MANCHESTER CITY COUNCIL

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

Refusal of details reserved by condition

Applicant

Matthew Buckle
Watson Construction (Holdings) Limited
208 - 210 Great Clowes Street
Salford
M7 2ZS

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Discharge of condition 22 (drainage) attached to planning permission referenced 135270/FO/2022.

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

Date of application: 29 December 2023

Application number: CDN/23/0881

Part 2 – Particulars of decision

Manchester City Council gives notice that the detail(s) referred to in Part 1 are **Refused** in accordance with the information set out below.

Condition no.22 Surface Water Drainage
The drainage information on plans, and document submitted on 29th December 2023 refenced below have been considered in conjunction with the additional drainage information appended to the email dated 21st February 2024 from Watson Homes.

Below Ground Drainage Layout overall ref: 23-2405/A1/200 rev.P4; Below Ground Drainage Layout Sheet 1 of 2 ref: 23-2405/A1/201 rev.P5;
Below Ground Drainage Layout Sheet 2 of 2 ref: 23-2405/A1/202 rev.P5;
Below Ground Drainage Manhole and pipe schedule ref: 23-2405/A1/203 rev.P1;
Below Ground Drainage Details (1) sheet 2 of 3 ref: 23-2405/A1/205 rev.P1; Below Ground Drainage Details (2) sheet 2 of 3 ref: 23-2405/A1/205 rev.P1; Below Ground Drainage Details sheet 3 of 3 ref: 23-2405/A1/206 rev.P1;
S106 Part 1 'Application to connect to a public sewer' Approval Notice
Surface Water Management Report rev.B dated May 2023

At this time however, the drainage drawing needs to be updated to reflect the invert level at the point of connection ; a blockage risk assessment must be provided to support the proposal to discharge lower than 5l/s ;an overland flow routing plan must be provided to support the proposals; a site-specific ground investigation and percolation

testing is needed in regard to providing evidence in regard to the drainage hierarchy; the developer will also need to apply for land drainage consent under Land Drainage Act 1991.

Furthermore, Manhole S24/FC is listed CL 66.750mm in the model, and 66.200mm within the drainage layout. Both the hydraulic model and drainage layout need to reflect the correct cover level.

Finally, the calculations suggest: Half Drain Time has not been calculated as the structure is too full. Calculations which have not calculated the half drain time cannot be accepted, and this needs to be amended and updated.

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

Date: 22 February 2024

Signed:

Julie Roscoe
Director 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.