

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/0029

Date registered valid: 15 January 2025

Proposal: Discharge of conditions 5 (highway works) and 15 (drainage) attached to planning permission ref: 136721/FO/2024

Address: Site Of Former Day Nursery, Longhurst Road, Manchester, M9 8NS

Ward(s): Higher Blackley Ward

Applicant: Ms. Andrea Peak, Terra Nova Development limited

Agent (if any): Mr Adam Collinge, Bowker Sadler Architecture

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 25 March 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 17 January 2025 Expired: 7 February 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: Crab Lane Conservation Area 1983

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Highways Services 28.01.2025 - Highways Statutory Approvals have confirmed that they are yet to complete the technical review of the S278 works on this scheme due to ongoing discussions with the developer regarding changes to the grass verges along Longhurst Road. Discharge of the S278 condition will only be approved when the design is at an advanced stage in the technical review process. As such, Highways recommend that Condition 5 is not yet discharged.

Further comments 26.02.2025

Highways recommend that Condition 5 can now be discharged

Further comments 12.03.2025 from the Statutory Approvals Team

Raised concerns and questions regarding the placement of any drainage asset on or under the highway.

Further comments 18.03.2025 from the Statutory Approvals Team

They advise that they have met with the applicant's drainage consultants, which explained their drainage proposals – the plan shows a carrier pipe within the highway and not any form of attenuation tank – the tank will be situated off highway on private land.

They queried whether the plan form part of the submission and confirmed the plan that they had discussed was the finalised proposal which the applicant's drainage consultants wish to progress with.

They further advised the proposals have been approved by United Utilities and receipt of this approval was awaited. They also confirmed that if it were just a carrier pipe proposed within the MCC owned grass verge / highway, then they would have less concerns with this approach. They also advised they wanted the LLFA to be satisfied with it just being the carrier pipe being installed.

Further comments 20.03.2025 from the Statutory Approvals Team

Agree in principle with the proposed drainage design, providing that their highways team is satisfied with the proposed infrastructure meeting our technical requirements.

United Utilities- Further to their review of the submitted documents, Drawing 106240 PEL HDG 01 DR D 1001, Rev P10 - Dated 07/11/2024, United Utilities has advised that they have no objection to condition 15 being discharged.

LLFA 26.02.2025 – provided comments outlining the outstanding information required before condition 15 could be recommended for discharge.

Further comments 14. 03.2025

The only outstanding matter is the drainage outside of the site boundary, for which you are waiting for the Statutory Approvals Team to advise you.

The proposed drainage layout drawing (106240-PEL-HDG-01-DR-D-1001-P13-S104 GA) indicates sections of proposed sewer (including storage and flow control) to be outside the redline boundary.

The following is still required:

- Any new infrastructure outside the redline boundary will require agreement from the landowner. Provide agreement in principle for the proposed new infrastructure outside the redline boundary.
- If permission cannot be obtained, the design must be modified to accommodate the full SuDS system within the site boundary.
- The applicant must present a consistent package to discharge this condition (Including all layouts and calculations). The layout and calculations must be jointly updated to account for any edits required. When preparing a resubmission, the applicant must ensure that the drainage layout and hydraulic calculations correspond, and that they can be cross-referenced for checks. This includes layout annotations and schedule printouts.

Further comments 24. 03.2025

Advise as their only remaining query was in relation to the oversized pipes being located outside of the redline boundary, and given the acceptance in the email trail from the Statutory Approvals Team, they can now recommend that Condition 15 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 policies 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 no. 5 (highway works)

5) The details on the following plans have been examined and are considered to be acceptable.

External Works Arrangement General Arrangement Plan ref: 106240-PEL-HEW-01-DR-D-0001-P01

S278 works General Arrangement plan ref: 106240-PEL-HGN-01-DR-D-0001-P03

S278 Land Boundary Plan ref: 106240-PEL-HGN-01-DR-D-0001-P01

S278 Pavements, Kerbs and Footways Plan ref: 106240-PEL-HKF-01-DR-D-0001-P03

S278 Setting out plan ref: 106240-PEL-HML-01-DR-D-0002-P01

S278 Sign and Road Markings Plan ref: 106240-PEL-HGN-01-DR-D-0001-P01

S278 Site Clearance Plan ref: 106240-PEL-HSC-01-DR-D-0001-P03

S278 Standard Details Plan ref: 106240-PEL-HGN-XX-DE-D-0001-P01

S278 Swept Path Analysis Driveways Sheet 1 of 4 Plan ref: 106240-PEL-SPA-01-DR-D-0002-P02

S278 Swept Path Analysis Driveways Sheet 2 of 4 Plan ref: 106240-PEL-SPA-01-DR-D-0003-P02

S278 Swept Path Analysis Driveways Sheet 3 of 4 Plan ref: 106240-PEL-SPA-01-DR-D-0004-P02

S278 Swept Path Analysis Driveways Sheet 4 of 4 Plan ref: 106240-PEL-SPA-01-DR-D-0005-P02

S278 Swept Path Analysis Driveways Emergency Vehicles Plan ref: 106240-PEL-SPA-01-DR-D-0001-P01

On the basis that the development is implemented in accordance with the details shown on the plans referenced above , and all the agreed works are completed prior to the first dwelling unit being occupied, condition no.5 is discharged.

Condition no. 15 (drainage)

15) The details on the following plans have been examined and are considered to be acceptable.

Drainage Standard Details plan ref: 106240-PEL-HDG-01-DE-D-0001-P03

Drainage Hydrobrake Detail Drainage Plan ref: 106240-PEL-HDG-01-DE-D-0004-P07

Section 104 Surface Water Manhole Details plan ref: 106240-PEL-HDG-01-DE-D-0002-P05

Section 104 Foul Manhole Details plan ref: 106240-PEL-HDG-01-DE-D-0003-P06

Section 104 Drainage Impermeable Areas Plan ref: 106240-PEL-HDG-01-DR-D-1002-P01

Private Drainage General Arrangement Plan ref: 106240-PEL-HDG-01-DR-D-1005-P02

Blocks 3-9 Typical Section A-A, B-B , C-C through slope in ground Plan ref: 106240-PEF-FD-XX-DR-S-1008-C04

Land Registry Plan ref: 106240-PEL-HDG-01-DR-D-1009-P02

Hydro- Brake Optimum specification ref: SHE-0108-5000-0823-5000

S104 Manhole Schedule plan ref: : 106240-PEL-HDG-01-DR-D-1008-P03

Time Area Diagram for Storm - Microdrainage results

Received 15th January 2025

Section 104 Drainage General Arrangement plan ref: 106240-PEL-HDG-01-DR-D-1001-P13

Section 104 Drainage Long Sections plan ref: 106240-PEL-HDG-01-DR-D-1003-P09

Section 104 Overland Flow Routing Plan ref: 106240-PEL-HDG-01-DR-D-1004-P01

Land Drainage General Arrangement Plan ref: 106240-PEL-HDG-01-DR-D-1006-P05

Section 104 Attenuation Foundation Plan ref: 106240-PEL-HDG-01-DR-D-1007-P02

Section 104 Drainage Attenuation Tank Plan ref: 106240-PEL-HDG-01-DR-D-1010-P03

Pell Frischmann document ref: 106240-PEF-XX-XX-CT-D-0001

Longhurst Road Modelling results (Online Controls for Storm)

Polystorm Standard Details – Offline Storage Example Three plan ref: PSM_SD_EG_003

Received 28th February 2025

Summary Wizard of 360 minute 100 year Summer I+45% for Storm data

Longhurst Greenfield run off rate calculations document

Received 6th March 2025

On the basis that the development is implemented in accordance with the details shown on the plans and in the documentation referenced above condition no.15 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
MCC Flood Risk Management
United Utilities Water PLC

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Crab Lane Conservation Area 1983
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA