MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/24/0145
Date registered valid:	27 February 2024
Proposal:	Discharge of Condition 22 (Drainage) attached to planning permission 134504/FO/2022
Address:	Olympic Freight Terminal, Bennett Street, Manchester, M12 5NL
Ward(s):	Ardwick Ward
Applicant:	Mr Benjamin Guest Kellen Homes
Agent (if any):	Ray Collins Kellen Homes
Case officer:	Sue Wills Tel: 0161 234 4524 Email: sue.wills@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	15 May 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:
Printed: 6 March 2024 Expired: 27 March 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
United Utilities – No objection to condition no.22 being discharged.

LLFA Comments 15/04/2024

The following further information is required:

- LDC application for consent: Open application brought to LLFA attention by developer – this is now being processed & separate comments will be returned. – *Long sections have been noted. The developer must provide a manhole schematic for SCWC.*

Informative note / resolved actions (no action required):

The proposed drainage layout indicates sections of private sewer ‘to be abandoned’, dependent on further investigation. The developer’s comments are noted. Prior to removal the LLFA would have recommended CCTV survey to be undertaken, to determine any existing connections.

Construction details of flow control - Please provide evidence of UU Section 104 approval for the 4 hydrobrake manholes to support the complex control system arrangement. *The developer has confirmed the system will be adopted by Icosa Water under the Water Industry Act 1991, Section 104. No further comment on this point. However, any change throughout the adoption process will need to be highlighted to the LLFA (no further action required).*

Please update the overland flow routing plan to include the correct FFLs (it includes the previously proposed FFLs). – *Both plans have been submitted. Only drawing no. 22122/101/2/E demonstrates the correct finished floor levels (no further action required).*

Proposed drainage layout: indicates a ‘foul water dragout’ connection into manhole S43. Can the developer please amend this to suit the correct connection. Screenshot of location/key included below. – *This comment has been resolved. Drawing no. 22122/100/1/M key has been updated to reflect a SW connection (no further action required).*

LLFA Comments 30/04/2024

- LDC application for consent: Open application brought to LLFA attention by developer – this is now being processed & separate comments will be returned. – Schematics have now been provided. However, both manhole schematics (22122/104/8/A) reference the wrong discharge rate (20l/s). For the LLFA to approve the detail, this will need to be amended to reflect the correct flow rate (14.6l/s).

Informative note / resolved actions (no action required):

The proposed drainage layout indicates sections of private sewer ‘to be abandoned’, dependent on further investigation. The developer’s comments are noted. Prior to removal the LLFA would have recommended CCTV survey to be undertaken, to determine any existing connections.

Construction details of flow control - Please provide evidence of UU Section 104 approval for the 4 hydrobrake manholes to support the complex control system arrangement. *The developer has confirmed the system will be adopted by Icosa Water under the Water Industry Act 1991, Section 104. No further comment on this point. However, any change throughout the adoption process will need to be highlighted to the LLFA (no further action required).*

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LLFA Comments 15/05/2024

Based on the updated information supplied via the developer, they would have no further comments to make on condition 22. Therefore, they would recommend this condition is 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 22 (Drainage)

22) The drainage details shown on the plans referenced below have been reviewed :
Technical Approval Certificate (section 104 adoption) under the Water Industry Act 1991
Surface Water Culvert Diversion plan ref: : 22122/104/1 rev.G
Longitudinal Section plan ref: 22122/104/2 rev.G
S100 Manhole schematic section plan ref: 22122/104/10
S107 Manhole schematic section 1 plan ref: 22122/104/8
S107 Manhole schematic section 2 plan ref: 22122/104/9
SW Manhole Schematics drawing 1 plan ref: 22122/104/3 rev. F
SW Manhole Schematics drawing 2 plan ref: 22122/104/4 rev. G
SW Manhole Schematics drawing 3 plan ref: 22122/104/5 rev. F
SW Manhole Schematics drawing 4 plan ref: 22122/104/6 rev. B
SW Manhole Schematics drawing 5 plan ref: 22122/104/7 rev. C
Simple Index Approach: Tool proforma
External Works Drawing 1 ref: 22122/106/1 rev.K
External Works Drawing 2 ref: 22122/106/2 rev.i
External Works Drawing 3 ref: 22122/106/3 rev.H
External Works Drawing 4 ref: 22122/106/4 rev.i
External Works Drawing 5 ref: 22122/106/5 rev.i
External Works Drawing 6 ref: 22122/106/6 rev.i

Road and Main Drainage Layout 1 plan ref:22122/100/1 rev.M
Road and Main Drainage Layout 2 plan ref:22122/100/2 rev.M

Longitudinal Sections 1 plan ref: 22122/100/3 rev.H
Longitudinal Sections 2 plan ref: 22122/100/4 rev.H
Longitudinal Sections 3 plan ref: 22122/100/5 rev.G
Longitudinal Sections 4 plan ref: 22122/100/6 rev.E
Longitudinal Sections 5 plan ref: 22122/100/7 rev.D

Road levels and contours plan ref: 22122/101/1 rev.K
Flood Water Exceedance Plan ref: 22122/101/2 rev.E
Section 104 Agreement Plan ref: 22122/110/1 rev.H
Section 38 & section 278 agreement plan ref: : 22122/112/1 rev.J
Section 38 General Agreement plan ref: 22122/118/1 rev.E
Section 38 Agreement Visibility Splays plan ref: 22122/118/2 rev.C
Section 278 Site Clearance plan ref: 22122/122/1 rev.A
CBR location plan ref: 22122/119/1 rev.B

Hydro Brake Optimum specification sheet ref: SHE-0126-6800-070-6800

Manhole Schematics drawing 12 – HB2 plan ref: 22122/109/12 rev.D
Manhole Schematics drawing 13 – HB3 plan ref: 22122/109/13 rev.E

Manhole Schematics drawing 14 – HB4 plan ref: 22122/109/14 rev.F
Manhole Schematics drawing 15 – HB5 plan ref: 22122/109/15 rev.E

Plot Drainage drawing 1 plan ref: 22122/107/1 rev.i
Plot Drainage drawing 2 plan ref: 22122/107/2 rev.G
Plot Drainage drawing 3 plan ref: 22122/107/3 rev.F
Plot Drainage drawing 4 plan ref: 22122/107/4 rev.G
Plot Drainage drawing 5 plan ref: 22122/107/5 rev.F
Plot Drainage drawing 6 plan ref: 22122/107/6 rev.i

Deed of Grant on site plan ref: 22122/111/1 rev.D
PAS128 Utility Survey plan ref: S22-291 rev.C
Received 8th March 2024

SW Manhole Schematics drawing 6 plan ref: 22122/104/8 rev.B received 1st May 2024.

SW Manhole Schematics drawing 7 plan ref: 22122/104/9 rev.B received 16th May 2024

The plans specified above have been considered solely in relation to the drainage information shown, and are considered acceptable in relation to drainage. On the basis that the drainage at the site is implemented in accordance with the details on the plans referenced above condition no.22 is discharged.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management
Environment Agency
United Utilities Water PLC

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA