

Planning

Growth & Development

Delegated officer report for planning application

Application no.	132296/LP/2021
Date registered valid:	22 November 2021
Proposal:	Certificate of lawful proposed development for the installation of external roller shutter door and relocation of means of escape door
Address:	Amazon Man1, 6 Manchester Airport, 6 Sunbank Lane, Manchester, Altrincham, M90 5AA
Ward(s):	Woodhouse Park Ward
Applicant:	Amazon UK Services Ltd C/O Firstplan
Agent (if any):	Mr Gerard Manley Firstplan Broadwall House, 21 Broadwall, London, SE1 9PL
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	1 December 2021

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

Standard consultations:

No consultations have been printed and sent.

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/area

The application site comprises a part of Amazon's storage and distribution warehouse (Class B8 - storage and distribution) located within the World Logistic Hub off Sunbank Lane, south-west of Manchester Airport. The site consists of the warehouse itself, car parking and HGV parking facilities. Separate car and HGV accesses are located on Sunbank Lane to the southwest and a further HGV access point is located in the north eastern corner of the site off a further service road.

The site is bound to the north-west by the M56 motorway, with Junction 6 positioned further to the north. Manchester Airport is situated to the north-east. Move Dance Warehouse and DHL Express Manchester are situated immediately to the south-east, with woodland and farmland located to the south and west.

Listed building: no
Conservation area: no
Tree Preservation Order: no

Description of development

The applicant is seeking consent for a Certificate of Lawful Proposed Development for the installation of an external roller shutter door and relocation of the "Means of Escape" door along the north eastern elevation of the building.

Consultations & Notification Responses

n/a

Issues

Part 7 (Class H) of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 relating to industrial and warehouse development allows for extensions and alterations to an existing building provided that it meets the following criteria.

Class H – The erection, extension or alteration of an industrial building or warehouse

H.1 Development is not permitted by Class H if –

- (a)** the gross floor space of any new building erected would exceed—
- (i) for a building on article 2(3) land or on a site of special scientific interest, 100 square metres;
 - (ii) in any other case, would exceed 200 square metres;

The proposals do not result in any new building being erected.

- (b)** the gross floor space of the original building would be exceeded by more than—
- (i) in respect of an original building or a development on article 2(3) land, 10% or 500 square metres (whichever is lesser);
 - (ii) in respect of an original building or a development on a site of special scientific interest, 25% or 1,000 square metres (whichever is the lesser);
 - (iii) in any other case, 50% or 1,000 square metres (whichever is the lesser);

The proposals do not result in any new or extended floorspace, but are limited to elevational alterations.

- (c)** the height of any part of the new building erected would exceed—
- (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres;
 - (ii) in all other cases, the height of the highest building within the curtilage of the premises or 15 metres, whichever is lower;

The proposals do not result in a new building and the proposed new and altered doors will not alter the height of the building.

- (d)** the height of the building as extended or altered would exceed—
- (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres;
 - (ii) in all other cases, the height of the building being extended or altered;

The proposed new and altered doors will not alter the height of the building.

- (e)** any part of the development would be within 5 metres of any boundary of the curtilage of the premises;

None of the development will be carried out within 5m of the boundary of the curtilage of the premise.

- (f)** the development would lead to a reduction in the space available for the parking or turning of vehicles; or

The development will not result in a reduction of space available for parking or turning of vehicles.

- (g)** the development would be within the curtilage of a listed building.

The development will not take place within the curtilage of a listed building.

Conditions

H.2 Development is permitted by Class H subject to the following conditions—

- (a)** the development is within the curtilage of an existing industrial building or warehouse;

The development is within the curtilage of the existing storage and distribution warehouse.

- (b)** any building as erected, extended or altered is only to be used—
- (i) in the case of an industrial building, for the carrying out of an industrial process for the purposes of the undertaking, for research and development of products or processes, or the provision of employee facilities ancillary to the undertaking;
 - (ii) in the case of a warehouse, for storage or distribution for the purposes of the undertaking or the provision of employee facilities ancillary to the undertaking;

The altered building is only used for the undertaking of the existing storage and distribution warehouse and ancillary employee facilities.

- (c)** no building as erected, extended or altered is used to provide employee facilities—

- (i) between 7.00pm and 6.30am, for employees other than those present at the premises of the undertaking for the purpose of their employment; or
- (ii) at all, if a quantity of a dangerous substance is present at the premises of the undertaking in a quantity equal to or exceeding the quantity listed in the entry for that substance in Parts 2 or 3 of Schedule 1 to the Control of Major Accident Hazards Regulations 1999);

The development will only be used by employees present at the premise for the undertaking of the purpose of employment, compliant with criterion (i). There are no hazardous substances at this site in a quantity equal to or exceeding the quantity listed in the above schedule and therefore criterion (ii) is not relevant to the site nor its operation.

(d) any new building erected is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the existing industrial building or warehouse; and

The site is not located within article 2(3) land.

(e) any extension or alteration is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the building being extended or altered.

The site is not located within article 2(3) land.

Given the above, it is considered that the application complies with the requirements of Schedule 2, Part 7, Class H 'Extensions etc of industrial and warehouse' of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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

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

1) Approve on the basis that proposal detailed on the drawings list below, all stamped as received by the City Council as local planning authority on 22 November 2021, constitutes permitted development as the works proposed would comply with the requirements of Schedule 2, Part 7,

Class H 'Extensions etc of industrial and warehouse" of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- a) 21055 - ASA - XX - XX - D - A - 0001 _ (S0 - P2)
- b) 21055 - ASA - XX - XX - D - A - 0002 _ (S0 - P2)
- c) 21055 - ASA - XX - ZZ - D - A - 0003 _ (S0 - P1)
- d) 21055 - ASA - XX - ZZ - D - A - 0004 _ (S0 - P1)
- e) 21055 - ASA - XX - ZZ - D - A - 0005 _ (S0 - P1)

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - Within Outer Area

Green Belt Land - Greater Manchester Green Belt Local Plan 1984

Area Team Boundary - Name: SOUTH