MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)
Planning (Listed Building & Conservation Area) Act 1990 (as amended)

Refusal of details reserved by condition

Part 1 – Particulars of the application

Proposal:

Discharge of Conditions 5 (Contaminated Land - Site Investigation), 6 (Surface Water Drainage Scheme), 10 (Off site highways works), 11 (Vegetation clearance), 12 (Bat and bird boxes), 13 (Materials) & 30 (Biodiversity Net Gain Plan statutory condition as required by Part 1 of paragraph 9 (1) of schedule 7a of the Town and Country Planning Act 1990 (as amended)) attached to Planning Permission 139537/FO/2024.

Location:

Clever Clowns Day Nursery Greenbrow Road Manchester M23 2UH

Application reference:

OTH-2026-000588

Applicant:

Sarah Tate Wythenshawe Community Housing Group (WCHG)

Date of application:

04 June 2026

Part 2 – Particulars of decision

Manchester City Council gives notice that the detail(s) referred to in Part 1 are **refused** for the reason(s) set out below.

Condition 5 - Contaminated Land - Site Investigation

No information has been submitted alongside this application in relation to ground investigations for review. This condition can therefore not be discharged.

Condition 6 - Surface Water Drainage Scheme

The submitted information is not sufficient and condition 6 is not discharged.

The submitted information has been reviewed against the following points which will need to be addressed in any future discharge of condition submission. Detailed comments against these points is set out below:

A) A finalised drainage layout showing all components, outfalls, levels and connectivity; Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable

B) The proposed development site is located in CDA. 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

C) An existing and proposed impermeable areas drawing to accompany all discharge rate calculations

D) 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.

E) 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.

F) 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.

G) Hydraulic calculation of the proposed drainage system

H) Construction details of flow control and SuDS element

The following further information is required to be submitted in a new discharge of condition application:

A)The proposed surface water drainage plan 382-LST-XX-XX-DR-D-0100 Rev P01 has been reviewed and the following missing information is noted.

1. Northing point.

2. External finished surface level

3. Drainpipes reference, gradients and length.

4. Manholes details – cover level, invert level, pipe entry& exit invert level.

5. Attenuation tank dimensions, vent arrangement. Check the capacity for 45 m3

6. Top right hand corner parking space – A note says about a perforated pipe connection but not shown. Will the connection require a revised SW calculation?

7. Rodding eye is missing for the pipe connections to MH-S1.

8. What type of pipe is proposed through the attenuation tank?

B)The rainfall intensity is assumed a wrong value of 35mm per hour for the calculation, it should be 50mm/hour. Further an improved betterment is required to achieve a restricted discharge rate of 5.0l/s unless you have an agreement with United Utilities an increased value.

C) No information has been provided in relation to an existing and proposed impermeable areas drawing to accompany all discharge rate calculations

D) A revised hydraulic modelling is needed. The applicant is required to demonstrate how surface water runoff will be managed and controlled throughout the demolition and construction phases to prevent flooding, pollution, and off-site impacts.

E) Exceedance flow route Drg No. 382-LST-XX-XX-DR-D-0003 shows a 1.0m difference within 8 parking width? When compared to the Topographical survey, the applicant is required to check and confirm. A revised Hydraulic modelling is required to increase the storage capacity to restrict the discharge to an agreed 5.0l/sec.

F) 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.

G) A revised Hydraulic calculation of the proposed drainage system is required.

H) The proposed drawings 382-LST-XX-XX-DR-D-0400, REV P01 and 382-LST-XX-XX-DR-D-0401 REV P01 has been reviewed and the comments are:

1. What does it mean by “Impermeable non-woven membrane to prevent groundwater into sewer”

2. Attenuation details not showing a pipe through the system as shown in the drainage plan.

3. The schedule shows the manholes are PPC and PPIC but the details are PCC with access steps. Please clarify.

4. Where drain water downpipes are connected directly to manholes and the drainage network, suitable energy dissipation and erosion protection measures shall be provided to prevent damage caused by hydraulic impact, high flow velocities, and scour.

Condition 10 - Off Site Highway Works

The submitted information is not currently sufficient to discharge condition 10.

The following additional information will be required to inform a future submission to discharge this condition in addition to that information submitted alongside this application:

- A timescale for the implementation of the works;
- TRO protection of the site access.

In addition it is noted that a Section 278 application for the proposed highways works has not yet been received by the Council as Local Highways Authority.

For the avoidance of doubt the Section 278 application for highways works should be undertaken through the Manchester City Council Highways Statutory Approvals team so that a process can be determined and taken forward. The following link provides access: https://www.manchester.gov.uk/directory_record/451887/permission_to_work_on_the_highways_-_section_278_agreements

Evidence that the section 278 process has been commenced and is well progressed to a point where technical designs have been approved and relevant bonds are in place for the works will also need to be provided in any future discharge of condition submission.

Condition 11 - Vegetation Clearance

No information has been provided for consideration against condition 11.

For the avoidance of doubt condition 11 states:

"No demolition works or vegetation clearance shall take place during the optimum period for bird nesting (1st March - 31st August inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works."

Condition 12 - Bat and Bird Boxes

The submitted details for the installation of integrated bat and bird boxes into the building are acceptable. However, in order to discharge condition 12 in full details under part b) of this condition will need to be submitted in due course. For the avoidance of doubt part b) states:

"b) Prior to the first occupation of the development a verification report and supporting evidence confirming the inclusion of the biodiversity enhancements within the development shall be submitted to and approved in writing by the City Council as local planning authority."

Condition 13 - Materials

Condition 13 of the planning permission states : All materials to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples and specifications of all materials to be used on all external elevations of the development.

As this application submission has not been accompanied by samples or a direction when such samples would be available to view on site or such other place, condition 13 cannot currently be discharged.

Condition 30 - Biodiversity Net Gain Plan statutory condition as required by Part 1 of paragraph 9 (1) of schedule 7a of the Town and Country Planning Act 1990 (as amended)

The submitted information is not sufficient to discharge the statutory BNG condition.

In order to deal with the statutory BNG plan condition the following information is required:

You need to submit a final metric for the proposal, together with pre-development and post-development plans showing the location of onsite habitat (see https://www.gov.uk/guidance/biodiversity-net-gain#submission-of-the-biodiversity-gain-plan Paragraph: 035 Reference ID: 74-035-20240214) In addition sections 2.6-2.8 of the Gain Plan need to be completed.

Date: 30 July 2026

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 the application to approve detail reserved by condition, 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.

   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-decision. 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.