MANCHESTER CITY COUNCIL

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

Partial approval of details reserved by condition

Applicant

Mr Khodadad Hussani
6 Enfield Drive
Manchester
M11 4HP

Agent (if used)

Mr Ahmad Ahmad
At A Design
12 Hastings Gardens
Stockport
SK5 8BF

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 4, (drainage), 5 (ground conditions), 6 (verification), 7 (Construction Management Plan), 10 (Boundary Treatment), 11 (Landscaping) and 12 (Cycle Storage) attached to planning permission 136356/FO/2023

Location: 6 Enfield Drive, Manchester, M11 4HP

Date of application: 22 January 2024

Application number: CDN/24/0035

Part 2 – Particulars of decision (a)

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 11 (Landscaping)
The details of the landscaping, as detailed within the submitted document received by the City Council as Local Planning Authority on 22 January 2024, is satisfactory. Subject to implementation of the agreed details, condition 11 can be discharged.

Condition 12 (cycle storage)
The details of the timber cycle store to the rear garden, as detailed within the submitted document received by the City Council as Local Planning Authority on 22 January 2024, is satisfactory. Subject to implementation of the agreed details, condition 12 can be discharged.

Part 2 – Particulars of decision (b)

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 (drainage)
Insufficient details have been provided. Until such time the following details are also submitted and agreed by the City Council as Local Planning Authority, condition 4 cannot be discharged:

-An updated surface drainage layout to include all components, manhole invert / cover levels(including point of connection), pipe diameters, discharge rates, finished floor level, and details of connectivity to outfall;

-Hydraulic calculations up to 1 in 100 years + 45% climate change to support the surface water drainage proposals;

- A blockage risk assessment to supportproposed flows less than 5 l/s (if applicable). Currently the drainage layout does not specify a
discharge rate;

-Construction details for the proposed Hydrobrake must be submitted.

Condition 5 (ground conditions)
The submitted GeoSmart Information Phase 1 Contaminated Land Assessment, (Ref: 79971R1) dated August 2023, recommends a Phase 2 intrusive investigation. Until such details are received and agreed by the City Council as Local Planning Authority, condition 5 cannot be discharged.

Condition 6 (ground verification)
It is premature to apply for the discharge of condition 6. This condition can only be discharged following the submission and agreement of a completion/verification report following any necessary remedial works informed by the site investigation report, as required by condition 5. As such, condition 6 cannot be discharged.

Condition 7 (CMP)
The details contained within the submitted Construction Management Plan are inadequate.

-The proposed works start time of 8am on Saturdays, and 7am construction-related deliveries on a weekday, are not in accordance with MCC's recommended hours. These should be amended to 8:30am for construction works on Saturdays, and 8am weekdays for construction-related HGV vehicle movements;

- Dust suppression measures should include the use of water if necessary, eg use of cutting equipment in
dry/windy conditions;

-Details for construction site waste disposal is required.

Until such details are received and agreed by the City Council as Local Planning Authority, condition 7 cannot be discharged.

Condition 10 (boundary treatment)
Insufficient details have been provided in relation to the specificaton of the proposed fencing and no details have been provided in relation to the front boundary for which perimeter treatment is required. Until such time that satisfactory details are received and agreed by the City Council as Local Planning Authority, condition 10 cannot be discharged.

Date: 12 March 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.