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	Agent (if used)
Connor Arrowsmith Brunswick Square Limited 45 Pall Mall St James London SW1Y 5JG	Mrs Deborah Baker Barnett Zerum Suite 4E South Central 11 Peter Street Manchester M2 5QR

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 6 (Drainage), 14 (Boundary Treatment) and 49 (Courtyard Access) attached to Planning Permission 130394/FO/2021.

Location: Brunswick Place, Bradford Road, Manchester, M40 7EZ

Date of application: 3 November 2023

Application number: CDN/23/0747

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.

Conditon 49 Courtyard access
The following information has been submitted in respect of this planning condition:

- Covering letter from Zerum and courtyard plans received by the City Council, as Local Planning Authority, on the 3 November 2023.

The above confirms that there would be level access from the courtyard.

No further action is required at this stage.

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 6a Drainage
The following information has been submitted for consideration in respect of this planning condition:

Drainage details received by the City Council, as Local Planning Authority, on the 3 November 2023.

The above information has been considered.

Correspondence was sent to Zerum on the 19 January 2024 requesting the below details:

- Details of how surface water run-off will be attenuated on site and not enter the public highway (specifically on access road of the 'mid building'). - Attenuation tank / rain garden dimensions must be stated on the proposed drainage layout for each component. The condition also specifically requests how flows will be attenuated within the access road of the 'mid building'. The drainage layout also reflects; "approximate 28m3 attenuation should phase 1 drainage be connected to public sewer ahead of phase 2 completion". The developer will need to submit one proposal for approval, the LLFA will be unable to approve two alternative strategies.

- Details of how the surface water run-off from roof areas will drain and be attenuated on site. - The developer will need to include the proposed attenuation dimensions within the drainage layout drawings. Additionally, 'mid building' and 'mill building' attenuation tanks provide two alternatives, the developer will need to update the drawing to accurately reflect one proposal. The drainage layout key also reflects "Proposed surface water attenuation/soakaway unit". Can the developer please provide standard details for the proposed attenuation tanks. If the developer proposes to use infiltration, appropriate ground investigation and testing in accordance with BRE 365 will need to be provided.

- The hydraulic model for the 'existing mill' does not correlate with the proposed drainage layout, clarification needed - The hydraulic modelling nodes do not currently correlate with the drainage layout. The proposed drainage layout needs to be updated with the correct node references. The modelling results should be provided for each drainage network, given the changes in flow rate and design since full planning approval. Results should also include all engineering parameters, such as manhole schedules for future reference. The developer should update each PDF modelling report to clearly state the correct system.

- Correspondence from United Utilities stating that the 1200mm diameter surface water sewer within Beswick Street is a surface water asset owned by United Utilities and not an ordinary watercourse. The UU correspondence confirms a maximum pass flow of 5l/s for the 'new development area', whereas the proposed drainage layout shows a discharge rate totalling 10l/s (two sperate flow controls of 5l/s) for the 'new development' area, confirmation from UU needed that this is acceptable. - Correspondence from United Utilities (UU) must be provided confirming, the 1200mm culvert within Beswick Street is classified as a surface water sewer. Correspondence must also confirm the connection / flow rate into Beswick Street is acceptable. UU have also queried if the whole development could be discharged into the surface water sewer. This will need to be agreed with UU.

- A CCTV survey should be undertaken of the existing combined water sewer and surface water sewer to confirm a gravity connection is feasible. CCTV Survey hasn't been completed to the point of connection. The developer will need to confirm how the exact invert level at the point of connection has been established.

- Construction details of flow control and SuDS element. We would recommend updated SuDS elements (rain gardens / attenuation tank) and flow control details are submitted. This is to ensure all elements are reflective of the updated design.

No response has been received in respect of this email.

Condition 6a is not formally discharged.

Condition 14 Boundary treatment
The following information has been submitted in respect of this planning condition:

- L(-)440 P4 and L(-)441 P3 received by the City Council, as Local Planning Authority, on the 3 November 2023.

The above information has been considered.

No details have been submitted in respect of the materials of the boundary treatment. It is also considered that the design is unacceptable in that the railing detail should be mounted on a low brick wall. The gate to the Mill requires further consideration in terms of whether this is an appropriate heritage response. It is recommended that pre application advice is sought in respect of the boundary treatment.

Condition 14 is not formally discharged.

Date: 5 February 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.