

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/26/0003

Date registered valid: 5 January 2026

Proposal: Discharge of Conditions 12 (Drainage maintenance), 13 (Secure by design), 15B (Contaminated land) , 19 (Acoustic Insulation) attached to Planning Permission 144078/JO/2025

Address: The Orchards High School , Sawley Road, Miles Platting, Manchester, M40 8EZ

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Paul Waite, Manchester City Council

Agent (if any): Mr James Eachus, jmarchitects

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

Recommendation: Split Decision

Date of recommendation: 19 March 2026

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 7 January 2026 Expired: 28 January 2026

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

Environmental Health - Condition 20 can be discharged.

Condition 16 (b) Their notes below state they await a remediation report and more gas monitoring

EH are in receipt of:

Phase 1 Environmental Site Assessment Report by Enviro Solution dated 2 March 22

Phase 2 Geo- Environmental Site Assessment Report dated 2 March 22

Regarding gas monitoring, the minimum is 4 rounds not three as has been completed.

EH await a remediation strategy.

Further comments 16.02.2026

The cover system can be discharged however we await Validation of Vapour Membrane installation. This was not done by LKC therefore not submitted in that report nor any other reports on the system.

Further comments 09.03.2026

Condition no.15 b can be discharged.

LLFA - Insufficient information has been submitted to enable the condition to be discharged.

Photographs of the installation of the attenuation tank have been provided. Please provide photographic evidence of construction for the flow control device/chamber and the petrol interceptor.

An as-built drainage layout with construction details has not been provided. If the installed drainage strategy has changed from that approved under CDN/23/0501, then updated hydraulic calculations will also be required.

A Management and maintenance plan has not been provided.

Further comments 10.03.2026

Insufficient information has been submitted to enable the condition to be discharged.

Photographs of the installation of the attenuation tank have been provided. Please provide photographic evidence of construction for the flow control device/chamber and the petrol interceptor.

Drawings VAR-RDG-XX-XX-DR-C-00501 C15 and VAR-RDG-XX-XX-DR-C-00502 C07 (Combined Outfall) has been provided as surface water drainage as-built layouts. The constructed connection to the public combined sewer is now on Nelson Street rather than James Street. To reach Nelson Street, a section of new combined sewer has been installed through land which appears to be outside of the application boundary. The following is required:

- Please provide evidence of agreement in principle from United Utilities for the new outfall connection location. Approval from the adjacent landowner and details of ownership/adoption of the outfall length of combined sewer is required, to ensure ongoing access for maintenance.

A Management and maintenance plan has not been provided.

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 12 (Drainage maintenance)

12) The details in the correspondence dated 2nd January 2025 related to verification of insurance for the Installation of attenuation tanks, gas protection, pond liners, cavity tray systems, water management systems. For the installation of Geomembranes and SUDS systems has been noted, and reviewed together with the drainage details shown on the plans referenced below.

- Proposed FWS Layout plan ref: VAR-RDG-XX-XX-DR-C-00500 rev.C10
- Proposed SWS Layout plan ref: VAR-RDG-XX-XX-DR-C-00501 rev. C15
- Proposed combined outfall layout plan ref: VAR-RDG-XX-XX-DR-C-00502 rev. C07
- Proposed drainage details sheet 1 ref: VAR-RDG-XX-XX-DR-C-00505 rev. C02
- Proposed drainage details sheet 2 ref: VAR-RDG-XX-XX-DR-C-00506 rev. C02
- Proposed drainage details sheet 3 Petrol Interceptor and vents ref: VAR-RDG-XX-XX-DR-C-00507 rev. C04
- Proposed drainage details sheet 4 Attenuation tank ref: VAR-RDG-XX-XX-DR-C-00508 rev. C05

On the basis of the information specified above condition no.12 cannot be discharged.

The following information is required:

- photographic evidence of construction for the flow control device/chamber and the petrol interceptor.
- a Management and maintenance plan has not been provided and is required.

- Drawings VAR-RDG-XX-XX-DR-C-00501 C15 and VAR-RDG-XX-XX-DR-C-00502 C07 (Combined Outfall) has been provided as surface water drainage as-built layouts. The constructed connection to the public combined sewer is now on Nelson Street rather than

James Street. To reach Nelson Street, a section of new combined sewer has been installed through land which appears to be outside of the application boundary.

The following is required:

- evidence of agreement in principle from United Utilities for the new outfall connection location.
- approval from the adjacent landowner and details of ownership/adoption of the outfall length of combined sewer is required, to ensure ongoing access for maintenance.

Condition 13 (Secure by design)

13) The Secure by Design accreditation certificate ref: 2023/0051/SBD/01 has been noted. On the basis of submitted certification condition no.13 is discharged.

Condition 15B (Contaminated land)

15b) The Cover System Completion Report ref: LKC241603 dated 24th October 2025 has been reviewed in conjunction with Gas Membrane Installation Validation report dated 21.08.2024 received 3rd March 2026.

Consideration has also been had to the Final Additional Site Investigation and Updated Remediation Strategy ref: LKC 22 1670 dated September 2023 - Nelson Street received 11th September 2023 (part of application ref:144078 /JO/2025); and agent email dated 18.10.2023 confirming the area which is suitable for planting and growing and confirming the depth of the 450mm subsoil, 150mm topsoil and break layer in that area; Landscape General Arrangement plan ref: VAR-DEP-XX-XX-DR-L-00001 rev. P10 received 18.10.2023 with the extent of the area for planting and growing shown (discharge of condition ref: CDN/23/0501).

On the basis of the information accompanying this application and taking account of the information related to application refs: 144078/JO/225 and CDN/23/0501 specified above condition no.15b is discharged.

Condition 19 (Acoustic Insulation)

19) The content of the - Acoustic Test Report ref: OPP-092896N2 dated 15.10.2025 and Acoustic Memo - Noise Impact Assessment ref: OPP-092896 AC 3v1 have been reviewed and are considered to be acceptable. On the basis of the documents referenced above condition no.19 is discharged.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
MCC Flood Risk Management

Appendix 2 – Planning constraints

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