Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/26/0089
Date registered valid:	29 January 2026
Proposal:	Discharge of Conditions 3 (Materials), 6 (Drainage), 8 (Landscaping), 10b (Contaminated Land), 21 (Western Boundary Treatment) attached to Planning Permission 112059/FO/2016.
Address:	Daisy Bank Mill , Terrence Street, Manchester, M40 1GD
Ward(s):	Miles Platting & Newton Heath Ward
Applicant:	Mr Carl Garrity Splash Developments
Agent (if any):	
Case officer:	Sue Wills Tel: 0161 234 4524 Email: sue.wills@manchester.gov.uk
Recommendation:	Split decision
Date of recommendation:	15 April 2026

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:
Printed: 6 February 2026 Expired: 27 February 2026

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 – Advise they can recommend the discharge of condition no.21 from a Highways perspective. It should be noted that Highways require all boundary treatments adjacent to the adopted Highway to be visually permeable from 600mm upwards. For the avoidance of doubt, all external entrance doors (with the exception of fire doors) should be inwardly opening to prevent obstruction on the adjacent footway.

Environmental Heath – 16.02.2026
Based on the information Environmental Health await a remediation strategy. Furthermore, the discharge of 10b cannot be discharged as the information (that cannot be accepted before an agreed remediation strategy) does not meet MCC standards.

Further comments 07.04.2026

The information is not sufficient for the discharge of 10b (contaminated land)
They confirm that they are in receipt of the remediation strategy by RSK dated Feb 2020, but require gas membrane verification, also delineation of the lead found. Furthermore, evidence and analysis of the sub soil (450mm) and topsoil (150mm) levels for all the soft landscape areas.

LLFA 19.02.2026- A Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime is required.

Further comments 18.03.2026
Condition no. 6 can be discharged.

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 polices 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: Split decision

Article 35 Declaration

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

Condition no. 3 (Materials)
3) The content of the materials schedule has been reviewed, together with the roof tile and brick specification data sheets and is considered to be acceptable. On the basis that the development is implemented in accordance with the materials which have been referenced condition no.3 is discharged.

Condition no. 6 (Drainage Maintenance),
6) The correspondence dated 19th January 2026 in connection As-Built drawings showing the final drainage layout together with the Info drainage modelling results for the 1 in 100-year return period +45% for climate change has been reviewed in conjunction with the Storm Phase : Proposed surface water calculation dated 19.01.2026, and Drainage Asset Management Plan Report Ref: D246/KGB/001 Rev 01 dated 27.02.2026; and details of the management company received 2nd March 2026.
On the basis that the approved scheme is thereafter managed and maintained for as long as the development remains in use condition no. 6 is discharged.

Condition no. 8 (Landscaping)
8) Condition no.8 is a compliance condition requiring the implementation of the hard and soft landscaping scheme approved by the City Council as local planning authority shown on the site layout drawing showing the proposed tree planting and landscaping notes stamped as received by the Local Planning Authority on 3rd May 2017. Furthermore, there is a further on-going compliance element requiring, that 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. On this basis, this condition cannot be formally discharged until 5 years have elapsed from when the planting was implemented.

Condition no. 10b (Contaminated Land)
10b)The content of the following documentation has been reviewed:
-Top soil analysis correspondence from B.J. Crowther Ltd
-RSK Remediation Strategy Letter Report dated 12 February 2020, and Remediation Strategy by RSK
Received 1st April 2026
It is considered that insufficient information has been provided for evaluation. There is a requirement for gas membrane verification, and also delineation of the lead found. Furthermore, evidence and analysis of the sub soil (450mm) and topsoil (150mm) levels for all the soft landscape areas is also needed. On this basis condition no. 10b is not discharged.

Condition no. 21 (Western Boundary Treatment)
21) The photographic images of western boundary treatment adjacent to plot no.18 (to the boundary of the site to the rear of 1 - 15 Mabel Street) has been reviewed in conjunction with the content of the email from the applicant dated 15th April 2026, confirming the height of the

installed close boarded wooden fencing in the images is 1.8m above ground level. It is noted that the height of the fencing in the image varies due to the change in site levels.

On the basis that the treatment to the western boundary of plot no.18 is retained as such thereafter, condition no.21 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
United Utilities Water PLC

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
Area Team Boundary - Name: NORTH AREA