

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131664/FO/2021

Date registered valid: 25 October 2021

Proposal: Creation of external storage area, on existing open space, in association with adjacent industrial use, involving the erection of 2.5 metre high paladin fencing, around the site, and the storing of containers up to a height of 4.3 metres

Address: J Allcock And Sons Ltd , Ambrose Street, Manchester, M12 5DD

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr Andy Rushton J Allcock and Sons Ltd Ambrose Street, Manchester, M12 5DD

Agent (if any): Mr Paul Casebourne Engineered Solutions Projects Ltd 379 Stamfordham Road, Newcastle upon Tyne, NE5 2LH

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 20 December 2021

Application details

Type of application: Full Application Consent

Development type: Minor Industry

Date of site visit:

Standard consultations:

Printed: 5 November 2021 Expired: 26 November 2021

Neighbour notifications

Printed: 5 November 2021 Expired: 26 November 2021

Site notice

Posted: 23 November 2021 Expired: 14 December 2021

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:

This application relates to a site, of approximately 705 square metres, to the north-west of an existing industrial site occupied by a rubber products manufacturing and recycling company, with five structures present across the site together with associated external areas of concrete hardstandings for vehicle access, parking and the storage of materials. The northern portion of the site is currently occupied by two industrial buildings located in the west and central portions of this area. The existing structures are of steel frame construction with brick and metal clad external walls and sloping corrugated metal roofs. These structures appeared to be used for the storage of rubber products together with areas of office and welfare facilities.

The operators have been seeking to improve facilities at the site and an application was submitted for the refurbishment and expansion of an existing building to form Class B2 general industrial building (129880/FO/2021). However, due to concerns raised by the Environment Agency, it was not possible to agree an appropriate form of development, and that application was withdrawn. Alternatives were therefore considered and an area of unused City Council land was identified to the north-west of the site. The land contains some greenery and scrub vegetation, but is not identified by the City Council, in its open space strategy.

It is therefore now proposed to create an external storage area, on this land, in association with adjacent industrial use, involving the erection of 2.5 metre high paladin fencing, around the majority of the site, and the storing of containers up to a height of 4.3 metres. The southern boundary of the site runs along the watercourse edge, so is an irregular boundary line. The fence is therefore set away from the boundary line, in order that a straight fence can be erected.

The area of land, between the proposed fence and the watercourse, remains part of the site. The application site would be accessed, from the existing industrial site with existing fencing removed, to effectively make the application site part of the wider industrial site.

It is proposed that there would be a 'stacking' arrangement of products to be stored, with operations carried out by forklift trucks. The applicant has confirmed that there are currently 22 employees on site with parking for 16 vehicles, all on site. There are an average of 2 trucks per days to and from the site and that the proposed site would be used as part of the existing operations, with no changes to other staff and parking numbers, or site arrangements.

In relation to hours of operation the applicant has confirmed the following:

Standard opening hours 7.00 a.m. to 8.00 p.m. Monday to Friday.

Overtime 6.00 a.m. to 9.00 p.m. Monday to Friday when very occasionally required.

Weekend working Saturday 6.30 a.m. to 1.00 p.m. Overtime working on a Saturday 6.30 a.m. to 5.00 p.m.

Sunday overtime would be between 7.00 a.m. 5.00 p.m.

Overtime is a rare occurrence

The application has been advertised, on site, as development in the public interest.

Consultations & Notification Responses

Local residents/adjoining occupiers - No comments received.

Highway Services - Made the following initial comments:

- In the absence of any transport related information, it is not currently clear whether the number of vehicle trips will increase as a result of the development and clarification is sought.
- The indicative drawings suggest that vehicle/pedestrian access to the plot is to be provided internally from the existing industrial use and in this regard they seek further details.
- Whilst the use of paladin fencing is acceptable in principle to Highways, they seek confirmation of the position of this boundary treatment and of any gated access proposals.
- In relation to surfacing, they note that specifications have been uploaded referencing a product called Truckcell and another named Advanced Turf System. They await comments from the MCC Flood Risk Management Team in relation to the use of these products and will require verification (either at this stage or through planning condition) that the necessary vehicle loads can be accommodated via these surfacing proposals.

In response, the applicant confirmed the following:

- The transport related information is as follows: 22 employees, 6 private vehicles and parking for 10 vehicles, all on site. There are an average of 2 trucks per days to and from the site. This will not change.
- They have submitted a layout plan for the storage area which is a block stacking arrangement as illustrated with a central aisle for forklift access up the middle. The current fencing will be removed to allow access to the additional new space acquired.
- There is no proposed access via any gate through the perimeter boundary. The existing accesses to the site are adequate unless there are regulations that determine otherwise. This new site has adequate access from the existing one.
- As explained in the drawings and illustrations these systems are the subject of engineering design, site specific, by specialists. The loading of the ground, irrigation etc will be dealt with by them as stated on their website in compliance with regulations. They are also structurally analysed but this information is only available once an order is placed or by design separately which is chargeable. Their dilemma is that they could commission this and the work not proceed.

Highways Services then made the following response:

- Further details have been provided in relation to trip numbers and they are now satisfied that any increase in traffic will not adversely impact on the adjacent highway network.
- The applicant has confirmed that the central aisle is to be used for forklift access, and in the absence of any further details in relation to pedestrian movements, they assume that this is not a route taken by those on foot.
- They note that gating details have been clarified.
- In relation to surfacing, they request that should planning permission be granted, a condition be included requiring verification that the surfacing provided can accommodate the necessary vehicle loads.

Strategic Area and Citywide Support Manager - Recommends that conditions are attached, to any permission, in relation to the provision of a noise management plan, deliveries and hours of operation.

Flood Risk Management Unit - Recommends that a condition is attached, to any permission, in relation to the sustainable drainage of the site.

Corporate Property - No comments received.

Greater Manchester Police - No comments received.

Environment Agency - Makes the following comments:

They have no objection in principle to the proposed development. However, they would like to take this opportunity to provide the following advice and guidance:

Flood Risk Commentary

A check by their Flood Risk Team our internal records has identified that the proposed development area will be situated entirely within Flood Zone 1.

Due to the scale of resolution, our externally available mapping is currently showing the proposed development area as being partially situated within Flood Zone 3 along the southern boundary of the site. From our internal mapping review, for the upstream extent of Corn Brook (ordinary watercourse) in the vicinity of the proposed development and prior to footbridge crossing (approx. NGR: SJ8745497085), Flood Zone 3 is considered as being contained entirely within the Corn Brook watercourse-channel. Please note that this is not also applicable to the wider downstream extent of Corn Brook for which more detailed flood modelling at great resolution is available.

In virtue of the above, for this aspect of the development, we would refer the Local Planning Authority to our Flood Risk Standing Advice (FRSA) and recommend consultation with the Lead Local Flood Authority (LLFA) to determine the suitability wider flood risk aspects and surface water drainage.

A check of the details submitted for the application indicates that surface water arising from the proposed development will be drained via the use of SuDs.

Approved Document Part H of the Building Regulations 2010 establishes a hierarchy for surface water disposal, and encourages a SuDS approach. The first option for surface water disposal should be the use of SuDS, which encourage infiltration such as soakaways or infiltration trenches. In all cases, it should be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. We would advise seeking further guidance and position from the LLFA on this matter and the suitability of the drainage system proposed for this development.

The Council's Flood Risk Management Team have considered these issues and an appropriate drainage condition is proposed.

Some commentary was also provided, for the applicant, in relation to waste permit/exemption requirements. This information has been provided to the applicant as an informative.

United Utilities - No comments received.

Issues

National Planning Policy Framework (July 2021) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

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;

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

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

It states that planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;

b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and

disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. paragraph 126).

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy EN1 relates to design principles and strategic character areas and states that all development in Manchester will be expected to follow the seven principles of urban design listed below:

- Character: a place with its own identity
- Continuity and enclosure: a place where public and private places are clearly distinguished
- Quality of the public realm: a place with attractive, and successful outdoor areas
- Ease of movement: a place that is easy to get to and move through
- Legibility: a place that has a clear image and is easy to understand
- Adaptability: a place that can change easily
- Diversity: a place with variety and choice

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed

guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.

- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is unallocated in the plan.

Saved policy DC26.1 states that the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a. the effect of new development proposals which are likely to be generators of noise; and
- b. the implications of new development being exposed to existing noise sources, which are effectively outside planning control.

Principle of use - In respect of the application site, there are no apparent rights of way across the site and no obvious easy public access, as it is bounded by the railway line to the north and private properties and a school to the south, and there is no obvious reason why anyone would want to access it for recreational purposes. In addition, the site was not recorded in the Council's open space survey/strategy. The site will be an ancillary feature of an existing operation, used in conjunction with the main site. There is no direct road access into the site, and the applicant has confirmed that there will be no loading or unloading on it at all from road traffic transport. It is stated that it is a depository for work in progress to enable lateral storage and it will be accessed by forklifts. An extension of the existing industrial operation is therefore considered to be an acceptable use of the site, in principle.

Appearance/fencing - The existing industrial complex is largely surrounded by palisade fencing although paladin fencing is proposed around the application site, which is considered to be preferable in visual terms. This will be at a height of approximately 2.5 metres, which is just 0.5 metres above what is allowed as permitted development. Furthermore, the site is not easily viewed and it is not therefore considered that the proposed paladin fencing would have a detrimental impact upon the visual amenity of the area or surrounding residents. With regards to the storage of materials, this would be to a maximum height of approximately 4.3 metres. Again, the site is not easily visible from the street, and it is not considered that it would have an adverse impact upon the visual amenity of the area. It would, however, be visible from some nearby houses, but the maximum storage height is that of a single storey building and much lower than surrounding industrial buildings which are also visible from these properties. It is not therefore considered that the external storage of materials as proposed, would have an adverse visual impact upon the occupiers of nearby residential properties.

Residential amenity/hours of operation - There are residential properties in quite close proximity to the site, approximately 12 metres away, however, the site does lie in quite an extensive industrial area, with some uses operating longer than the indicated hours of operation, of the application site. The hours proposed are basically the same as the main operation with earliest starting time of 6.00am and latest finishing time of 9.00pm, although the applicant has indicated

that such instances are rare and that the premises generally operate from 7.00 am to 8.00pm. In addition, the application site will be a less intensive use of the complex, than the main buildings. With regards to the proposed hours, Environmental Health consider that an acoustic report is needed, which demonstrates that the hours sought would not impact upon the amenity of local residents and the proposed hours are not therefore agreed at this time. Appropriate conditions are therefore proposed.

Highways - The application site is linked to the main site, with the use of fork lift trucks only and no loading/unloading undertaken directly from vehicles accessing the site from the surrounding road network. Highways are now satisfied with the proposed arrangements subject to a condition requiring verification that the proposed surfacing can adequately accommodate the necessary vehicle loads.

Drainage - In relation to the requirements of the Environment Agency, and the Flood Risk Management Unit, have caused difficulties for the applicant in relation to both the current and previously withdrawn applications. The applicant has again suggested some potential difficulties with addressing the drainage condition proposed by the FRMU, but has accepted the condition with a view to obtaining planning permission and then employing specialists to look at the requirements of the EA and FRMU,

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 based on seeking solutions to problems arising in relation to dealing with the planning application. There were extensive pre-application discussions about the details required with the application, and during the application process in relation to matters including drainage, hours of operation and highways matters. The proposal is now considered to be in accordance with City Council policy and the applicant has agreed to the proposed pre-commencement conditions.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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

Advanced Turf System document, SUDS Permeable Pavement document and Flood Risk Assessment dated January 2021 (ref:LM3005-AAS-LE-GEN-XX-RP-CE-FRA01-Flood Risk Assessment), stamped as received by the City Council, as Local Planning Authority, on 6 October 2021.

ASL Site Investigation report dated April 2021 (ref:317-20-365-09) and drawings numbered 16976.0 Issue A, 16976.1 Issue A, 16976.2 Issue A (which confirms that paladin fencing will be erected along site boundaries, at a height of 2.543 metres and that items will be store to a maximum height of 4.273 metres), 16976.3 Issue A and 16976.0 Issue A, stamped as received by the City Council, as Local Planning Authority, on 25 October 2021.

Email from the planning agent, dated 23 November 2021, confirming access arrangements for site.

Email from the planning agent, dated 2 December 2021, confirming hours of operation.

Email from the planning agent, dated 17 December 2021, which confirms that the site edged red extends beyond the indicated fence line and runs along edge of the watercourse to the south of the site and is that shown on drawing numbered 16976.0 Issue A and labelled 'Plan of application perimeter with boundary measurements and square meterage of plot subject to survey', and stamped as received by the City Council, as Local Planning Authority, on 25 October 2021.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, EN3 and DM1 of the Manchester Core Strategy and saved policy DC26, of the Unitary Development Plan for the City of Manchester.

3) Prior to first use of the external storage area, hereby approved, the proposed operating hours shall be submitted to and approved in writing by the City Council, as Local Planning Authority. Thereafter the use of the external storage area shall be confined to the approved operating hours

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation once the development is completed, pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

4) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 7.30 am to 8.00 pm, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

5) No development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems

(March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and policies EN08 and EN14 of the Manchester Core Strategy.

6) Prior to commencement of the use hereby approved a Noise Management Plan (NMP) shall be submitted to and approved in writing by the City Council as local planning authority. The NMP shall include an assessment of noise from all activities associated with the use of the site, and relate this assessment to the proposed hours of operation. The scheme shall be implemented in full before the use commences.

Reason - To safeguard the amenities of the occupiers of nearby residential properties. pursuant to policies SP1, H1 and DM1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

7) No development shall take place until a report has been submitted to the City Council a local planning authority to demonstrate that the proposed surfacing treatment to the external storage area can adequately accommodate the necessary vehicle loads. The development shall only be completed in accordance with these approved details.

Reason - In the interests of site safety and the satisfactory development of the site , pursuant to Policies SP1 and DM1 of the Manchester Core Strategy.

8) The materials and storage containers to be located on the site shall not exceed a height of 4.3m above ground level.

Reason - In the interests of visual amenity pursuant of policy DM1 of the Core Strategy.

9) The 2.5m high paladin fencing boundary treatment shall be completed in accordance with drawing number 16976 rev.A, shall thereafter be retained.

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 in order to comply with policies SP1 and DM1 of the Core Strategy.

10) The external storage area hereby approved shall only be used, in association with adjacent industrial use, and shall not be used as a separate business.

Reason - In the interests of residential amenity , pursuant of policy DM1 of the Core Strategy.

Informatives

1) Environment Agency records identifies that site currently holds a U9 waste exemption (using waste to manufacture finished goods). For the purpose of continued operation without modification, the site must remain in compliance with the parameters of the present exemption. If as a consequence of the development proposal the site will no longer be compliant with the parameters of its present exemption, then an updated exemption or an environmental permit may be necessary- in accordance with Regulation 12 the Environmental Permitting (England and Wales) Regulations 2016

More information on the definition of waste can be found here:

<https://www.gov.uk/government/publications/legal-definition-of-waste-guidance>

More information on the use of waste in exempt activities can be found here:

<https://www.gov.uk/government/collections/waste-exemptions-using-waste>

If you require any advice or guidance on waste permitting requirements then please contact the Environment Agency Waste Team via: GMMCWasteEnquiries@environment-agency.gov.uk.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Corporate Property
Greater Manchester Police
Environment Agency
United Utilities Water PLC

15 Kentmore Close, Manchester, M12 5FG
39 Clayton Lane South, Manchester, M12 5PG
37 Clayton Lane South, Manchester, M12 5PG
J.Allcock And Sons Ltd, Ambrose Street, Manchester, M12 5DJ
33 Textile Street, Manchester, M12 5DJ
6 Kentmore Close, Manchester, M12 5FG
31 Textile Street, Manchester, M12 5DJ
20 Kentmore Close, Manchester, M12 5FG
18 Kentmore Close, Manchester, M12 5FG
16 Kentmore Close, Manchester, M12 5FG
14 Kentmore Close, Manchester, M12 5FG
12 Kentmore Close, Manchester, M12 5FG
10 Kentmore Close, Manchester, M12 5FG
8 Kentmore Close, Manchester, M12 5FG
4 Kentmore Close, Manchester, M12 5FG
2 Kentmore Close, Manchester, M12 5FG

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 - 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 (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH2