

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/0148

Date registered valid: 28 February 2024

Proposal: Discharge of Conditions 5 (Highways Works), 15 (Drainage), 21 (Bird/bat boxes) and 33 (First Floor Joist Design) attached to 136721/FO/2023.

Address: Site Of Former Day Nursery, Longhurst Road, Manchester, M9 8NS

Ward(s): Higher Blackley Ward

Applicant: Ms. Andrea Peak Terra Nova Development limited

Agent (if any): Mr Adam Collinge Bowker Sadler Architecture

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Split decision

Date of recommendation: 22 April 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 8 March 2024 Expired: 30 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: Crab Lane Conservation Area 1983

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Highway Services 04.04.2024 - CONDITION 5 - HIGHWAYS RESPONSE: At present, Highways recommend that the condition is not yet discharged. MCC Highways are currently undertaking the initial steps of the technical review and await submission of the Section 278 construction plans that are required to confirm this detail.

United Utilities - 19.03.2024

United Utilities recommends that condition 15 is not discharged. This is because the drainage drawings do not show the existing asset where the connection is proposed, the drawings must also include the proposed flow rate and justification provided as to why a ground solution is not possible. The applicant can discuss their drainage proposals with our Developer Services team by email at SewerAdoptions@uuplc.co.uk.

Further comments 04.04.2024

United Utilities recommends that condition 15 is not discharged. This is because it appears the culverted watercourse to the West of the site has not been used for the surface water outfall point. The applicant can discuss their drainage proposals with our Developer Services team by email at SewerAdoptions@uuplc.co.uk.

LLFA – (15/04/2024)

The information submitted and uploaded onto the planning portal on 28th February 2024 has been considered.

In order to consider discharging condition 15, please see our LLFA comments highlighted in red below:

o A finalised drainage layout showing all components, outfalls, levels and connectivity; - Drawing no. 106240-PEL-HDG-01-DR-D1001 does not reflect the proposed flow rate or hydro-brake location.

- The proposed layout must also demonstrate the proposed attenuation dimensions (length, width, height) and indicate the level of cover provided.

- “Private storage connection”, pipe diameter needs to be added onto the drawing.

- The invert level at the point of connection onto the public sewer must be clearly demonstrated.

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 in any part of a building; - The developer will need to update the climate change included within the hydraulic modelling to reflect 45%, in line with Government Guidance.

o 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. – The developer must provide an overland flow routing plan in the event of an onsite blockage.

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. – The developer must provide agreement in principle from United Utilities, to allow the additional connection into the public sewer.

o Hydraulic calculation of the proposed drainage system, including all parameters; - Same as above. The developer will need to update the climate change included within the hydraulic modelling to reflect 45%, in line with Government Guidance.

o Construction details of flow control and SuDS elements. – The developer must provide attenuation tank construction details (site specific) for review. Arrangements must include suitable future access arrangements.

- SuDS features should be appropriately positioned away from existing infrastructure. The developer will need to confirm the current attenuation tank easements from proposed dwellings and existing highway infrastructure. Good practice is typically 2.5m easement from existing highway, 5m from any dwellings, to enable future maintenance access.

- The proposed section must demonstrate the foundations zone of influence to avoid any structural impact following development.

- If the above easement is unachievable, the development must outline how the tank will be maintained in the future.

o The proposed drainage drawing (106240-PEL-HDG-01-DR-D-1001) indicates sections of proposed sewer to be outside the redline boundary. Any new infrastructure outside the redline boundary and outside of the applicant's ownership will require agreement from the riparian landowner. Can agreement in principle please be provided with the necessary landowner (if applicable).

o The Geotechnical Interpretative Report (ref: 106240-PEL-GEN-XX-RP-D-0002), section 4.4 - Cutting Slope Stability. Recommends the inclusion of appropriate drainage into the cut slopes to increase stability over the development lifetime and prevent water ponding within the proposed gardens. The developer will need to demonstrate necessary drainage measures for the development's lifetime prior to approval.

o The proposed cross sections (106240-HML-01-DR-D-0003) indicates a reduction of existing ground levels by circa 1m – 3.9m. Given groundwater has been encountered circa 1.5m - 2m below existing ground levels for WS01 and WS03. The developer must demonstrate appropriate engineering measures proposed to be implemented to prevent or mitigate groundwater seepage.

o The design of foundations and structures shall consider the potential for groundwater seepage. Foundation systems shall be designed to minimise the risk of seepage, considering factors such as groundwater levels, soil permeability, and hydrostatic pressure.

Informative:

MCC records highlight that the Blackley Cemetery Drain is located within close proximity to the site (approximately 30m to the northwest of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

GMEU -Have restricted their response to condition 21.

Condition 21 – Bird & Bat Boxes

The bird and bat box proposals appear well thought out and proportionate. They have no objection to the first part of condition 21 being discharged

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 decision

Article 35 Declaration

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

Condition no. 5 (Highways Works)

5)The design details on the drawings specified below have been examined.

Section 278 works Standard details plan ref: 106240-PEL-HGN-XX-DE-D-0001 rev.P01

Section 278 works General Arrangement plan ref: 106240-PEL-HGN-01-DR-D-0001 rev.P01

Section 278 works Pavements, Kerbs and Footways plan ref: 106240-PEL-HKF-01-DR-D-0001 rev.P01

Section 278 works Site Clearance plan ref: 106240-PEL-HSC-01-DR-D-0001 rev.P01

It is understood, however, that as part of the Section 278 process that the vehicular cross overs arrangements from Longhurst Road will be revised . On this basis that the design is not yet finalised, condition no.5 is not discharged at this time.

Condition no. 15 (Drainage)

15) The design details on the drawings specified below have been examined.

S104 Drainage impermeable area plan ref: 106240-PEL-HDG-01-DR-D-1002 Rev.P01
Drainage Standard Details sheet 1 of 2 plan ref: 106240-PEL-HDG-01-DE-D-0001 Rev.P01
Drainage Hydrobrake detail drawing plan ref: 106240-PEL-HDG-01-DE-D-0004 Rev.P01
S104 Surface water drainage MH 1 plan ref: 106240-PEL-HDG-01-DE-D-0003 rev.P01
S104 Surface water drainage MH 2 plan ref: 106240-PEL-HDG-01-DE-D-0005 Rev.P01
S104 Surface water drainage MH 3 plan ref: 106240-PEL-HDG-01-DE-D-0006 Rev.P01
S104 Surface water drainage MH 5 plan ref: 106240-PEL-HDG-01-DE-D-0007 Rev.P01
S104 Drainage Long Sections plan ref: 106240-PEL-HDG-01-DR-D-1003 rev.P01
Geotechnical Interpretative Report April 2023 Report Ref: 106240-PEL-GEN-XX-RP-D-0002
Received 28th February 2024

Section 104 Drainage general arrangement ref: 106240-PEL-HDG-01-DR-D-1001-P02.
Amended Flood Risk Assessment / Engineering Appraisal from Pell Frischman revision C.
Received 26th March 2024

It is considered that further technical information is required to respond to a number of drainage matters, including addressing an inaccuracy on a plan which does not reflect the proposed flow rate or hydro-brake location; the climate change details included within the hydraulic modelling need updating to reflect 45%; attenuation tank construction details are needed together with future access arrangements ; confirmation that the current attenuation tank easements from proposed dwellings and existing highway infrastructure are in accordance with guidance demonstrate necessary drainage measures for the development's lifetime prior to approval are required; and appropriate engineering measures to be implemented to prevent or mitigate groundwater seepage. On the basis of the above observations, it is considered that insufficient information has been provided to enable the drainage condition to be discharged. Condition no.15 is not discharged at this time.

Condition no. 21 (Bird/bat boxes)

21) The design details on the drawings specified below, and the report have been reviewed, and are considered to be satisfactory.

Longhurst Road Ecological Enhancement bird and bat box details

Block 1 -Elevations indicating bird/bat boxes positions plan ref: 20-043-BSA-- -- -- A -- 1100
Block 2 -Elevations indicating bird/bat boxes positions plan ref: 20-043-BSA-- -- -- A -- 1101
Block 3 -Elevations indicating bird/bat boxes positions plan ref: 20-043-BSA-- -- -- A -- 1102
Block 4,6 & 8 -Elevations indicating bird/bat boxes positions plan ref: 20-043-BSA-- -- -- A -- 1103

Landscape General Arrangements plan ref: 380 01 rev.B (showing bird and bat boxes , hedgehog gaps and log piles)

On the basis that the biodiversity enhancement measures within the report and plans referenced above are implemented prior to the occupation of the buildings, and retained at all times thereafter, condition no.21 is discharged.

Condition no. 33 (First Floor, floor design)

33) The design of the first-floor construction of the town houses to enable a through floor lift to be installed (if required by future occupiers) shown on Block 3- Setting out plans 1 plan ref: 20-

043-BSA-- -- -- A -- 2320 rev.A; and Block 3- Setting out plans 2 plan ref: 20-043-BSA-- -- -- A -
- 2321 rev.A has been reviewed and is considered to be satisfactory .

On the basis that the measures shown on the plans referenced above are implemented in Block 3, prior to the occupation of the two dwellinghouses in Block 3 , and retained at all times thereafter (unless a through floor lift is subsequently installed) condition no.33 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Ecology Unit

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Crab Lane Conservation Area 1983
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA