

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0654

Date registered valid: 14 September 2022

Proposal: Discharge of Condition no.32 (drainage management and maintenance) attached to planning permission ref: 124359 /VO/2019

Address: Gorton Community Hub, 27 Garratt Way, Manchester, M18 8HE

Ward(s): Gorton & Abbey Hey Ward

Applicant: Paul Waite Manchester City Council Corporate Core Directorate, Town Hall, PO Box 532, M60 2LA

Agent (if any): Tim Kilpatrick IBI Group Fourth Floor, Dantzic Building, Dantzic Street, Manchester, M4 2AL

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

Recommendation: Approve

Date of recommendation: 27 October 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 20 September 2022

Expired: 11 October 2022

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

Flood Risk Management – 29.09.2022

The following information has been considered:

- Drainage information approved in the Decision Notice 124359/VO/2019.
- Revised development layout approved under 132219/NMC/2021, which indicates land where the tank is moved to is now external landscaping.
- Submissions 14 September to CDN/22/0654.

The following information is required:

1. As built construction drawings if different from design construction drawings:

Please provide hydraulic calculations/simulations demonstrate that the as-built drainage meets the standards of the approved design, i.e.:

“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 climate change in any part of a building” – this shall include 40% climate change as per the scheme approved under 124359/VO/2019.

Reason: The as-built scheme presented in CDN/22/0654 is not consistent with the approved scheme under 124359/VO/2019.

In particular:

- Tank locations/sizes have changed including an indicated decrease in total tank capacity from 572m² to 338m².

- Introduction of permeable paving area.

- Other reconfigurations in pipe/flow control network.

2. Verification report providing photographic evidence of construction as per design drawings:

- Please provide photographic evidence of hydrobrake installation.

3. Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime:

- Please update maintenance plan to identify responsible party.

- Please update maintenance plan to include tasks/frequencies for permeable paving.

Updated comments 19.10.2022.

The following information has been considered:

- Drainage information approved in the Decision Notice 124359/VO/2019.
- Revised development layout approved under 132219/NMC/2021, which indicates land where the tank is moved to is now external landscaping.
- Submissions 14 September to CDN/22/0654.
- Submission in email 6th October 2022 from the LPA .

They have no further comments and recommend discharge of Condition 32.

Note to LPA:

Note that drawing DR C 92002 REV C09 (uploaded to Planning Portal 14 Sep 2022) has been superseded by the applicant and should not be recorded as an approved drawing.

The following as-built drawing and FRA (containing calculations demonstrating the design) are now approved:

- Gorton Community Hub Flood Risk Assessment and Detailed Drainage Strategy Curtins Ref: GCH-CUR-XX-XX-RP-C-0002 Project Ref: 062407 Revision: P03 Issue Date: 07 January 2022
- GCH-CUR-XX-XX-DR-C-92002-C13-Proposed Drainage Layout

United Utilities - As the condition in question is a management and maintenance condition, as a provider of wastewater services, they believe they have a duty to advise the Local Planning Authority of any potential risks to ensure the longevity of the surface water drainage system and the service it provides to people. They therefore only recommend that the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system.

United Utilities cannot provide comment on the design, management and maintenance of an asset that is not in their ownership and therefore cannot be involved in discharging this condition. They recommend that the LLFA is consulted in relation to the acceptability of the submitted scheme.

Issues

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: Approve

Article 35 Declaration

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

32) The contents of the submitted documentation and plans detailed below have been examined and are considered to be acceptable.

Morgan Sindell Attenuation Tank on Gorton Hub site completed Management system checklist;
GCH Car Park SUDS As Built record and photographs
GCH Main Building SUDS As Built record and photographs
Attenuation Tanks details (using pluvial cube module units) plan ref: GCH-ABL-XX-XX-DR-0001 rev. C02
Attenuation Tank 1 layout (using pluvial cube module units) plan ref: GCH-ABL-XX-XX-DR-0002_rev. C03_
Attenuation Tank 2 layout (using pluvial cube module units) plan ref :GCH-ABL-XX-XX-DR-0003 rev. C02
Fluidic AMP Aquabrake Stainless Strap Attachment fabrication plan ref: GCH-ABL-XX-XX-DR-0004 rev. C02
Oriface Plate Flow Control Attachment Fabrication plan ref: GCH-ABL-XX-XX-DR-0005_rev. C02_
Drainage Details Sheet 1 plan ref: GCH-CUR-XX-XX-DR-C-92003 rev. C01
Drainage Details Sheet 2 plan ref: GCH-CUR-XX-XX-DR-C-92004 rev. C03
Drainage Details Sheet 3 plan ref: GCH-CUR-XX-XX-DR-C-92005 rev. C02
Proposed manhole schedule plan rf: GCH-CUR-XX-XX-DR-C-92006 rev. C07
Existing Site Location Plan ref: GCH-IBI-WB-00-DR-A-100-002 rev. P02

Received 14th September 2022.

Content of email from Planning agent dated 6th October 2022;
Proposed Drainage Layout plan ref: GCH-CUR-XX-XX-DR-C-92002-C13
Flood Risk Assessment Detailed Drainage Strategy ref: GCH-CUR-XX-XX-RP-C-0002 rev. P03
dated 7th January 2022.
Maintenance Recommendations - R2 prepared by Environmental Sustainable Solutions;
As Built Hydrbrake visual.
Received 6th October 2022

On the basis that the management and maintenance arrangements within documents and plans referred to above remain in place for the lifetime of the development , condition no.32 is discharged.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management
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 (Less) -
Area Team Boundary - Name: NORTH AREA