MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/25/1082
Date registered valid:	11 November 2025
Proposal:	Discharge of condition 11B (ground conditions) for plots 1-8, 29-49, 60-65, 148-161 and 171- 172 attached to planning permission 134504/FO/2022
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:	27 January 2026

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:
Printed: 19 November 2025 Expired: 10 December 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 – 08.12.2025
Advise that they have been through the submitted reports and for the listed plots and can recommend discharge of the following:

- 1-2
- 5-8
- 31-49
- 60-65
- 148-161
- 172

All validation information has been submitted for 171, but this has not been listed to date for discharge

Garden validations are missing for plots 3-4 and 29-31 - this will complete the plot validations for this site.

They are also waiting on more front garden validations, so far they have 6 of the proposed 17 (validations for 18, 19, 91, 93, 139 and 145), they would also expect an overarching validation report to cover the findings of the watching brief for unexpected contamination and waste transfer notes.

Further comments 23.12.2025
They confirm they have looked through all the recent emails and validation reports which have now been received for all rear gardens, and advise they are still waiting on more front garden validations, so far they have had 6 of the proposed 17 (validations for 18, 19, 91, 93, 139 and 145) based on 1 in 10 front gardens being validated.

They agreed the side/front gardens for the following plots would have 600mm clean cover - 135, 139, 49, 47 and 33, however, the validation report for the front garden of plot 139 is only validated to 450mm. Satisfactory validation reports are needed for these plots, which will take them to 10 of the 17 needed.

Further comments 27.01.2026
Can now recommend discharge of condition 11b as all the expected validation reports have been received and agreed for the front (included the deeper cover for the large front gardens) and back gardens.

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: Approve

Article 35 Declaration

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

11b) The content of the documentation specified below has been reviewed.

Plots 60-63, 65-69 Garden validation report ref: 15-974-V20 dated 12th June 2025
Plots 160-172 Garden validation report ref: 15-974-V22 dated 1st July 2025
Plots 64, 70, 71 Garden validation report ref: 15-974-V23 dated 7th July 2025
Plots 24,25,46-49, 55 Garden validation report ref: 15-974-V26 dated 1st August 2025
Plots 149-153, 157, 159 Garden validation report ref: 15-974-V27 dated 7th August 2025
Plots 148 and 158 Garden validation report ref: 15-974-V28 dated 1st September 2025
Plots 154-155 Garden validation report ref: 15-974-V29 dated 1st September 2025
Plots 44-45 Garden validation report ref: 15-974-V30 dated 16th September 2025
Plots 37-43, 156 Garden validation report ref: 15-974-V31 dated 29th September 2025
Plots 1-2 and 31-36 Garden validation report ref: 15-974-V32 dated 8th October 2025
Plot 5-8 rear Garden validation report ref: 15-974-V35 dated 10th November 2025

Plots 136-138 and 147-148 Gas Membrane Validation ref: 15-974 V7 dated 5th June 2024
Plots 31-32 Gas Membrane Validation ref: 15-974 V32 dated 20th March 2025
Plots 170-172 Gas Membrane Validation ref: 15-974 V22 dated 22nd November 2024
Plots 60-65 Gas Membrane Validation ref: 15-974 V24 dated 2nd December 2024
Plots 49-59 and 149-150 Gas Membrane Validation ref: 15-974 V26 dated 28th January 2025
Plots 43-48, 155-159 Gas Membrane Validation ref: 15-974 V29 dated 26th February 2025
Plots 29-30, 151-154 Gas Membrane Validation ref: 15-974 V30 dated 6th March 2025
Plots 1-4, 33-36 Gas Membrane Validation ref: 15-974 V31 dated 17th March 2025
Plots 37-42 Gas Membrane Validation ref: 15-974 V34 dated 19th May 2025
Plots 5-8, 33-36 Gas Membrane Validation ref: 15-974 V35 dated 1st July 2025
Plots 160-161 Gas Membrane Validation ref: 15-974 V36 dated 16th September 2024
Received 11th November 2025

Validation Report ref: 15-974-R6-4 February 2025
Plots 3-4 and 29-30 Garden validation report ref: 15-974-V34 dated 14th October 2025

Received 9th December 2025

Kellen Homes email 9th December 2025

Kellen Homes email dated 18th December 2025 relating to plot no.171

Plots 1,22,37,71, and 76 – Front Garden Validation ref: 15-974- V36 dated 23rd December 2025

Plots 1-8- Front Garden Validation ref: 15-974- V37 dated 20th January 2026

Plots 33,47,49, 135 and 139 Front Garden Validation ref: 15-974- V38 dated 20th January 2026

received 20th January 2026

On the basis of the content of the documentation referenced above condition no.11b is discharged in respect of plots 1-8, 29-49, 60-65, 148-161 and 171- 172.

It is noted that condition no.11b was discharged in relation to plots nos. 23-28, 50-59, 66,67,73,128-131 and apartment blocks 1 ,2 and 3 as part of application ref: CDN/25/0778 on 20th October 2025; in relation to plots nos. 68-72 , 74-90, 91-104, 162-170 as part of application ref: CDN/25/0543 on 12th August 2025; and in relation to plots nos.9 -22, 105-127, and 132-147 as part of application ref: CDN/25/0274 on 9th June 2025.

I can therefore also confirm that condition no.11b has been discharged for all the plots within the development.

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) -
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Flood Zones Type 2 (low to medium risk) -
Flood Zone Plus Climate Change -
Flood Zone Plus Climate Change -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
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Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle