

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/1196

Date registered valid: 15 December 2025

Proposal: Discharge of Condition 23 (Drainage management and maintenance) attached to Planning Permission reference 134504/FO/2022 (Phase 3-6 only).

Address: Street Record, Rostron Avenue, Manchester,

Ward(s): Ardwick Ward

Applicant: Miss Shannon Cooke Kellen Homes

Agent (if any):

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

Recommendation:

Date of recommendation: 19 February 2026

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 18 December 2025

Expired: 11 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

MCC Flood Risk Management – 28.01.2026

Advised that in respect of as built construction drawings if different from design construction, confirmation was required for the installed limiting discharge rate and the invert level for each hydrobrake on the as-built drainage layout.

No management and maintenance plan for the lifetime of the development, nor a management and maintenance plan for the culverted ordinary watercourses (including confirmation of responsible party), nor evidence of post-installation survey and post-piling survey to confirm culvert integrity has been submitted and was required.

Further comments 04.02.2026

Confirmation was required for the installed limiting discharge rate and the invert level for each hydrobrake on the as-built drainage layout.

No management and maintenance plan for the lifetime of the development has been submitted and is required.

The developer has submitted a Culvert Management Plan which indicates the future asset owner as the riparian landowner. The developer will need to provide an agreement in principle from the future riparian landowner to confirm responsibility of the culverted watercourse following completion. We have discussed this asset with our S38 department and have been advised future maintenance will be undertaken by Sigma Capital.

The CCTV Report does not show the culvert diversion. The CCTV survey only includes between S107 to the connection to the existing Cornbrook, and other sections of the existing Cornbrook. - Please provide post-installation survey of the culvert diversion.
- Please confirm the location of surveyed manholes SW1 and SW3 on the existing Cornbrook on the culvert as-built layout.

Further comments 19.02.2026

A Management and Maintenance plan for the SuDS system has still 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: Refuse

Article 35 Declaration

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

Condition 23 (Drainage management and maintenance) (Phase 3-6 only).

23) The content of the documents and plans specified below have been reviewed:

- CCTV inspection report dated 22.10.2025

- CCTV inspection report dated 10.12.2025

- Photograph of installed Hydrobrake

Received 15th December 2025

- CCTV Inspection report dated 01.05.2025 and Culvert management plan received 29th January 2026

- Section 104 agreement dated 7th March 2025

- Site Drainage Inspection report by C J Lyon & Sons Ltd dated 13.06.2023

- Email dated 06.11.2024 from the Sigma Group acknowledging that they are the riparian owner and that the long term maintenance will sit with them for the long term maintenance of the watercourse upon completion of the works.

- Surface water Culvert Diversion as Built plan

Received 11th February 2026

- As built drainage plan ref: 006 77 rev.B received 18th February 2026

On the basis of the above details condition no.23 for Phases 3-6 cannot be discharged due to insufficient information, as a management and maintenance plan for the SuDS system has not been provided for consideration.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Flood Zones Type 2 (low to medium risk) -

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Flood Zones Type 2 (low to medium risk) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

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