

## **Planning**

## **Growth & Development**

### **Delegated officer report for planning application**

**Application no.** CDN/24/1165

**Date registered valid:** 13 December 2024

**Proposal:** Discharge of condition 4 (materials) attached to planning permission referenced 135857/FO/2022.

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

**Ward(s):**

**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](mailto:sue.wills@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** **4<sup>th</sup> February 2025**

## **Application details**

**Type of application:** Approval of condition application

**Development type:** Notifications

**Date of site visit:**

### **Standard consultations:**

No consultations have been printed and sent.

### **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**

## **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:**

### **Article 35 Declaration**

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

#### **Condition 4 (materials)**

4) The following materials have been reviewed:  
Farmstead Antique Brick with natural colour mortar

Racing Green bespoke Glazed brick detailing ( Racing Green Glazed Techdata 30-11-23) with gunmetal grey mortar;

Roof - Single ply membrane basalt grey (RAL 7012) with aluminium roof edge trim basalt grey (RAL 7012), and textured natural flags to terraces;

Window frames and balustrade railings RAL 7016; and

Front doors – Velfac timber door with aluminium frames – RAL 7030 Stone grey;

Concerns were expressed in relation to the level of texture in the Farmstead Antique Brick sample panel viewed on site on 6th January 2025, and the photographs of this sample panel submitted to accompany the discharge of condition application. Consideration has however, been given to the submitted visuals of the Farmstead Antique Brick used at ground level in the Castings development in Ancoats provided by the planning agent on 8<sup>th</sup> January 2025.

On the basis that the extent of surface texture of the Farmstead Antique Brick, is as the Farmstead Antique Brick used at ground level in the Castings development in Ancoats, ( and not as in the sample panel viewed in site on 6th January 2025) , and the development is implemented on this basis and in accordance with the materials referred above, condition no. 4 is discharged.

## **Appendix 1 – List of consultees & neighbours notified**

## **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

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH AREA