

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/0482

Date registered valid: 5 June 2024

Proposal: Discharge of Condition 22 (Drainage) attached to planning permission 135270/FO/2022

Address: Land Between 121 - 131 Levenshulme Road, Manchester, M18 7NF

Ward(s): Longsight Ward

Applicant: Mike Watson Watson Construction (Holdings) Limited

Agent (if any):

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

Recommendation: Refuse

Date of recommendation: 7 August 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 13 June 2024 Expired: 4 July 2024

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 - It appears there are discrepancies between the layout and the hydraulic calculations. Please review, update, and verify all invert levels. The outfall pipe on S26 has no labels on the drainage layout; however, the micro drainage calculations indicate it as a 375mm diameter pipe with an invert level of 64.260. Kindly review and update accordingly.

Where surface water is connected to the ordinary watercourse, agreement in principle from Manchester City Council as Lead Local Flood Authority is required. Please note that all new connections to the watercourses shall comply with reduction of flows to Greenfield runoff rates. An email of acceptance of proposed flows and/or new connection will suffice. The LLFA advise that they are awaiting information, and reference a refusal on 21/06/24.

The Hydraulic calculation of the proposed drainage system must include Critical Storm Events for the 1 in 2, 1 in 30 and 1 in 100 + 45% Climate Change. Results must demonstrate no surcharge for the 1 in 2, no flooding in the 1 in 30 and no flooding of buildings for the 1 in 100 + 45% Climate Change.

In relation to construction details of flow control and SuDS elements, site specific flow control construction details / manufacturers specification are required, together with site specific attenuation tank construction details and SUDS elements.

United Utilities - has no objection to condition 22 being 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: Refuse

Article 35 Declaration

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

22) The following information accompanying this application has been considered.

- the statement setting out responses to the consultee comments made in connection with an earlier application to discharge condition no.22 .

- Storm Sewer design calculations.
- Below Ground Drainage Layout Overall ref: 23-2405 A1 200 rev.P5.
- Below Ground Drainage Layout Sheet 1 of 2 ref: 23-2405 A1 201 rev.P8.
- Below Ground Drainage Layout Sheet 2 of 2 ref: 23-2405 A1 202 rev.P9.
- Below Ground Drainage Manhole and Pipe schedule ref: 23-2405 A1 203 rev.P3.
- Below Ground Drainage Details Sheet 1 of 3 23-2405 A1 204 rev.P2.
- Below Ground Drainage Details Sheet 2 of 3 23-2405 A1 205 rev.P2.
- Below Ground Drainage Details Sheet 3 of 3 23-2405 A1 206 rev.P2.
- S106 Part 1 'Application to connect to a public Sewer ' approval Notice.
- content of the correspondence from LK Consult dated 21st May 2024 (LKC 22 1031-SUD-R0).
- Surface Water Management Report ref: 23-2405 dated May 2024.

At this time however, there appear to be discrepancies between the layout and the hydraulic calculations. The outfall pipe on S26 has no labels on the drainage layout; however, the micro drainage calculations indicate it as a 375mm diameter pipe with an invert level of 64.260.

In regard to the Hydraulic calculation of the proposed drainage system: calculations must include Critical Storm Events for the 1 in 2, 1 in 30 and 1 in 100 + 45% Climate Change, and the results must demonstrate no surcharge for the 1 in 2, no flooding in the 1 in 30 and no flooding of buildings for the 1 in 100 + 45% Climate Change.

In relation to construction details of flow control and SuDS elements, site specific flow control construction details / manufacturers specification are required, together with site specific attenuation tank construction details and SUDS elements.

Furthermore, an agreement in principle from Manchester City Council as Lead Local Flood Authority where surface water is connected to the ordinary watercourse, is required. All new connections to the watercourses need to comply with reduction of flows to Greenfield runoff rates. An email of acceptance of proposed flows and/or new connection would be accepted.

In view of the outstanding drainage information which is required, condition no.22 cannot be discharged at this time.

Appendix 1 – List of consultees & neighbours notified

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
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA