

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/0086

Date registered valid: 9 February 2024

Proposal: Discharge of Conditions 3 (Construction management plan), 5 (Contamination), 11 (Materials), 12 (Drainage) and 13 (Landscaping) of planning permission 136512/FO/2023.

Address: Vacant Land Of Rainford Avenue, Manchester, M20 1BR

Ward(s): Old Moat Ward

Applicant: Ms. Penny Ridgway Southway Housing Trust

Agent (if any): Mr Harvinder Randhawa Triangle Architects

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Split- Approved and Refused

Date of recommendation: **4 April 2024**

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:

Printed: 22 February 2024 Expired: 14 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: No

Tree Preservation Order: No

Description of area

Description of development

Consultations & Notification Responses

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: Split- Approved and Refused

Article 35 Declaration

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

3) The following information has been submitted in respect of planning condition 3 (Construction management plan):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 February 2024.
- Drawing- Site Plan- CMP Information, stamped and received by the City Council as Local Planning Authority on 9 February 2024.
- Supporting Information- Air Quality Assessment, stamped and received by the City Council as Local Planning Authority on 9 February 2024.

The above details are considered to be acceptable to discharge the condition 3 attached to planning permission referenced 136512/FO/2023 on the basis the development is fully implemented in accordance with the approved details.

5) The following information has been submitted in respect of planning condition 5 (Contamination (part A)):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 February 2024.
- Supporting Information- Intrusive Report, stamped and received by the City Council as Local Planning Authority on 9 February 2024.
- Supporting Information- Preliminary Risk Assessment (Desk Study), stamped and received by the City Council as Local Planning Authority on 9 February 2024.
- Supporting Information- Remediation Strategy, stamped and received by the City Council as Local Planning Authority on 9 February 2024.

-Supporting Information- Site Investigation Reports required to Satisfy Planning Condition No 5, stamped and received by the City Council as Local Planning Authority on 9 February 2024.

The above details are considered to be acceptable to discharge the condition 5 attached to planning permission referenced 136512/FO/2023 on the basis the development is fully implemented in accordance with the approved details.

Please note condition 6 (Contaminated land part B) is still yet to be discharged.

11) The following information has been submitted in respect of planning condition 11 (Materials):

-Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 February 2024.

-Drawing- Proposed- Condition 11- Materials- Proposed Elevations, stamped and received by the City Council as Local Planning Authority on 9 February 2024.

The above details are considered to be acceptable to discharge the condition 11 attached to planning permission referenced 136512/FO/2023 on the basis the development is fully implemented in accordance with the approved details.

12) The following information has been submitted in respect of planning condition 12 (Drainage):

-Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 February 2024.

-Drainage Documentation- Cover Letter, stamped and received by the City Council as Local Planning Authority on 9 February 2024.

-Drainage Documentation- Drainage Site Plan & Details, stamped and received by the City Council as Local Planning Authority on 9 February 2024.

-Drainage Documentation- Drainage Strategy, stamped and received by the City Council as Local Planning Authority on 9 February 2024.

-Drainage Documentation- Storm Sewer Design, stamped and received by the City Council as Local Planning Authority on 9 February 2024.

-Drawing- Site Plan- Block Plan of the Site- Existing Manhole, numbered SK200, stamped and received by the City Council as Local Planning Authority on 1 March 2024.

-Drainage Plan- Existing Sewers, stamped and received by the City Council as Local Planning Authority on 1 March 2024.

The information submitted to discharge condition 12 is not sufficient.

United Utilities reviewed the documentation supplied to discharge the condition and were satisfied the condition could be discharged. The Flood Risk Management Team assessed the documentation supplied to discharge the condition and were not satisfied with the information provided to discharge the condition.

LLFA review:

-A finalised drainage layout. Outfall chamber labelled with "Invert and size tbc"

-A discharge rate of 1.9 l/s could pose flood risk and potential blockages, we recommend higher flow rates for effective water management or alternatively a blockage risk assessment is undertaken as part of the drainage strategy to support proposed flows less than 5 l/s.

-UU agreement in principle not provided.

-The drainage documents refer to 40% CC. In line with the latest guidance, we require 45% CC.

- Hydraulic calcs refer to 1:100+40% CC, please review, update and provide finalised hydraulic calcs.
- Drainage layout & details document is water marked as “work in progress.” We required finalised documentation.
- Surface water features (Gravel trench and permeable park soakaway) utilise a permeable membrane. No evidence provided to show this proposal is viable.
- BRE 365 results not provided.
- Management and maintenance plan not provided.
- Construction details of the flow control not provided.

The outstanding evidence is required:

- A finalised drainage layout showing all components, outfalls, levels and connectivity;
- Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;
- A blockage risk assessment is undertaken as part of the drainage strategy to support proposed flows less than 5 l/s. If the risk cannot be adequately managed, a higher minimum discharge rate should be considered / agreed with relevant.
- 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 45% climate change in any part of a building;
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.
- Progression through the drainage hierarchy shall be evidence based and supported by site investigation. Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required.
- Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.
- Hydraulic calculation of the proposed drainage system, including all design parameters.
- Construction details of flow control and SuDS elements.
- Management and maintenance plan for the lifetime of the development.

Until such details are received and agreed, condition 12 cannot be discharged.

13) The following information has been submitted in respect of planning condition 13 (Landscaping):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 February 2024.
- Drawing- Proposed- Site Plan- Landscaping Plan, stamped and received by the City Council as Local Planning Authority on 9 February 2024.

The above details are considered to be acceptable to discharge the condition 13 attached to planning permission referenced 136512/FO/2023 on the basis the development is fully implemented in accordance with the approved details.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Ecology Unit
Neighbourhood Team Leader (Arboriculture)

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
Area Team Boundary - Name: SOUTH AREA