

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0097

Date registered valid: 21 February 2022

Proposal: Discharge of conditions 15 (External Lighting), 25 (Boundary wall to Gorton Lane), 26 (Risk assessment method statement), 27 (Scaffolding in proximity to the railway), 29 (drainage in proximity to the railway), 30 (Eathworks in proximity to railway) and 31 (Vehicle safety protection measures in proximity to the railway) attached to planning permission ref: 130127/VO/2021

Address: Hammerstone Road Depot , Hammerstone Road, Manchester, M18 8EQ

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr Andy Partington Manchester City Council PO Box 532, Town Hall, Manchester, M60 2LA

Agent (if any): Mr Andrew Thompson Fletcher-Rae 5 Jordan Street, Manchester, M15 4PY

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 29 April 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 23 February 2022 Expired: 16 March 2022

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

Network Rail – 24.02.2022 – Advise they cannot comment on these documents until the applicant has entered into a basic asset protection agreement and an interface with the railway. The applicant is to submit the attached form to AssetProtectionLNWNorth@networkrail.co.uk No works are to commence until agreed with Network Rail.

Updated comments 22.04.2022 - The BAPA is in place and the holding objection is withdrawn, the proposal will be handled by asset protection now.

Updated comments 27.04.2022 - Management of the Network Rail interface with the works associated with the conditions listed below, can be completed through the Basic Asset Protection Agreement.

Therefore, they see no issue with them being discharged, on the proviso that there is no change to existing and approved planning details.

Updated comments 27.04.2022 -The proposal can be undertaken via the Network Rail BAPA and so the conditions can be discharged.

Highways Services - 21.04.2022 -

UDP are closing the footpath and putting temporary pedestrian crossings in place whilst the footpath closure is active which has been approved.

Updated comments 25.04.2022 - Highways have confirmed they can support the discharge of the boundary wall condition (C25) to application CDN/22/0097.

Environmental Health – 17.03.2022 – Have reviewed the information submitted and confirmed the applicant has provided the basic information for the lighting at the development, but they would want to see additional comments/information which confirm how glare and overspill will be managed so as not to cause disamenity to nearby premises. This should also confirm how lighting levels will be maintained to be in keeping with the local area (include luminance levels etc).

Updated comments re: condition no.15 -28.04.2022- The information submitted is sufficient and the condition can be discharged.

Issues

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: Approve

Article 35 Declaration

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

Condition no. 15 External Lighting

The following plans and documents have been examined and the design and specifications are considered to be acceptable :

Hammerstone Road Depot Refurbishment report ref: HRD-ABE-XX-XX-TS-E-5008- External Lighting, and Electrical Service – External lighting plots layout ref: HRD-ABE-00-00-DR-E-7004 rev.02 received 21st February 2022;

Additional lighting information received 26th April 2022 - Electrical Service – External lighting plots layout ref: HRD-ABE-00-00-DR-E-7006 rev.02 (notwithstanding reference to galvanised finish columns)

Email from planning agent confirming the external lighting columns and lanterns will be coloured mid grey (RAL 7046) dated 29th April 2022;

On the basis that the above development is implemented in accordance with the details shown on the above plans and the specifications in the above documents , and that the lanterns and columns are mid grey RAL 7046 in colouration , I can confirm condition no.15 is discharged.

Condition no. 25 Boundary wall to Gorton Lane

The details shown on the plans and in the documents specified below have been examined :-

Fletcher Rae HRD Gorton Lane Boundary Wall Repair Statement ref: HRD-FRA-00-XX-RP-A-90-6203-P1 dated 14th February 2022 ;

Survey Record Drawing - South Bank Boundary Wall ref: HRD-CUR-00-XX-DR-S-02-0001 rev.P02 ;

Permanent Repair Works to Southern Boundary Wall ref: HRD-CUR-00-XX-DR-S-27-0002 rev.04;

Permanent Repair Works - South Boundary Wall Options Appraisal ref: HRD-CUR-00-XX-DR-S-27-0003 rev.P02, in conjunction with correspondence from Curtins dated 28th January 2022 (Southern Boundary Wall Repair Design Statement);

Proposed Gorton Lane Fence Detail ref: HRD-FRA-00-XX-DR-A-90-0254 rev.P01; received 21st February 2022.

On the basis that the above development is implemented in accordance with the details shown on the above plans and the specifications in the above documents , I can confirm condition no.25 is discharged.

Condition no. 26 Risk assessment method statement

The contents of the Risk Assessment Working Adjacent to Network Rail Infrastructure ref: HS 27-01 ; Chartrange Method Statement (Foundation and Drainage) ref: HS02-01; and Safe systems of working at height Mobile Elevating Work Platforms (MEWP's) ref:

SSOW/04/WAH/MEWP's received 21st February 2022; have been examined and the approach is considered to be satisfactory .

On the basis that the above development is implemented in accordance with the measures set out in the above documents , I can confirm condition no.26 is discharged.

Condition no. 27 Scaffolding in proximity to the railway

The Scaffolding Plan Risk and Method Statement ref: AMC/MS/HS/003 dated July 2021 has been examined and is considered to be a satisfactory approach. On the basis that the development is implemented in full accordance with the measures in the Scaffolding Plan Risk and Method Statement ref: AMC/MS/HS/003, I can confirm condition no.27 is discharged.

Condition no. 29 Drainage in proximity to the railway

The submitted Discharge of Planning Conditions 29-31 document reference HRD-CUR-00-XX-RE-006 rev.V01 dated 4th February 2022 and associated plan refs :
HRD-CUR-XX-00-DR-C-92-512 rev. P02 Overland Flood Routes
HRD-CUR-XX-00-DR-C-92-540 rev.P01 Proposed Drainage plan Adjacent to Railway and Chartrange Method Statement ref: TH/HSR/2/001A; have been examined and are considered to be an acceptable approach.

On the basis that the development is fully implemented in accordance with the content of the document and associated plans specified above, I can confirm that condition no.29 is discharged.

Condition no. 30 Earthworks in proximity to railway

The submitted Discharge of Planning Conditions 29-31 document reference HRD-CUR-00-XX-RE-006 rev.V01 dated 4th February 2022 and associated plan refs :
HRD-CUR-XX-00-DR-C-91-600 rev.P04 Site Strip Volumetrics
HRD-CUR-XX-00-DR-C-91-601 rev. P07 Cut & Fill Analysis
HRD-CUR-XX-00-DR-C-91-620 rev. P01 Proposed Levels Adjacent to Railway Line
HRD-CUR-XX-00-DR-C-91-621 rev.P01 Railway Line Boundary Sections
HRD-CUR-XX-00-DR-C-94-700 rev.P09 External Surfaces

have been examined and are considered to be an acceptable approach.

On the basis that the development is fully implemented in accordance with the content of the document and associated plans specified above, I can confirm that condition no.30 is discharged.

Condition no. 31 Vehicle safety protection measures in proximity to the railway

The submitted Discharge of Planning Conditions 29-31 document reference HRD-CUR-00-XX-RE-006 rev.V01 dated 4th February 2022 and associated plan refs :
HRD-FRA-00-XX-DR-A-90-0210 rev.P07 Proposed Site External Works Plan; have been examined and are considered to be an acceptable approach. It is noted that road sweeper vehicles will be parked in the vicinity of the northern boundary, and that there is a steel fence along the site boundary, with an existing brick wall located behind this. Furthermore, that the fence and wall are to be retained as part of the works, and that behind the wall is an area of thick bushes approximately 12m wide before the area of the railway line.
In addition, that vehicles using the site are generally slow-moving maintenance vehicles, and the only movements close to the boundary will be using the parking bays. It is noted that on the basis of the above information no further vehicle safety protection measures are required.

On the basis that the development is fully implemented in accordance with the content of the document and associated plans specified above, I can confirm that condition no.31 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
United Utilities Water PLC
Greater Manchester Ecology Unit
Network Rail

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH2