MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/23/0483
Date registered valid:	17 July 2023
Proposal:	Discharge of conditions 18 (railway drainage), 19 (ground levels) and 22 (surface water drainage) attached to planning permission referenced 135270/FO/2022
Address:	Land Between 121-131 Levenshulme Road , Manchester, M18 7NF
Ward(s):	Longsight Ward
Applicant:	Mr Rob Watson Watson Construction Ltd
Agent (if any):	
Case officer:	Sue Wills Tel: 0161 234 4524 Email: sue.wills@manchester.gov.uk
Recommendation:	Approve/ Refuse
Date of recommendation:	9 October 2023

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:
Printed: 25 July 2023 Expired: 15 August 2023

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 – Have no objection to condition 22 being discharged.

Environment Agency - It appears we did not comment on the original planning permission 135270/FO/2022 so we would have no comments to make with regards to the condition discharge.

Network Rail – condition nos. 18 and 19 can be discharged.

Flood Risk Management – 22.09.2023 .The information uploaded to the Planning Portal from 17 July 2023 has been considered.

The LLFA require further information:

- Details of Attenuation not provided. What storm event is it designed to attenuate?

- Applicant to provide dimensions from tank to boundary. Please note the LLFA require SW features to be 5m of a building or highway and 2.5m of a boundary.

- Evidence of agreements to connect to Gore Brook Tributary.

- Where surface water is connected to the ordinary watercourse, agreement in principle from Manchester City Council as Lead Local Flood Authority is required. Please note that all new connections to the watercourses shall comply with reduction of flows to Greenfield runoff rates. An email of acceptance of proposed flows and/or new connection will suffice. Consent applications can be arranged by contacting the Lead Local Flood Authority.

- No evidence of drainage hierarchy results provided.

- No hydraulic calcs provided.

- No construction details of flow control and SuDS elements provided.

In order to discharge the drainage planning condition, further information is needed to confirm that the proposed drainage design is adequate to manage flood risk.

The outstanding evidence required:

o A finalised drainage layout showing all components, outfalls, levels and connectivity;

o Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;

o Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates with the aim of reducing to the Greenfield runoff rates, as the site is located within Conurbation Core Critical Drainage Area;

o An existing and proposed impermeable areas drawing to accompany all discharge rate calculations.

o 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 parties.

o Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;

o 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;

o Assessment of overland flow routes for extreme events. 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.

o 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.

o 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.

o Where surface water is connected to the ordinary watercourse, agreement in principle from Manchester City Council as Lead Local Flood Authority is required. Please note that all new connections to the watercourses shall comply with reduction of flows to Greenfield runoff rates. An email of acceptance of proposed flows and/or new connection will suffice. Consent applications can be arranged by contacting the Lead Local Flood Authority.

o Hydraulic calculation of the proposed drainage system;

o Construction details of flow control and SuDS elements.

Environment Agency – Advises that it appears they did not comment on the original planning permission 135270/FO/2022 so they would have no comments to make with regards to the condition discharge.

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/ Refuse

Article 35 Declaration

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

Condition 18 (railway drainage)
18)The information detailed on the plans referenced below have been considered in regard to details of the disposal of both surface water and foul water drainage being directed away from the railway.

23-2405 A1 110 REV P3 sheet 1 of 2
23-2405 A1 110 REV P3 sheet 2 of 2
23-2405 A1 200 rev.P4 Below Ground Drainage Layout Overall
23-2405 A1 201 rev.P5 Below Ground Drainage Layout Sheet 1 of 2
23-2405 A1 202 rev.P5 Below Ground Drainage Layout Sheet 2 of 2

On the basis of the that the development is implemented in accordance with the above information in regard to the details of the disposal of both surface and foul water drainage being directed away from the railway, condition no.18 is discharged.

Condition 19 (ground levels)
The information detailed on the plans referenced below has been considered in regard to details of earthworks and excavations to be carried out near to the railway boundary.

23-2405 A1 110 REV P3 sheet 1 of 2
23-2405 A1 110 REV P3 sheet 2 of 2
23-2405 A1 200 rev.P4 Below Ground Drainage Layout Overall
23-2405 A1 201 rev.P5 Below Ground Drainage Layout Sheet 1 of 2
23-2405 A1 202 rev.P5 Below Ground Drainage Layout Sheet 2 of 2
Vehicle protection Barrier specification sheet

On the basis of the that the development is implemented in accordance with the above information in regard to the details of and excavations to be carried out near to the railway boundary condition no.19 is discharged.

Condition 22 (surface water drainage)

The information detailed on the plans referenced below has been considered in regard to surface water drainage.

23-2405 A1 110 REV P3 sheet 1 of 2

23-2405 A1 110 REV P3 sheet 2 of 2
23-2405 A1 200 rev.P4 Below Ground Drainage Layout Overall
23-2405 A1 201 rev.P5 Below Ground Drainage Layout Sheet 1 of 2
23-2405 A1 202 rev.P5 Below Ground Drainage Layout Sheet 2 of 2

Advice was provided on 9th October 2023 that the submitted information was not sufficient to enable condition no.22 to be discharged.

Before condition no.22 can be discharged, the following information should be included within a revised surface water drainage submission:-

o A finalised drainage layout showing all components, outfalls, levels and connectivity;

o Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;

o Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates with the aim of reducing to the Greenfield runoff rates, as the site is located within Conurbation Core Critical Drainage Area;

o An existing and proposed impermeable areas drawing to accompany all discharge rate calculations.

o 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 parties.

o Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;

o 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;

o Assessment of overland flow routes for extreme events. 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.

o 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.

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o Hydraulic calculation of the proposed drainage system;

o Construction details of flow control and SuDS elements.

Until such time that satisfactory details are received and agreed by the City Council as Local Planning Authority, condition 22 cannot be discharged.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management
Environment Agency
Network Rail
United Utilities Water PLC

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA