MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/25/0494
Date registered valid:	28 May 2025
Proposal:	Discharge of condition 23 (Drainage Management) for Phases 1 and 2 from planning approval reference 134504/FO/2022
Address:	Land At Bennett Street, Manchester, M12 5NL
Ward(s):	Ardwick Ward
Applicant:	Miss Shannon Cooke, Kellen Homes
Agent (if any):	
Case officer:	Sue Wills Tel: 0161 234 4524 Email: sue.wills@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	13 August 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:
Printed: 4 June 2025 Expired: 25 June 2025

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

LLFA -09.07.2025- responded outlining information related to a verification report providing photographic evidence of construction as per design drawings, which shall include flow control and attenuation components.
The developer has submitted as built surface water culvert diversion, other as built drainage drawings has not been submitted for phase 1 and 2. These details are required.
If the riparian owner will be responsible for the management and maintenance of the culverted ordinary watercourse, the developer will need to provide an agreement in principle from the future riparian landowner to confirm responsibility of the culverted watercourse following completion. They have discussed this asset with their S38 department and have been advised future maintenance will be undertaken by Sigma Capital.

The developer has submitted as built surface water culvert diversion and a CCTV inspection report, the CCTV inspection report does not relate to the culvert diversion. The following is still required, as per the previous response under CDN/24/0613: - The developer has previously submitted a post-installation survey. Given the change in the diversions cover level and invert levels, the developer must update and submit as built manhole schematics and long sections reflective of this change. - The condition requires the developer to undertake a post-piling survey of the culverted watercourse, to ensure the culvert's structural integrity. The developer will need to provide an additional CCTV survey once all piling works are complete to ensure the culvert remains unaffected. - As highlighted under application no. CDN/24/0189, their land drainage consent approval (MCC024/11/2022) requires the developer to supply as-builts of the watercourse diversion. If construction is completed, they recommend the developer supplies this information as soon as possible.

Further comments 11.08.2025
Have reviewed the submitted information and have the following comments.

- The verification report with photographic evidence of construction to be provided. Applicant has stated that this will be submitted upon completion, they will review this once completed by the applicant.
- As built drawing appended (Drawing Ref: Drawing No 77 Drainage as built) to be submitted, as this drawing has not been uploaded in the planning portal.

Further comments 13.08.2025
Condition no.23 can be discharged

Issues

Other Legislative Requirements
Equality Act 2010
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 polices 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: Approve

Article 35 Declaration

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

Condition 23 (Drainage Management) for Phases 1 and 2

23) The following documentation, photographic images and plan has been reviewed in relation to Phases 1 and 2 of the Bennett Street development.
- CCTV inspection report Bennett Street dated 07.04.2025
- CCTV inspection report Bennett Street dated 01.05.2025
- Surface water diversion as built plan dated 28.07.2023
- Topographical Land Survey with drainage indicated plan ref: S22-290 rev. ZI
- Photographic images of as built drainage (including Hydro-brakes)
Received 28th May 2025

- Culvert Management Plan Bennett Street
- CCTV inspection report Bennett Street dated 23.07.2025
- Applicant response to matters raised by the LLFA
- Email from Sigma Capital to applicant dated 6th November 2024 confirming that they are the riparian owner and that the long-term maintenance will sit with themselves for the long-maintenance of the watercourse upon completion of the works
Received 28th July 2025

-As built drainage plan ref: 006 77
- Photographic images of as built Hydro-brakes
Received 12th August 2025

On the basis of the information referenced above condition no.23 is discharged in respect of Phases 1 and 2 of the development .

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3