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 Rob Watson
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M7 2ZS

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 18 (railway drainage), 19 (earth works in proximity to railway) and 22 (surface water drainage) attached to planning permission referenced 135270/FO/2022

Location: Land Between 121-131 Levenshulme Road , Manchester, M18 7NF

Date of application: 17 July 2023

Application number: CDN/23/0483

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 no.18 Railway drainage
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 no.19 Earthworks near railway

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.

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 no. 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.

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.

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

Date: 5 December 2023

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.