

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/0543

Date registered valid: 12 June 2025

Proposal: Discharge of Condition 11B (Ground Conditions) attached to planning permission 134504/FO/2022 in relation to plots 68-72 , 74-90, 91-104, 162-170

Address: Land At Bennett Street, Manchester, M12 5NL

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: Approve

Date of recommendation: 11 August 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 16 June 2025 Expired: 7 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

Environmental Health -07.07.2025 - Have looked through the validation reports and can recommend discharge of condition 11b for plots 80-86 and 91-104

However, Garden and gas membrane validation are missing for plots 68-70 and Garden validation reports are missing for plots 71, 72, 74-79, 87-90 and 192-170

There are a few garden validation reports which appear to be for a site in Bury.

Further comments 05.08.2025

They have looked at the additional information, and can now recommend discharge of condition 11b for plots 68-72 and 74-79

The garden validation reports for plots 164-170, 109-120 and 162-163 are all for York Street, Bury.

For this application they are still waiting on the following;

- Garden validation 87-90
- Garden validation 162-170

Further comments 08.08.2025

On the basis of the further validation reports they can recommended discharge of condition 11b for plots 87-90 and 162-170.

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

11) The content of the Garden Validation reports and the Gas Membrane Validation reports referenced below has been reviewed and is considered to be satisfactory.

Garden Validations plots 80-86, 91-95, 97, 98 ref: 15- 974 V15 dated 14th April 2025
Garden Validations plots 99-102, 104 ref: 15- 974 V16 dated 28th April 2025
Garden Validations plots 96 and 103 ref: 15- 974 V18 dated 19th May 2025
Garden Validations plots 83-89, 175-177 ref: 15- 974 V44 dated 20th May 2025

Gas Membrane Validation plots 95, 96, 101-104, 128, 129 ref: 15- 974 V14 dated 24th September 2024

Gas Membrane Validation plots 91-94, 97, 98 ref: 15- 974 V16 dated 22nd October 2024

Gas Membrane Validation plots 99-100 and 91-92 garages ref: 15- 974 V17 dated 30th October 2024

Gas Membrane Validation plots 80-86 ref: 15- 974 V18 dated 31st October 2024

Gas Membrane Validation plots 89-90 ref: 15- 974 V19 dated 6th November 2024

Gas Membrane Validation plots 77-79 and 87-88 ref: 15- 974 V21 dated 12th November 2024

Gas Membrane Validation plots 71-76 ref: 15- 974 V20 dated 14th November 2024

Gas Membrane Validation plots 170-172 ref: 15- 974 V22 dated 22nd November 2024

Gas Membrane Validation plots 162-169 ref: 15- 974 V23 dated 28th November 2024

Received 12th June 2025

Garden Validations plots 72-79 ref: 974 V19 dated 12th June 2025

Garden Validations plots 60-63, 65-69 ref: 974 V20 dated 12th June 2025

Garden Validations plots 64, 70, 71 ref: 974 V23 dated 7th July 2025

Gas Membrane Validation plots 66-70 ref: 15- 974 V25 dated 4th December 2024

Received 28th July 2025

Garden Validations plots 87-90 ref: 15- 974 V17 dated 12th May 2025

Garden Validations plots 160-172 ref: 15- 974 V22 dated 1st July 2025

Received 5th August 2025.

On the basis of the Garden Validation reports and the Gas Membrane Validation reports referenced above condition no.11b is discharged.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

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) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: NORTH AREA