

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/1201

Date registered valid: 16 December 2025

Proposal: Discharge of Conditions 10b (contaminated land), 11b (acoustic insulation), 12b (external plant), 14 (crime impact) and 16 (drainage maintenance) attached to Planning Permission 135857/FO/2022.

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

Ward(s): Ardwick Ward

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

Recommendation: Split decision

Date of recommendation: 3 March 2026

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:

Printed: 18 December 2025

Expired: 11 January 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

Consultations & Notification Responses

Design for Security -

Environmental Heath -09.01.2026

Condition 10b can be discharged.

The information submitted to discharge condition 11b is not sufficient, the applicant has submitted the Building Control noise assessment which separate to their condition. The applicant needs to confirm that the internal noise limits are complied with in terms of environmental noise (road traffic, nearby industrial etc).

The information submitted to discharge condition 12b is not sufficient. The applicant has not considered the development itself as a sensitive receptor to noise from the external plant, additional calculations are required to confirm that noise at the dwellings themselves complies with the requirements of the condition.

Further comments 12.02.2026

Condition 11b can be discharged.

With regard to condition 12b, the report calculates the noise levels from the external plant to off site receptors, but they would expect noise from the external plant to be assessed at the dwellings themselves as the nearest receptors in order to discharge the condition.

LLFA -29.01.2026

Advise that based on the 'General Drainage Arrangement' drawing (2075-CIV-XX-XX-D-C-30001 C02) the installed drainage strategy is different to the strategy approved under CDN/24/0675.

A below-ground attenuation tank has been installed instead of permeable paving.

- Please confirm whether 2075-CIV-XX-XX-D-C-30001 C02 is an as-built drawing.
- Please include all tank dimensions/levels on the as-built layout, and confirm the invert level at the new connection to the public sewer.
- Please provide justification for the change of drainage strategy, as a below-ground attenuation tank does not provide additional benefits, such as filtration, compared to permeable paving.
- Please provide hydraulic calculations of the drainage system, including all design parameters. Calculations must include Critical Storm Events for the 1 in 2, 1 in 30 and 1 in 100 + 45% Climate Change. Results must demonstrate no surcharge for the 1 in 2, no flooding in the 1 in 30 and no flooding of buildings for the 1 in 100 + 45% Climate Change.
- Please provide site-specific (including all levels, dimensions, depth to cover) construction details for the attenuation tank.

Further comment 02.03.2025

The applicant has stated that "*The attached drawing rev C03 represents our Final Construction Issue. This drawing represents the last version issued for construction along with updates as provided by the site team during construction.*"

The above drawing (2075-CIV-XX-XX-D-C-30001 C03) does not include cover levels/invert levels for manholes/pipes for the entire surface water drainage. Cover levels/invert levels were provided previously within tables (2075-CIV-XX-XX-L-C-300011 C02 and 2075-CIV-XX-XX-L-C-300012 C02) accompanying the drainage layout drawing 2075-CIV-XX-XX-D-C-30002 C02, but there is no confirmation that these are as-built drawings.

Please could the applicant clarify what drawings show the as-built drainage layout after construction?

They advise that a single as-built drainage layout which confirms the surface water drainage system as it has been constructed, including all cover levels, invert levels, connectivity, storage volumes etc. At the moment it isn't clear.

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 10b (contaminated land)

10b) The Cover System Completion Report ref: LKC 22 1502 dated 28th November 2025 and C&R Groundworks photographic images dated November 2024 have been reviewed. On the basis of the contents of the documentation referenced above condition no.10b is discharged.

Condition 11b (acoustic insulation)

11b) The content of the Airborne Sound Insulation testing report ref: 85075 dated 20th September 2025 and Internal Noise Survey report ref: 2526-1011 -07 -12 dated 17.01.2026 received 23rd January 2026 have been reviewed. On the basis of the contents of the documentation referenced above condition no.11b is discharged.

Condition 12b (external plant)

12b) The content of the Discharge of planning conditions report ref: 2526-938-5-17-10 dated 17th October 2025 has been examined. The report calculates the noise levels from the external plant to off site receptors, but noise from the external plant also needs to be assessed at the dwellings themselves (as the nearest receptors) in order to discharge the condition. As such insufficient information has been submitted to enable condition no.12b to be discharged.

Condition 14 (crime impact)

14)The Secure by Design accreditation certification has been noted. On the basis of the submitted certification condition no.14 is discharged.

Condition 16 (drainage maintenance)

16) The drainage details on the following plans and documentation have been reviewed .

Surface Water Drainage Strategy plan ref: 2075-CIV-XX-XX-D-C-3002 rev. C02

Foul Water Drainage Strategy plan ref: 2075-CIV-XX-XX-D-C-3003 rev. C02

Manhole schedules Sheet 1 plan ref: 2075-CIV-XX-XX-L-C-30011 rev.C02

Manhole schedules Sheet 2 plan ref: 2075-CIV-XX-XX-L-C-30012 rev.C02

Attenuation Installation Guide for rainwater attenuation

Ardwick Green Drainage Maintenance Schedule dated November 2025

Received 16th December 2025

Email from Civil Engineer to planning agent response regarding drainage matters dated 12th February 2026

Hydro WMS Ltd - 1.0mm PE Geomembrane Specification
Hydro WMS Ltd - 300gsm Protection Geotextile Specification
Hydro Water Management Solutions Maintenance Requirements
Pipe connection details – polystorm plan ref: 001
Hydro WMS Attenuation Construction Details
Polystorm Stormwater Management Systems
Polystorm- R Modular Cell Product Details
Drainage Calculations – Surface Water Drainage With Asbuilt Levels Network: Primary Surface Water date 06.02.2026
General Drainage Arrangement plan ref: 2075-CIV-XX-XX-D-C-30001 rev.C03
Drainage File Note ref: 2075-CIV-XX-XX-FN-C-0001 (notwithstanding General Drainage Arrangement plan ref: 2075-CIV-XX-XX-D-C-30001 rev.C02)
Received 19th February 2026

There are matters which require clarification, as in the key of plan ref:2075-CIV-XX-XX-D-C-30001 C03 it states that this drawing represents the last version issued for construction, but does not include cover levels/invert levels for manholes/pipes for the entire surface water drainage. Cover levels/invert levels were provided previously within tables (2075-CIV-XX-XX-L-C-300011 C02 and 2075-CIV-XX-XX-L-C-300012 C02) accompanying the drainage layout drawing 2075-CIV-XX-XX-D-C-30002 C02, but there is no confirmation that these are as-built drawings.

An as-built drainage layout which confirms the surface water drainage system as it has been constructed, including all cover levels, invert levels, connectivity, storage volumes etc is required. As such insufficient information has been submitted to enable condition no.16 to be discharged.

Appendix 1 – List of consultees & neighbours notified

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
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 (Less) -
Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA