

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0099

Date registered valid: 21 February 2022

Proposal: Discharge of conditions 19 (Archaeology), 24 (Ramped access to lower car park) and 28 (Vibro impact works) 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 / Refuse

Date of recommendation: 27 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 Network Rail 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.

22.04.2022 - The BAPA is in place and the holding objection is withdrawn, the proposal will be handled by asset protection now.

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, this is obviously on the proviso that there is no change to existing and approved planning details.

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

Highways Services - the submitted ramped access details are sufficient to allow us to recommend the discharge of this condition from a highway perspective.

Greater Manchester Archaeological Advisory Service - The application is supported by a Written Scheme of Investigation (WSI) prepared by Salford Archaeology, which was compiled in consultation with GMAAS in July 2021. GMAAS is pleased to approve the WSI, which sets out an appropriate programme of historic building investigation commensurate with a Level 2/3 survey (coupled with a lower level of recording of ancillary buildings), in line with the requirements of Condition 19 attached to application 130127/VO/2021. This satisfies the pre-commencement element of the condition and now allows for Stages 1 through 5 of the condition to be fully implemented.

GMAAS is pleased to recommend a partial discharge of the condition. Full discharge of the condition can be recommended in due course once all of the required elements of fieldwork have been completed, together with post-investigation assessment and reporting, the deposition of a project archive and an appropriate level of dissemination.

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/ Refuse

Article 35 Declaration

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

Condition no. 19 Archaeology

The content of the Written Scheme of Investigation for a Historic Building Survey report for Hammerstone Road Depot, Gorton, Manchester by Salford Archaeology dated 21st July 2021 and received on 21st February 2022 has been examined . I confirm that the content of this report satisfies the pre-commencement element of the condition. However, this condition cannot be formally discharged until all of the required elements of fieldwork have been completed, together with post-investigation assessment and reporting, the deposition of a project archive and an appropriate level of dissemination.

Condition no.24 Ramped access to lower car park

The Discharge of Planning Condition no.24 report by Curtins ref: HRD-CUR-00-XX-RE-005 revision V01 dated 25 January 2022 has been examined . On the basis that the measures detailed in the report and shown on the Proposed External Levels 1:250 Layouts sheet 2 plan ref: CUR-XX-00-DR-C-91-611, in Appendix A. of the report, condition no.24 is discharged .

Condition no. 28 Vibro impact works

The content of the email from Phil Williams to the planning agent dated 25th January 2022 , confirming that the Vibro Impact Works to the Hammerstone Road Depot site have been engineered out of the scheme has been noted . On the basis of the content of the above email no further actions are required in regard to condition no.28

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Archaeological Advisory Service
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 (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