



MANCHESTER
CITY COUNCIL

PLANNING

GROWTH & DEVELOPMENT

DELEGATED OFFICER REPORT FOR PLANNING APPLICATION

Application no. 142335/JO/2025

Date registered valid: 5 March 2025

Proposal: Variation of Condition 6 (BNG) attached to planning permission 140061/FO/2024

Address: 2 Ladybarn Crescent, Manchester, M14 6UU

Ward(s): Withington Ward

Applicant: Mr Jeremy Bolchover A J Estates

Agent (if any): Mr Barry Bradley, Bradley Building Design Ltd

Case officer: Joshua Lee
Tel: 0161 219 2851
Email: joshua.lee@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 29 April 2025

APPLICATION DETAILS

Type of application: Variation or Removal of Condition

Development type: Minor Other

Date of site visit: n/a

Standard consultations: Printed: 11 March 2025 Expired: 1 April 2025

Neighbour notifications: Printed: 11 March 2025 Expired: 1 April 2025

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of site/building

The proposal is related to a large, detached building of converted flat dwellings. The property is surrounded by non-landscaped vegetation with 2no. front entrances with hardstanding to the front.

Description of area

The site is in a mostly residential part of the Withington ward of Manchester. The site sits within Flood Zone 3.

Description of development

The approved scheme is for the erection of single storey building to form 5 garages associated with adjoining flats. The proposed garage building sits on the rear boundary and spans 19915mm across and 6700mm deep. The eaves height is 2300mm with a pitched roof ridge height of 3683mm.

The proposal fell under the Biodiversity net gain regulations and a condition for a Habitat Management and monitoring plan was attached to the decision.

Variation of Condition 6 (BNG) attached to planning permission 140061/FO/2024

Replace:

Prior to the use of the development hereby approved, a 30-year Habitat Management and Monitoring Plan for the on-site biodiversity enhancements shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The development shall be implemented and maintained in accordance with the agreed details and shall be retained thereafter.

Reason - In the interests of biodiversity net gain being achieved off site pursuant to Policy EN15 of the Manchester Core Strategy, Policies JP-G8 of Places for Everyone, National Planning Policy Framework (NPPF) and Schedule 7A of the Town and Country Planning Act 1990 (as amended).

With:

Prior to the commencement of development, a biodiversity gain plan shall be submitted to an approved in writing by the City Council as local planning authority. The development shall be subsequently carried out and maintained in accordance with the approved plan.

Reason - In the interests of biodiversity net gain being achieved on site pursuant to Core Strategy policy EN15, Places for Everyone Policy JP-G8 and schedule 7A of the Town and Country Planning Act 1990 as amended

PLANNING HISTORY

140061/FO/2024

Description: Erection of single storey building to form 5 garages associated with adjoining flats

Decision: Approved 22/10/2024

CDN/25/0007

Description: Discharge of Conditions 5 (Flood risk) attached to planning permission 140061/FO/2024

Decision: Approved 05/03/2025

CONSULTATION, NOTIFICATION & PUBLICITY RESPONSES

Consultations

Greater Manchester Ecology unit (GMEU)

GMEU were consulted on this application and had no objection to the proposed variation to the condition.

Notifications

Local Residents

No representations received.

RELEVANT POLICIES & THE PRINCIPLE OF DEVELOPMENT

Relevant Policies

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise.

The following policies are considered relevant.

- [The Manchester Core Strategy Development Plan Document 2012-2027](#)
 - Development Management and Planning Obligations
 - DM 1 - Development Management
 - Objective 1 - Spatial Principles
 - SP 1 - Spatial Principles (Partially replaced by PfE Policy JP-S 1)
 - Objective 6 Environment
 - EN 1 - Design Principles and Strategic Character Areas
 - EN 9 – Green Infrastructure
 - EN 14 – Flood Risk (partially replaced by PfE Policy JP-S 4)
 - EN15 - Biodiversity and Geological Conservation (partially replaced by PfE Policy JP-G 8)
- [Extant Unitary Development Plan \(UDP\) –](#)
 - Citywide Development Control Policies
 - DC26 - Development and Noise
- [Places for Everyone Plan Joint Development Plan Document 2022-2039-](#)
 - Strategy
 - JP-Strat9: Southern Areas
 - Sustainable and Resilient Places
 - JP-S1: Sustainable Development
 - JP-S4: Flood Risk and the Water Environment
 - Greener Places
 - JP-G6: Urban Green Space
 - JP-G8: A Net Enhancement of Biodiversity and Geodiversity
 - Places for People
 - JP-P1 Sustainable Places
- [The National Planning Policy Framework \(The NPPF\) –](#)

- Section 2 - Achieving sustainable development
- Section 4 – Decision-making
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment
- [Town and Country Planning Act 1990](#) –
 - Part 3 – Control over development
 - Section 73 - Determination of applications to develop land without compliance with conditions previously attached.

Principle

The principle of the development was approved on 140061/FO/2024. Part 3, Section 73 of the Town and Country Planning Act allows for the determination of applications to develop land without compliance with conditions previously attached (Removal or variation of condition) where the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted.

ISSUES

Effects relating to biodiversity, landscape, archaeological or built heritage

The proposal falls under the small sites Biodiversity net gain. The Greater Manchester Ecology Unit assessed the proposed Biodiversity net gain plan, and it appears to be a reasonable reflection of the baseline and post development habitats, and the LPA can be reasonably confident that a 10% net gain could be provided. The original application attached a condition for the 30-year Habitat Management and Monitoring Plan however this is not required since the small scale of the development and a full HMMP is not required.

Condition 6 has been varied to read

Prior to the commencement of development, a biodiversity gain plan shall be submitted to an approved in writing by the City Council as local planning authority. The development shall be subsequently carried out and maintained in accordance with the approved plan.

Reason - In the interests of biodiversity net gain being achieved on site pursuant to Core Strategy policy EN15, Places for Everyone Policy JP-G8 and schedule 7A of the Town and Country Planning Act 1990 as amended

The varied conditions would not alter the residential and visual amenity of the approved proposal.

All other elements of the scheme remain the same.

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.

CONCLUSION

The proposed variation of Condition 6 to replace the requirement for a 30-year Habitat Management and Monitoring Plan with a biodiversity gain plan is considered acceptable. The Greater Manchester Ecology Unit has no objections, and the revised condition aligns with relevant policies, ensuring biodiversity net gain on-site. The development will proceed in accordance with the approved plans and conditions, maintaining the residential and visual amenity of the area. Therefore, the recommendation is to approve the application.

RECOMMENDATION: APPROVE

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The proposal is considered to be acceptable and therefore determined within a timely manner.

CONDITION(S) TO BE ATTACHED TO DECISION FOR APPROVAL

1. Time limit

The development must be begun not later than the 22 October 2027.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. Specified plans

The development hereby approved shall be carried out in accordance with the following drawings and documents:

a.	Drawing - Location Plan	20 May 2024	THE LOCATION PLAN
b.	Drawing - Site Plan	20 May 2024	BLOCK PLAN OF THE SITE
c.	Drawing - Proposed	20 May 2024 02A	PLANS
c.	Ecology report	24 Jun 2024	BNG SCREENING
d.	Ecology report	03 Jul 2024	BNG SCREENING
e.	Ecology report	03 Sep 2024	BIODIVERSITY NET GAIN

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy and JP-P1 of Places for Everyone.

3. Specified materials

The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form in type, size, colour, and texture.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the structure. Pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy and JP-S1 and JP-P1 of Places for Everyone.

4. NON-RESIDENTIAL use

The 5no car garage as approved is for the sole purpose and use for vehicle storage associated with the dwellings of the main building at the address. For the avoidance of doubt the new building is not for residential accommodation or habitation of any kind.

Reason - To ensure the amenity of the area is not adversely affected by the unauthorised use of the vehicle garage. Pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy and JP-P1 of Places for Everyone

5. Flood risk

The development shall be constructed and completed in accordance with the approved details submitted under discharge application CDN/25/0007.

- a. Flood Risk Assessment 07 Jan 2025 FLOOD RISK ASSESSMENT &
OUTLINE DRAINAGE STRATEGY REPORT

Reason To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN14 EN17 of the Core Strategy

6. BNG

Prior to the commencement of development, a biodiversity gain plan shall be submitted to an approved in writing by the City Council as local planning authority. The development shall be subsequently carried out and maintained in accordance with the approved plan.

Reason - In the interests of biodiversity net gain being achieved on site pursuant to Core Strategy policy EN15, Places for Everyone Policy JP-G8 and schedule 7A of the Town and Country Planning Act 1990 as amended

7. Landscaping

Prior to commencement a full soft and hard landscaping plan treatments is required to be submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure the appearance of the site is Pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy and JP-P1 of Places for Everyone.

8. Secure by Design

The development shall not be brought into use until details of the security measures to be incorporated into the development, which shall be to 'secured by Design' specification, have been submitted to and approved in writing by the City Council as Local Planning Authority. This shall include details of external fittings, boundary treatment, gates and dusk till dawn lighting. The development shall only be carried out in accordance with these approved details which shall be retained thereafter.

Reason - To reduce the risk of crime pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

APPENDIX 1 – LIST OF CONSULTEES & NEIGHBOURS NOTIFIED

Greater Manchester Ecology Unit

Flat 6, 53 Mauldeth Road, Manchester, M20 4NF

Flat 2, 53 Mauldeth Road, Manchester, M20 4NF

Flat 5, 4 Ladybarn Crescent, Manchester, M14 6UU

Flat 4, 4 Ladybarn Crescent, Manchester, M14 6UU

Flat 3, 2 Ladybarn Crescent, Manchester, M14 6UU

Flat 2, 2 Ladybarn Crescent, Manchester, M14 6UU

Flat 9, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 6, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 42, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 4, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 38, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 35, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 33, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 30, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 29, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 26, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 24, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 21, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 19, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 17, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 14, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 11, Mayes Court, Sheringham Road, Manchester, M14 6UT

17 Booth Avenue, Manchester, M14 6RB

13 Booth Avenue, Manchester, M14 6RB

Flat 9, 4 Ladybarn Crescent, Manchester, M14 6UU

55 Mauldeth Road, Manchester, M20 4NF

Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 7, 55 Mauldeth Road, Manchester, M20 4NF

Flat 6, 55 Mauldeth Road, Manchester, M20 4NF

Flat 5, 55 Mauldeth Road, Manchester, M20 4NF

Flat 3, 55 Mauldeth Road, Manchester, M20 4NF

Flat 2, 55 Mauldeth Road, Manchester, M20 4NF

Flat 7, 53 Mauldeth Road, Manchester, M20 4NF

Flat 4, 53 Mauldeth Road, Manchester, M20 4NF

Flat 3, 53 Mauldeth Road, Manchester, M20 4NF

Flat 1, 53 Mauldeth Road, Manchester, M20 4NF

3 Booth Avenue, Manchester, M14 6RB

11 Booth Avenue, Manchester, M14 6RB

1 Booth Avenue, Manchester, M14 6RB

Flat 37, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 36, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 34, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 32, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 31, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 3, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 28, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 27, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 25, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 23, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 22, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 20, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 2, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 18, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 16, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 15, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 12, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 10, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 1, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 8, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 7, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 5, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 41, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 40, Mayes Court, Sheringham Road, Manchester, M14 6UT

Flat 39, Mayes Court, Sheringham Road, Manchester, M14 6UT

9 Booth Avenue, Manchester, M14 6RB

7 Booth Avenue, Manchester, M14 6RB

Flat 5, 2 Ladybarn Crescent, Manchester, M14 6UU

Flat 4, 2 Ladybarn Crescent, Manchester, M14 6UU

Flat 3, 4 Ladybarn Crescent, Manchester, M14 6UU

Flat 2, 4 Ladybarn Crescent, Manchester, M14 6UU

Flat 1, 4 Ladybarn Crescent, Manchester, M14 6UU

Flat 1, 2 Ladybarn Crescent, Manchester, M14 6UU

5 Booth Avenue, Manchester, M14 6RB

15 Booth Avenue, Manchester, M14 6RB

Flat 7, 4 Ladybarn Crescent, Manchester, M14 6UU

Flat 5, 53 Mauldeth Road, Manchester, M20 4NF

Flat 6, 4 Ladybarn Crescent, Manchester, M14 6UU

Basement Flat, 4 Ladybarn Crescent, Manchester, M14 6UU

Flat 8, 4 Ladybarn Crescent, Manchester, M14 6UU

Flat 4, 55 Mauldeth Road, Manchester, M20 4NF

Flat 1, 55 Mauldeth Road, Manchester, M20 4NF

APPENDIX 2 – PLANNING CONSTRAINTS

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

Flood Zones Type 2 (low to medium risk) -

Flood Zones Type 3 (high risk) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA