

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131134/FO/2021

Date registered valid: 22 November 2021

Proposal: Part retrospective application for the erection of a warehouse building for storage and distribution (Use Class B8) for a temporary period of 5 years

Address: Rayburn Trading , 90 North Street, Manchester, M8 8RA

Ward(s): Cheetham Ward

Applicant: Nikki Watkins Rayburn Trading 90 North Street, Manchester, M8 8RA

Agent (if any): Mr Martin Parrish The Planning Group Ltd The Swallows, Horton, Wem, Shrewsbury, SY4 5ND

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 27 January 2022

Application details

Type of application: Full Application Consent

Development type: Smallscale Major Industry

Date of site visit: 6 January 2022

Standard consultations:

Printed: 30 November 2021

Expired: 21 December 2021

Neighbour notifications

Printed: 30 November 2021

Expired: 21 December 2021

Site notice

Posted:

Expired:

Press advert

Published: 7 December 2021

Expired: 28 December 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application sites relates to a vacant area (currently wasteland with concrete slab) situated at the corner of North Street and Rayburn Way, adjacent to a mini-roundabout.

The site is within the bounds of Rayburn Trading Estates and enclosed by 2 metre high Paladin fencing with rough hedgerow/tree planting behind.

The wider trading estate is accessed via an existing access off Rayburn Way.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The site is situated within the warehouse employment area of Cheetham as identified by the Strangeways Local Plan and saved policy CC10 of the Unitary Development Plan.

The immediate area is dominated by various wholesale uses, warehouses and general industrial buildings comprising low-rise buildings and large double height buildings with large floor plates.

The site forms part of Rayburn Trading estate, which comprises buildings of a similar design and scale to that proposed and incorporates a large, surface level car parks to the east and south, accessed off Rayburn Way.

The opposite site of Rayburn Way to the north, is dominated by the rear, featureless elevation of units situated to the southern perimeter of The Fort retail park.

The opposite site of North Street is lesser in scale and forms the older part of the warehouse district, with buildings of a relatively uniform, two storeys in scale, comparing buildings constructed of various material including metal cladding and masonry.

The wider area is generally commercial in character, with the main north/south arterial route of Cheetham Hill Road situated just to the west.

Description of development

Planning permission is sought for large, detached, double height, rectangular shaped, semi-permanent building, to form a warehouse unit for a temporary period of 5 years.

The building which incorporates a shallow, dual pitched roof, is to be used for additional storage purposes (Class B8) in association within the adjoining business. The building is to be used for the storage of goods that require additional space due to logistical restrictions since Brexit.

The proposed building measures 36 metres by 30 metres in area, with an eaves height of 5.4 metres and a ridge height of 10 metres. The building has a floor area of 1058 sqm.

The building comprises steel trapezoidal sheet metal panel cladding with PVC tarpaulin roof, with translucent inner tarpaulin. The building is to be accessed via a roller shutter door on the gable end elevation.

Since the time of the Officer site visit, the application has requested that the application be amended to that of a retrospective application as in addition to a concrete slab being laid, the building frame has been erected.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Environmental Health – Conditions are advised in relation to the hours of use, ground conditions and construction management. The information submitted in relation to waste management, noise and air quality is considered satisfactory.

Flood Risk Management – A condition is requested in relation to further surface water drainage and maintenance information.

United Utilities – Conditions are advised in relation to drainage.

Greater Manchester Ecology Unit – A condition is requested relating to bio-diversity enhancement in lieu of the loss of vegetation.

Works and Skills – As this is a small/short construction development with 2 end use jobs, the jobs are likely to be filled locally. A local labour condition is not therefore needed.

Highway Services - The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

Trip Generation

Given that the proposed development is to provide a new facility to fully contain the existing goods that require storage, the number of vehicular trips associated with site is expected to be minimal. It is therefore accepted that the adjacent highway network can facilitate such additional demands with no highway safety or capacity concerns.

Accessibility

The closest Metrolink facility is located at Queens Road and provides regular connections to Manchester Piccadilly, Bury and Altrincham.

Parking

The current on-site parking is to be retained. It is understood that the site currently has 40 parking spaces and not all of these are in use and therefore the staff increase (two) will not have a detrimental impact. As such, Highways have no concerns regarding vehicular build up on- street.

Waste Management

The refuse servicing will continue as present.

Construction Management

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams.

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Policies DM1, SP1, T2, EC1, EC2, EC5, CC1, EN9, EN14 and EN16-19 of the Manchester Core Strategy;
- Saved policies CC10 and DC26 of the Unitary Development Plan for the City of Manchester;
- Strangeways Local Plan;
- The Guide to Development in Manchester (SPD);
- National Planning Policy Framework (NPPF).

Planning History

The site has a significant planning history in relation to its current, wider use as a retail park and for warehousing.

Issues

Principle

The proposed building is for additional storage requirements associated with an adjoining business. It is proposed that the building is for a temporary, 5 year period only.

The site is located within a existing trading estate within a defined employment area.

Development plan policy recognises the site as being within the warehouse district and businesses which support economic growth or allow improvements to existing businesses,

recognising particularly the needs of the wholesale and distribution trades which dominate the area, are generally welcomed.

Given the overarching policy context, it is considered that the general principle of the proposed use would be acceptable in this location. Specific issues are outlined further below.

Design, Scale and Appearance

The proposed building is single storey, double height in scale and is comparable in scale to the immediate context, including neighbouring buildings within Rayburn Trading Estate and the Fort Retail Park to the opposite side of Rayburn Way.

The design and scale of the proposed development is influenced by adjacent units and is a product of its proposed storage use and its semi-permanence.

Whilst the design and use of materials presents a utilitarian in appearance, the type of building proposed represents a typical storage/warehouse building and is relatively common within the immediate employment area.

As such, given the site context, the design, scale and appearance of the proposed building is considered acceptable and will assimilate easily and appropriately into the neighbouring urban fabric without and significant or undue impact to visual amenity. It should also be noted that the proposed building is temporary in nature and can be removed following the expiration of the temporary period if necessary.

Residential Amenity

This part of Cheetham Hill is dominated by a variety of commercial premises, including the host trading estate and The Fort retail park which is located opposite the site to the north.

The proposed development is not directly neighboured by any residential properties and given the nature of the low impact use, the proposed hours of use and the commercial context of the immediate area, including the position of the site close to a major north/south arterial route, it is not considered that there would be any significant, undue impact upon residential amenity as either a result of the proposed use and associated levels of noise and activity.

The impact when balanced against existing background noise levels and activity is unlikely to be detectable. Any impact can be mitigated through the use of planning conditions to control hours of use and construction management. Conditions have therefore been imposed in this regard.

Impact to the Highway

A Transport Statement accompanies the application which states that only 2 additional staff will work in the proposed warehouse. No additional servicing movements are anticipated above arrangements associated with the existing business operation.

The site currently incorporates a 40 space car park which is presently under-utilised

Given the number of employees which can be catered for by the existing car park if necessary and the additional level of trips proposed, any impact to the highway is considered insignificant.

Highways Services raise no issues from a highway perspective.

Waste Management

The applicant states that given the proposed use of the building is for storage purposes only and is connected to the neighbouring operation, no additional waste is to be generated. On this basis and as agreed with Environmental Health, no further details are required.

As a safeguard, a condition has been included which advises that if the situation regarding waste generation changes, a waste management strategy is required to be submitted and agreed.

Security

To ensure all external fittings and associated works are of a satisfactory standard, it is recommended that a condition of the planning approval should require the completed development to be implemented with the physical security recommendations contained within the submitted Crime Impact Statement.

Construction Management

In order to ensure construction is effectively controlled and to prevent any disruption to existing occupiers in the area, air quality or the operation of the highway, a condition has been included which requires the submission and approval of a Construction Management Plan. This will need to detail working practices, safety measures, dust suppression, the parking of construction vehicles and the removal of waste.

Flood Risk and Drainage

The submitted Surface Water Drainage Strategy has been considered by the City Council's Flood Risk Management section who advise that a condition should be included to more details on impermeable areas, surface drainage and subsequent maintenance. A condition has been included in this regard. Subject to receiving satisfactory details, the impact to flood risk is not considered to form a barrier to development.

Bio-diversity

At the request of GMEU and in line with national planning guidance contained within the NPPF, which advocates that new development should seek a bio-diversity enhancements, a suitable condition has been included.

Climate Change and Air Quality

Due to the proposed use and the likely, undetectable level of vehicular trip generation proposed, it is doubtful that the proposed development would result a substantial, associated change to air quality as a consequence of vehicular emissions. This is particularly so, given the position of the development adjacent to a major north/south arterial route and on the fringe of an trading estate.

The application has been accompanied by an Environmental Standards assessment which indicates that the proposed building will be use solely for the storage of goods and not heated in any form. No welfare facilities are proposed to be accommodated internally.

Whilst it is acknowledged that there will be some localised impact upon air quality during construction, this will be short lived and through appropriate mitigation via the submission and agreement of a Construction Management Plan, any impact upon local air quality can be managed and minimised. This should include mitigation measures in relation to dust suppression.

On this basis, it is not believed that the impact to climate change or air quality should not form a barrier to development.

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

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

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

1) The permission hereby granted is for a limited period only, expiring on 31 January 2027. The use and structures comprising the development for which permission is hereby temporarily granted is required to be discontinued on that date and removed from site within one month of the use ceasing.

Reason - Reason - The use hereby granted is for a temporary period only to help meet the short term demand for storage in connection with the adjoining use, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawing referenced RTM/PP/101, RTM/PP102, RTM/PP/103, RTM/PP/104, RTM/PP/105 and RTM/PP/106 received by the City Council as Local Planning Authority on 22 November 2021.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy.

3) The development hereby approved shall only be implemented in accordance with the external materials specified in the submitted Herchenbach brochure and Planning Statement received by the City Council as Local Planning Authority on 22 November 2022.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) A construction management outlining working practices during development shall be submitted to and approved in writing by the City Council as Local Planning Authority, which for the avoidance of doubt should include;

- Measures to control noise and vibrations;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

The development shall only be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby occupiers, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

5) In the event that any waste is generated by the proposed use, a revised waste management strategy shall be submitted to and approved in writing by the City Council as Local Planning Authority. The use shall then only operate in accordance with the agreed details.

Reason - In the interests of amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

6) The premises shall not be open outside the following hours:-

07.30 to 18.00 hrs daily.

Reason - In interests of amenity, in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

7) Prior to first occupation of the building hereby approved, a scheme for the enhancement of the site for biodiversity purposes shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed scheme shall be implemented in accordance with a timescale to be agreed and retained and maintained thereafter.

Reason -To mitigate the loss of vegetation and to promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

8) The building hereby approved shall not be occupied until a landscaping scheme for the site perimeter has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. 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.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy.

9) The development hereby approved shall be implemented in accordance with the measures detailed within Sections 4 and 5 of the submitted Crime Impact Statement (Ref: 2021/0425/CIS/01 - Version A) received by the City Council as Local Planning Authority on 22 November 2021.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the building shall not be used for any other purposes except Class B8 as set out within the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason -In the interests of amenity, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Work & Skills Team
Greater Manchester Police
Environment Agency
Greater Manchester Ecology Unit

Unit 29, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 28, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 26, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 24, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 22, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 23, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 21, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 17, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 16, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 15, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
The Carphone Warehouse, Unit 14, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 13, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 12, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 11, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Claire's, Unit 20, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 17A, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 18, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
H.SAMUEL, Unit 19, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 25, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Elliotts Car And Van Hire, 210 - 216 Cheetham Hill Road, Manchester, M8 8LW
First Floor, 86 North Street, Manchester, M8 8RA
Ground Floor, 86 North Street, Manchester, M8 8RA
First Floor, 43 North Street, Manchester, M8 8RE
Unit 3, 182 - 190 Stocks Street, Manchester, M8 8QH
17 Fairholme, Collingham Street, Manchester, M8 8RQ
16 Fairholme, Collingham Street, Manchester, M8 8RQ
15 Fairholme, Collingham Street, Manchester, M8 8RQ
14 Fairholme, Collingham Street, Manchester, M8 8RQ
12A Fairholme, Collingham Street, Manchester, M8 8RQ
12 Fairholme, Collingham Street, Manchester, M8 8RQ
11 Fairholme, Collingham Street, Manchester, M8 8RQ
10 Fairholme, Collingham Street, Manchester, M8 8RQ
9 Fairholme, Collingham Street, Manchester, M8 8RQ
8 Fairholme, Collingham Street, Manchester, M8 8RQ
202 - 208 Cheetham Hill Road, Manchester, M8 8LW
86 North Street, Manchester, M8 8RA
190 Cheetham Hill Road, Manchester, M8 8LW
182 - 190 Stocks Street, Manchester, M8 8QH
54 - 56 Stocks Street, Manchester, M8 8QJ
51 North Street, Manchester, M8 8RE
186 - 188 Cheetham Hill Road, Manchester, M8 8LW
Unit 4, 182 - 190 Stocks Street, Manchester, M8 8QH

Unit 2, 182 - 190 Stocks Street, Manchester, M8 8QH
Unit 1, 182 - 190 Stocks Street, Manchester, M8 8QH
Unit 2 Ground Floor, 43 North Street, Manchester, M8 8RE
Unit 1 Ground Floor, 43 North Street, Manchester, M8 8RE
86A North Street, Manchester, M8 8RA
59 - 63 North Street, Manchester, M8 8RE
Units 4 And 5, 59 - 63 North Street, Manchester, M8 8RE

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH1