

Full application to regularise the use of non-mechanical, building trade supply depot and hardstanding / site buildings on former dairy storage yard at Paston Road, Manchester

Supporting Planning Statement
January 2022

Quality Control

Project No.	21.111			
Client	Generation (UK) Ltd			
Title	Full application to regularise the use of non-mechanical, building trade supply depot and hardstanding / site buildings on former dairy storage yard at Paston Road, Manchester			
Location	Paston Road, Manchester			
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1.0 Introduction

- 1.1 This Planning Statement has been prepared on behalf of Generation (UK) Ltd ('our client') in support of a full application to 'regularise the use of non-mechanical, building trade supply depot and hardstanding / site buildings / extended noise barrier on the former dairy storage yard at Paston Road, Manchester.'
- 1.2 The application follows a site visit on 17 June 2021 by Sheroz Ilyas, a Development Compliance Officer at Manchester City Council. The Officer contacted our client following the visit stating that the dairy was demolished in 2018 and the site has since not been in use or associated with any commercial use. The Officer noted that the site had been improved with additional hard standing and a cabin had been erected on-site to act as an office. A new security fence had also been erected around the site. Given that the most recent authorised use of the premise was outdoor storage and distribution and that the authorised use had only temporarily ceased while being re-let, the applicant considers their use to be authorised. In our assessment and with reference to relevant case law and the relevant tests established by *Trustees of Castell-y-Mynach Estate v Taff-Ely BC, [1985] JPL 40* we consider that there was no abandonment of the authorised use and no material change of use in the applicant's operation. The hardstanding, fencing and office building comprise operational development requiring planning permission. Notwithstanding our views on the use, and without prejudice to these views, it is recognised that this is a matter of fact and degree and it was the officer's view that this development is unauthorised and as such a planning application was required to regularise the use and operational development. This application seeks to do just that.
- 1.3 Our Planning Statement outlines the context within which the application for full planning permission is made. It describes the proposals and provides a detailed assessment of the main planning considerations, together with a reasoned justification of the merits of the scheme when assessed against relevant national and local planning policy and other material considerations.
- 1.4 This statement concludes that the proposal represents sustainable development and that there are no planning reasons why the proposal should not be permitted.
- 1.5 The application should be read in conjunction with the following submitted documents:

- BS 4142 Noise Impact Assessment
- Location Plan
- Site Layout Plan – W Mahar and Sons Ltd
- Cabin Elevations Plan – GCS Cabins Ltd
- Cabin Floor Plan – GCS Cabins Ltd

2.0 The Site

- 2.1 The site is part of the Sharston Industrial Area in south Manchester. It is identified as an 'Economic Improvement Area' within the saved policies of the Unitary Development Plan (see below).
- 2.2 The surrounding buildings are industrial in character with the nearest residential properties located at a distance of approximately 60m to the west on Roundwood Road. Given the nature of the Sharston Industrial Estate (which comprises a mix of warehousing and industrial activity, including manufacture and some outside storage), we consider that the proposed use is entirely in accordance with the aspirations of the Development Plan (again, see below). The site is located within an established employment area and the proposed use is entirely in-keeping with the character of the local area.

3.0 Planning History

3.1 According to the Council's website, this is the full planning history for the site over the last 30 years:

- 040365 - Installation of 3 x 40,000 gallon silos and 2 x 10,000 gallon silos: Approved 23/04/92
- 044405/FO/SOUTH3/93 - Alterations and extensions and site re-organisation of existing dairy complex and relocation of public footpath: Approved 11/04/94
- 047522/FO/SOUTH3/95 - Proposed yard lighting scheme: Approved 30/05/95
- 052042/FO/SOUTH3/97 - Construction of 6no. milk and water storage silos: Approved 25/09/97
- 050446/FO/SOUTH3/96 - Erection of a CIP (Cleaning in Place) building: Approved 23/01/97
- 056733/FO/SOUTH3/99 - Construction of a waste water treatment plant: Approved 23/09/99
- 063939/FO/SOUTH2/02 - Installation of 13 no. 8 metre high poles for CCTV cameras: Approved 05/03/02
- 066322/FO/SOUTH2/02 - Erection of new milk bays, chill store & 2-storey extension to existing storage / office block to form additional offices and staff amenity areas, elevational alterations to unloading bays, and new 111 space car park following part demolition of existing building: Approved 23/01/03
- 069606/VO/2003/S2 - CITY COUNCIL DEVELOPMENT Highway and environmental improvement works including hard and soft landscaping, boundary treatment and signage: Approved 09/12/03
- 070928/AO/2004/S2 - CITY COUNCIL DEVELOPMENT Installation and display of various internally illuminated entrance signs, site map signs and road sign plates: Approved 30/03/04
- 113949/DEM/2016 - Prior notification of proposed demolition of former dairy complex buildings: No Objection 25/11/16

Initial Pre-Application Advice

3.2 No pre-application advice has been sought from the Council.

4.0 Proposed Development

- 4.1 Following a site visit from the Council's Development Compliance Officer on 17 June 2021, full permission is sought to regularise the use of a non-mechanical building trade supply depot and hardstanding / site buildings (including office / cabin and two 20' containers in the yard for storing valuable equipment) / extended noise barrier on the former dairy storage yard at Paston Road, Manchester (as shown on the submitted 'Site Layout Plan').
- 4.2 Layout and elevation plans (from GCS Cabins Ltd) for the office / cabin have been submitted as part of the application.

5.0 Planning Policy Considerations

Development Plan

- 5.1 The proposed development needs to be considered against the relevant Development Plan and other Government planning policy and guidance. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 together require that planning applications should be determined in accordance with the statutory Development Plan unless material considerations indicate otherwise.
- 5.2 The Development Plan relevant to this application includes Manchester City Council - Saved UDP Policies 11th July 2012 and the Core Strategy Development Plan Document Adopted 11th July 2012. The 'Interactive Policy Map' extract below shows that the site is an 'Economic Improvement Area' within the saved policies of the Unitary Development Plan (Policy EW12).



Extract from Council's 'Interactive Policy Map'

- 5.3 Policy EW12 states:

"The Council will protect the role of the Sharston Industrial Estate as a centre for industrial activity and employment which is convenient and accessible to Wythenshawe people in particular. There is scope for new business (B1) developments on the estate but the emphasis should remain as general industrial and distribution activities."

5.4 Policy EC2 'Existing Employment Space' in the Core Strategy states:

"The Council will seek to retain and enhance existing employment space and sites."

5.5 This is in-line with Objective 2 'Economy and City Centre' of the Core Strategy. Paragraph 8.2 of the Plan states:

"The economic priorities for Manchester are to increase productivity, grow our market and labour force, attract investment, improve skills and provide businesses with the right support."

Material Considerations

National Planning Policy

5.6 National policy is defined by the relevant paragraphs of the National Planning Policy Framework (NPPF) and Planning Practice Guidance (NPPG).

5.7 The NPPF is a material consideration in planning decisions. Among other things, it provides for several objectives relevant to the proposal.

5.8 Paragraph 8 explains that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These are:

*"a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”*

- 5.9 Section 6 of the NPPF relates to ‘Building a strong, competitive economy’. Paragraph 81 states:

“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”

6.0 Planning Assessment

- 6.1 This section identifies the key issues relevant to the proposals and considers their consistency with local and national planning policy and guidance.

Principle of Development

- 6.2 The proposal represents an opportunity to re-establish the economic and employment contribution of a protected employment site (the site was previously underutilised following the withdrawal of the dairy business) thereby helping fulfil the Council's objective of increased economic productivity for Manchester.
- 6.3 Given the nature of the Sharston Industrial Estate which comprises a mix of warehousing and industrial activity, including manufacture and some outside storage, the proposed use is entirely in accordance with the aspirations of the Plan.
- 6.4 The site is located within an established employment area. The proposed use is entirely in-keeping with the character of the local area. The type of activities proposed would not lead to any significant detrimental effects in terms of neighbour amenity (see below) or safety of the operation of the local road network. The use would not interfere with the continued use of nearby properties for existing uses or prejudice the continued employment-focussed use of the wider locality.
- 6.5 In consideration of the above, the proposal is wholly in-line with Development Plan policies EW12 and EC2 identified above and the economic growth objectives of both the Development Plan and national policy in the NPPF. Therefore, we believe that the proposal must be supported by the Council 'in principle'

Design and Appearance

- 6.6 Due to the existing industrial nature of the site, the design and appearance of the site is not of particular importance to this proposal. That said, the re-use of the site will ensure the site remains tidy and free from the accumulated rubbish and general poor condition of vacant industrial sites of this nature. The proposal will prevent the site from turning into a potential eye sore and an attraction to trespass and antisocial activities and behaviour.

Heritage

- 6.7 Heritage issues are not relevant to this proposal as there are no historic assets on or near the site.

Landscape and Visual Impact

- 6.8 Landscape and visual impact is not relevant to this proposal but for clarity, no protected or valued landscape will be affected by this development.

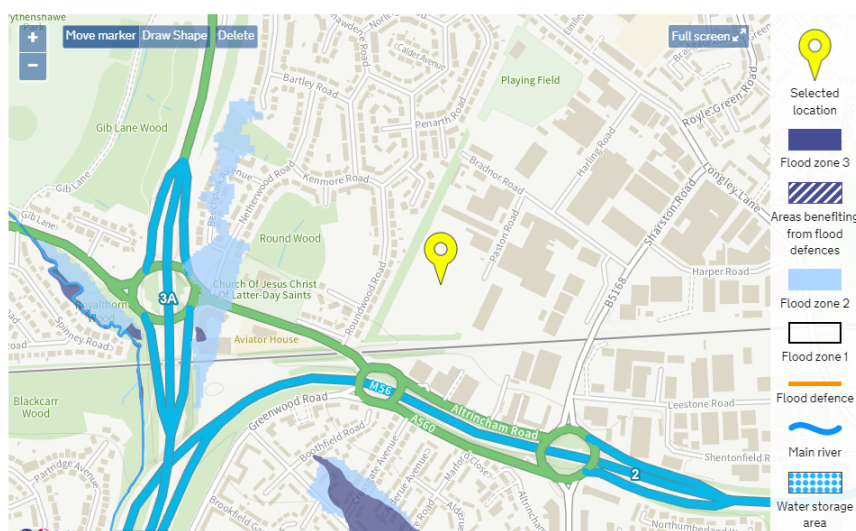
Amenity

- 6.9 It is acknowledged that with the type of use proposed, there needs to be consideration of the potential for noise impacts on residents. In recognition of this, the application is supported by a full BS 4142 Noise Impact Assessment (the British Standard used to assess the potential impact of noise from commercial or industrial noise sources affecting residential properties).
- 6.10 This robust noise assessment has been prepared by specialist consultants 'Encon Associates'.
- 6.11 The assessment has identified an adverse effect during the worst-case daytime and late afternoon loading periods on nearby 107 Roundwood Road and an adverse effect during the night-time period at 125 Roundwood Road.
- 6.12 What is important however, is that the assessment also identifies ways in which these effects can be mitigated. Our client would be happy for any forthcoming permission to include a condition which requires them to prepare and submit to the Council, a mitigation strategy within a reasonable timescale after the date of the permission (two months for example).
- 6.13 This offers the Council a rare opportunity to work with a company using a site which it has protected for general industrial and distribution activities to agree a noise mitigation strategy. The opportunity is rare because the protected use itself will generate noise, and the Council will not always be in a position where it can help to address this through joint working with the business directly.

- 6.14 All necessary assessment work has therefore been carried for the Council to grant planning permission.

Flooding

- 6.15 The site is Flood Zone 1 meaning it is at the lowest risk of flooding (see extract below from the Government's 'Flood Maps for Planning'). The site is already tarmacked, and the proposed use is no more likely to cause flooding than any other previous use.



Extract from Government's 'Flood Map for Planning'

Key Benefits

- 6.16 When the policies of the Development Plan and NPPF are taken as a whole, there is no doubt that the benefits of the proposed development must be given significant weight. The key benefits of the proposal would therefore include:
- The proposal will bring back into life a protected employment site.
 - It is in line with local and national policies and objectives which seek to strengthen the economy.
 - It will provide visual and environmental improvements by tidying up a currently vacant site.
 - The use (scaffolding distribution) is key to the construction industry - the proposed use will therefore be a direct help to an important industry that is well known to be currently struggling to deliver construction projects on time and to budget.

- Proposal offers the Council the opportunity to work with the tenant to agree a noise mitigation strategy.

Assessment Summary

- 6.17 The supporting evidence submitted with this application has not identified any significant external impacts arising from the development that would preclude the grant of planning permission.
- 6.18 The proposal has been reviewed in the context of national and local planning policy and the respective weight that must be given to each policy and other material considerations. It is clear that the proposal represents a sustainable form of development that generally accords with relevant provisions of the Development Plan. There is no justification for the withholding of permission.
- 6.19 The identified noise impacts can be suitably mitigated and notwithstanding this, the proposal offers a significant uplift to the local economy. The presumption in favour of sustainable development therefore applies.

7.0 Summary

- 7.1 Following a visit by Manchester Council's Development Compliance Officer, P&DG has been instructed by Generation (UK) Ltd to prepare and submit a full application to regularise the 'use of scaffold supply depot and hardstanding / site buildings / extended noise barrier on the former dairy yard at Paston Road, Manchester.'
- 7.2 The site itself is identified as an 'Economic Improvement Area' within the saved policies of the Unitary Development Plan (Policy EW12).
- 7.3 The proposal brings back into use a derelict protected employment site and is therefore in-line with local and national policies in the Development Plan and NPPF which seek to strengthen the economy.
- 7.4 A 'Mitigation Strategy' to ensure local residential properties are protected from noise effects can be conditioned as part of any forthcoming permission.
- 7.5 In consideration of the above and the considerable economic benefits of the proposal, the Council is respectfully requested to grant planning permission.

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