

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/0566

Date registered valid: 17 June 2025

Proposal: Discharge of Condition 20 parts a and b (landscaping) and Condition 28 (boundary treatment) attached to planning permission 135857/FO/2022

Address: Land Bounded By Ardwick Green North, Cotter Street And Niven Street, Manchester, M12 6EY

Ward(s): Ardwick Ward

Applicant: Mr Stephen Lythgoe, Church Inn (Ardwick) Limited

Agent (if any): Mr Ryan Millar, Coda Studios

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

Recommendation: Approve

Date of recommendation: **22nd July 2025**

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 27 June 2025 Expired: 18 July 2025

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

Highway Services - In regard to Condition 28 (Boundary Treatment) plan '2565-CDA-00-SL-DR-A-0504 C02 / Proposed GF Site Boundary Treatments Plan' and '2565-CDA-00-XX-DR-A-2600 C02 / Boundary Treatments Plan' details the proposed boundary treatment. The information is sufficient to allow them to recommend the discharge of the condition from a Highways perspective

Arboriculturist - have viewed the landscaping proposals and species selection and can confirm that given the limited space on this site, they would have no objection to the proposals.

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: Approve

Article 35 Declaration

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

Condition 20 (landscaping)

20) The hard and soft landscaping areas shown on Proposed Site layout plan ref: 2565-CDA-00-SL-DR-A-0500-C03 received 17th June 2025 have been considered in conjunction with the planting scheme on the Detailed Landscaping plan ref: YD2_ARD_LP001 rev. P03, and details in the Data Sheet for Brecon Black Fleck Textured flags received 3rd July 2025. The confirmation from the planning agent dated 22.07.2025 that the species remain the same as shown on plan ref: 2565-CDA-00-SL-DR-A-0509 rev .A received on 25.04.2023 has also been noted. On the basis of the information referenced above, condition no.20 parts a and b are discharged.

Condition 28 (boundary treatment)

28) The location of the boundary treatment shown on Proposed GF Site Boundary Treatments Plan ref: 2565-CDA-00-SL-DR-A-0504-C02 and design shown on the Boundary Treatment Details plan ref: 2565-CDA-00-XX-DR-A-2600-C02 have been considered in conjunction with the content of the email from the planning agent dated 3rd July 2025. This email clarifies the

reasoning behind the proposed change of the vehicle gate to semi-automated bollards, being due to difficulties coordinating the sliding vehicle gate on Cotter Street (as approved) because of the change in levels across the site, and the slope along Cotter Street; meaning the gate would have required an excavated channel on one side which would have left a significant gap between the base rail and ground level on the other. The email dated from Design for Security officers to the developer dated 23rd September 2024 confirming their acceptance of support the removal of the gates and installation of semi-automated bollards has been noted. It is also noted that a push button coded lock would be installed to each of the two pedestrian gates to the western boundary allow residents access to the bin store, but deter general access.

The contents of a further email from the planning agent also dated 3rd July 2025 confirming that the boundary wall railings would be RAL 7016 to match the windows, and the brickwork would be Farmstead Antique Brick with natural colour mortar to match the approved brick on the buildings has been noted. Furthermore, that the existing boundary wall to the church would be retained, rather than installing a railing above.

On the basis that the development is implemented in accordance the information and details on plans referenced above before the dwellings are first occupied and approved boundary treatment is retained as such thereafter, condition no.28 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Neighbourhood Team Leader (Arboriculture)

Appendix 2 – Planning constraints

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) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA