITY COUNCIL

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

Partial approval of details reserved by condition

Applicant	Agent (if used)
Maxstretti Homes (Wythenshawe) Ltd C/o Agent	Mr Paul Anderton Trinity Architecture & Design Ltd 2B Beech Road Hale Altrincham WA15 9HX

Part 1 – Particulars of the application/development

Proposal: Application to discharge condition nos. 3 (materials), 4 (insulation), 7 (landscaping), 8 (tree protection), 10 (Secured by Design), 11 (fencing), 12 (contamination), 13 (drainage) and 15 (construction management) attached to planning permission 110105/FO/2015/S2

Location: Land At The Corner Of Greenwood Road & Gladeside Road, Manchester, M22 9RA

Date of application: 23 November 2018

Application number: CDN/18/0890

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.

3) Materials

3) Materials - The folllowing materials are considered acceptable:

a) Ashington Red Multi Bricks by Weinerberger with Red Sandstone, Dukes from Natural Stone Direct Cumbria Ltd
b) Roofing Slate - Kentdale Blue Grey
c) Windows, Fascias & Barge Boards, Rainwater Goods all to be in the colour RAL 7016
d) Cladding - Aluminium to be colour RAL 7016

Therefore, on the proviso the development is undertaken in accordance with these approved materials the condition is considered discharged.

4) Insulation

4) Insulation - The submitted information (report by PDA Ltd) is considered acceptable. Therefore subject to the proposal being implemented in accordance with these approved details the condition is considered discharged.

7) Landscaping
7) Landscaping - The submitted landscaping scheme is considered acceptable. Therefore, on the proviso the development is implemented in accordance with the approved landscaping scheme the condition is considered discharged.

8) Tree Protection
8) Tree Protection - The submitted tree protection measures are considered acceptable and fulfill the requirements of this condition

10) Secured by Design
10) Secured by Design - The submitted Crime Prevention Plan is considered acceptable. Therefore, on the proviso the development incorporates the findings of the Crime Prevention Plan, the condition is considered discharged.

11) Fencing
11) Fencing - The submitted information is considered acceptable. Therefore, on the proviso the development is implemented in accordance with these approved details the condition is considered 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.

12) Contamination
12) Contamination - The information provided is insufficient to discharge the condition. The Phase 2 Intrusive Investigation by Curtains is dated 2007 and considered 'out of date'. It is over 10 years old and may not reflect the current conditions on the site or use current screening values which have been updated since then. As a result all sampling should be compared to current guidance. In addition, no Phase 1 (PRA) or Remediation Strategy have been submitted.

13) Drainage
13) Drainage - The submitted drawing is marked as 'preliminary'. For discharging the condition a more detailed design needs to be developed. Condition 13 is worded that "no surface water shall discharge to the public sewerage system either directly or indirectly", however the current proposal suggests drainage to be connected into the existing public sewer.

In order to discharge the drainage planning condition, further information is needed to confirm that the proposed drainage design is adequate to manage flood risk. The outstanding evidence required:

o Evidence that drainage hierarchy has been applied in line with NPPF PPG Paragraph 080. The wording of the condition suggests no connection to the public sewer.

o 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. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;

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 climate change in any part of a building; Hydraulic calculations of the whole surface water drainage system to be provided;

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. 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.

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 Construction details of flow control and SuDS attenuation elements.

o Information on how the system would be managed after completion.

15) Construction Management Plan

15) Construction Management Plan - The information provided is insufficient to discharge the condition, the following amendments/additional information is required:

a) Hours of Work - Not in line with MCC guidelines as Saturdays should be 0830 to 1430 hours.
b) Unloading and Loading - no site plan to indicate where this will happen.
c) Storage of plant and materials - no site plan to show this.
d) Wheel washing - no site plan showing hard surface area to wash construction vehicles.
e) Waste recycling - no site plan to show this.

Date: 17 January 2019

Signed: 

Julie Roscoe
Head 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.