

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

**Partial approval of details reserved by condition**

**Applicant**

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**Agent (if used)**

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**Part 1 – Particulars of the application/development**

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**Proposal:** Discharge of Conditions 4 (Acoustic Insulation), 6 (Electrical Vehicle Charging), 8 (Surface Water Drainage), 10 (Replacement Tree), 14 (Secured by Design) and 15 (Construction Management Plan) attached to planning permission 127917/FO/2020

**Location:** Lauren House, 6 Beechpark Avenue, Manchester,

**Date of application:** 29 January 2024

**Application number:** CDN/24/0056

**Part 2 – Particulars of decision (a)**

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

**Condition 6 (Electrical Vehicle Charging)**

Condition 6 (Electrical Vehicle Charging) - The submitted information is considered acceptable. Therefore, on the proviso the development is implemented in accordance with the approved information, the condition is considered discharged.

**Condition 10 (Replacement Tree) -**

Condition 10 (Replacement Tree) - The submitted information is considered acceptable. Therefore, on the proviso the development is implemented in accordance with the approved information, the condition is considered discharged.

**Condition 14 (Secured by Design) -**

Condition 14 (Secured by Design) - The submitted information is sufficient to discharge the first element of the condition. It should be noted that the condition will only be fully

discharged once the Secured by Design certificate has been submitted to the City Council as local planning authority.

## **Part 2 – Particulars of decision (b)**

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

### **Condition 4 (Acoustic Insulation)**

Condition 4 (Acoustic Insulation) - The submitted information is insufficient to discharge this condition. The following information will need to be submitted in a revised Noise Assessment document in order to discharge the condition:

a) Background noise levels need to be established in order to determine the level of sound insulation the windows will require and whether mechanical ventilation is required.

### **Condition 8 (Surface Water Drainage)**

Condition 8 (Surface Water Drainage) - The submitted information is insufficient to discharge this condition. The following further information is required:

a) Results of SI to support proposed new soakaways onsite (which has been designed to serve the whole existing & proposed site) including:

- o BRE 365 infiltration testing undertaken in locations and at proposed depths of the proposed infiltration devices. Attenuation must achieve half emptying time within 24 hours.
- o Groundwater levels suitable for soakaway design.
- o Any other SI constraints.

b) If infiltration is not feasible on site, evidence of alternative surface water disposal routes is required.

c) Surface water drainage layout shall be updated to include:

- o Finalised detailed design as this is CDN discharge.
- o Confirmed invert levels.
- o Confirmed component size, storage volume & locations.
- o Updated label to confirm soakaway sizing / design / all levels.
- o Easements around defined soakaway components.
- o Clarity on why a sw drainage run is proposed under the new building footprint / amendment where required.
- o Details of how the car parking will be drained.

d) Hydraulic calculations and simulation results to support soakaway design. Full printouts including storage structures and infiltration rate. This shall include evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 40% climate change in any part of a building.

e) Confirmation that existing soakaway abandonment has been designed to not compromise proposed new foundations. An email response will suffice.

d) Management and Maintenance plan providing a schedule of maintenance tasks and frequencies for the drainage system and identifying the responsible party.

**Condition 15 (Construction Management PI**

Condition 15 (Construction Management Plan) - The submitted information is insufficient to discharge this condition. A revised management plan incorporating the following will need to be submitted:

a) The construction hours for Saturdays will need amending to fit in with the MCC permitted hours of 0830 hrs to 1400 hrs.

b) More detail is needed as to how noise and dust created during construction will be controlled.

Date: 17 April 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](http://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.