

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/0408

Date registered valid: 29 April 2025

Proposal: Discharge of conditions 2 (materials), 3 (contaminated land), 5 (obscure glazing), 6 (boundary treatments), 7 (acoustic insulation), 8 (electric vehicle charging points), 9 (bicycle parking), 10 (landscaping scheme), 11 (car parking spaces), 12 (off site highway works), 13 (Inclusive access), 14 (drainage) and 15 (secured by design) from planning approval reference 141292/FO/2024

Address: Land To The Rear Of 25 Ladybarn Road Fronting Moseley Road, Manchester, M20 3BN

Ward(s): Old Moat Ward

Applicant: Mr J Henry

Agent (if any): Mr Jim Seymour Seymour Planning Limited

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve and Refuse

Date of recommendation: 16 July 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:

Printed: 14 May 2025 Expired: 5 June 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: No

Tree Preservation Order: No

Consultations & Notification Responses

Highway Services – The discharge of conditions 6, 8, 9 and 11 is recommended. The Highways Officer has confirmed that the Councils Statutory Approvals Team are working with the applicant's representative regarding the required finalisation of the s278 Agreement. Whilst these arrangements are welcomed, condition 12 cannot be discharge until details of the final of the agreed works (including drawings) have been submitted to the LPA.

Environmental Health – The discharge of conditions 7 and 8 is recommended.

The discharge of condition 3 is not recommended as the following issues need to be addressed:

- a. The Geo Assist Ltd Remediation Strategy and Deployment Plan reference 6070/VMF-RSDP v1.00 dated May 2021 showed additional areas at the front of the properties is required. These areas should be assessed and referenced in the submission.
- b. Clarification of garden cover layers are required.
- c. The sample from TPC contained a positive identification for asbestos fibre and its remediation requires clarification.

MCC Flood Risk Management Team – Condition 14 – A satisfactory surface water drainage layout with confirmation of in principle of drainage connections has not been provided. The discharge of the condition 14 is not recommended.

Greater Manchester Police Design for Security – No comments received.

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 and Refuse

Article 35 Declaration

N/A

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

2. The discharge of condition 2 (Materials) is approved on the basis that development has been implemented in accordance with the following materials as detailed in drawing and photomontages referenced Exterior finishes schedule:

Brickwork – Weinberger: Autumn Russet Stock brick

Roof – Marley Modern concrete interlocking tile roofing material in smooth grey colour

Entrance – Cedar timber cladding

Windows – Black powder coated aluminium

Bin store – Timber lath cladding.

3. The discharge of condition 3 (Contaminated land) is refused as the submitted document Geo Assist Ltd Remediation Strategy and Deployment Plan reference 6070/VMF-

RSDP v1.00 dated May 2021 has not demonstrated satisfactory remediation of land comprising garden areas within the development.

5. The discharge of condition 5 (Obscure glazing) is approved on the basis that the development has been implemented in accordance with the detail of drawing and photomontages referenced. Photo evidence of obscure glazing to side windows (confirming the attainment of Level 5 on the Pilkington scale). The implemented glazing shall be maintained in situ thereafter.

6. The discharge of condition 6 (Boundary treatments) is approved subject to the development being implemented in accordance with the detail of drawing referenced. Proposed landscape plan Ref: 169-SK-GL3 and Boundary treatment Ref: 169-SK-GL4. The implemented boundary treatment shall be maintained in situ thereafter.

7. The discharge of condition 7 (Acoustic insulation) is approved on the basis that development has been implemented in accordance with document referenced: Noise Assessment – Moseley Road, Manchester M14 6NR Report date 10 Jun 2012 Report Number 102573 by Miller Goodall and supplementary document Ref: P4867/L01/PJK by Acoustic & Engineering Consultants Ltd dated 27 November 2023. The implemented acoustic attenuation shall be maintained in situ thereafter.

8. The discharge of condition 8 (Electric vehicle charging points) is approved on subject to the development being implemented in accordance with the EV unit specification document referenced: Project EV-7.3 KW wall AC charger Dual Gun RFID in the position shown on drawings referenced: Proposed EV charging point Ref: 169-SK-GL3 (EV). The implemented EV charging points shall be maintained in situ thereafter.

9. The discharge of condition 9 (Bicycle parking) is approved on the basis that the development is implemented in accordance with the submitted Asgard cycle storage unit in the position shown on drawings referenced. Proposed landscape plan Ref: 169-SK-GL3 Rev B. The implemented cycle storage shall be maintained in situ thereafter.

10. The discharge of condition 10 (Landscaping scheme) is approved on the basis that, subject to any ground remediation works required by condition 3, the landscaping scheme is implemented in accordance with the detail of drawing referenced: Proposed landscape plan Ref: 169-SK-GL3 Rev B.

If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place. The approved scheme shall be fully implemented in accordance with the approved details and to a timescale agreed with the City Council as local planning authority.

11. The discharge of condition 11 (Car parking spaces) is approved on the basis that the development is implemented in accordance with the detail of drawing referenced: Proposed EV charging point Ref: 169-SK-GL3 (EV) relating to the arrangement of car parking spaces, which shall be maintained in situ thereafter.

12. The discharge of condition 12 (Off site highway works) is refused as drawings relating to finalised and agreed off-site highways works have not been submitted.

13. The discharge of condition 13 (Inclusive access) is approved on the basis that the development is implemented in accordance with the level thresholds to external doors, access

ramps and balustrades detailed on drawings referenced Proposed landscape plan Ref: 169-SK-GL3 Rev B and Proposed landscape ramp sections Ref: 169-SK-GL3 (2) Rev A. The implemented arrangements for inclusive access shall be maintained in situ thereafter.

14. The discharge of condition 14 (Drainage) is refused as insufficient information has been received relating to an appropriate surface water drainage scheme and arrangement to secure connections to the drainage network.

15. The discharge of condition 15 (Secured by Design) is approved on the basis the submitted Secured by Design Certificate (Ref: 2018/0010/SBD/01) confirming the attainment of a bronze award.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Area Team Boundary - Name: SOUTH AREA