SEPTEMBER 2016

BT Depot, Crossley Street, Manchester

Planning Statement

ICENI PROJECTS LIMITED ON BEHALF OF BRITISH TELECOMMUNICATIONS PLC

Iceni Projects Limited on behalf of

British Telecommunications PLC

September 2016

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1. INTRODUCTION

1.1 This Planning Statement has been prepared by Iceni Projects Ltd ('Iceni') on behalf of British Telecommunications PLC ('BT') in support of an application for a Lawful Development Certificate for a Proposed Use

1.2 Iceni were commissioned by BT to undertake an audit of the planning history relating to a number of BT Fleet sites across the country as part of a programme to extend operational hours at certain depots to meet demand and operational requirements. The review of the Council's archive records for this particular site identified what appears to be the original planning permission for the erection of a motor transport workshop building, transhipment store and administration building with parking facilities, dating from 1975.

1.3 The historic records thus indicate that the lawful use of the site is for servicing/ testing, maintenance and parking of vehicles, with associated storage and administration uses. No restrictions have been identified within the available planning history on the hours of operation of the site. However, given the length of time covered by the planning history relating to the site and the somewhat fragmented nature of the historic record held by the Council, this application is submitted as part of the due diligence process to obtain formal confirmation from Manchester City Council that the proposed use of the site for the servicing/ testing, maintenance and parking of vehicles on a 24-hour basis is indeed lawful.

1.4 The enclosed evidence demonstrates that the proposed use is in accordance with the lawfully permitted use identified in the relevant planning history relating to this site, and that no restrictions exist which would prevent the operation of this site on the extended hours basis now proposed.

2. THE APPLICATION SITE AND SURROUNDINGS

Site Description

2.1 The site is located to the south of Gorton Lane, within an industrial area in Gorton, South East Manchester. The site as defined in the enclosed Site Location Plan measures approximately 1.1 hectares.

2.2 The site is used by BT for the storage, maintenance and repair of vehicles, with associated storage and office uses. The depot comprises a large single storey commercial/ workshop building in the centre of the site which is used for servicing vehicles. There are two additional single storey units within the northern part of the site, adjacent to the boundary, and two further single storey units located in the southeastern corner of the site. The remainder of the site comprises areas of hardstanding and vehicle parking, with landscaping to the boundaries.

2.3 Access is provided via a single road leading off Crossley Street to the immediate west of the site.

Site Context

2.4 The wider area is generally commercial in character, with a variety of industrial, warehouse and other employment generating uses. The site is bounded immediately to the south by Easeserve, a manufacturer of metal gates, whilst north of Gorton Lane is a small concrete plant and further industrial uses such as Delta Containers and Universal Pallet Services. To the south and west, the area is more residential in character, with new residential development recently constructed on the northern side of Gorton Lane.

2.5 A short distance to the west of the site, Pottery Lane (A6010) provides convenient access to the A57 into Manchester city centre and beyond.

3. CONFIRMATION OF LAWFULNESS OF PROPOSED USE

3.1 It is proposed to use the site as per the existing use (i.e. for the servicing/ testing, maintenance and parking of vehicles), but on an extended 24 hour basis, compared to the current operational hours of 6am – 11pm. The following section therefore considers the lawfulness of this proposed use.

3.2 Following an initial review of the online planning history record available on Manchester City Council's website, a formal request was made to the Council for all available archive documents relating to the site. In response, the Council confirmed that all available documents relating to the site were available within the online record.

3.3 As such, we are aware of the following historic planning applications relating to this site:

Application No.	Description	Decision	Date
F03315	Erection of a M.T Workshop building, transhipment store and administration building with parking facilities on land adjoining existing post office buildings.	Approved	August 1975
029688	Provision of additional vehicle parking areas and equipment storage areas after partial demolition of existing building.	Approved	August 1987
047179	Amended site layout to form 77 new parking spaces after demolition of buildings and closure of existing accesses, replaced by a single access on Crossley Street adjacent to sub-station.	Approved	September 1987
054851/FO/ CENTL2/98	Construction of new 223.5 sq m building to form new workshop to centre of site, and extension to store close to southern boundary.	Approved	September 1998

3.4 A copy of the decision notices associated with the above permissions are submitted for reference in support of this application.

3.5 Based on the above, it would appear that the 1975 permission originally established the use of the site as a motor transport workshop with associated storage and office facilities, and that the site layout was subsequently amended by virtue of the 1987 and 1998 permissions.

3.6 It is noted that based on the information available within the Council's archive record, none of the planning permissions identified contain restrictions on the hours of operation of the site, and no subsequent planning history has been identified that would preclude the use of the site on a 24 hour basis for its lawful use as a motor transport workshop.

3.7 In accordance with Section 192 of the Town and Country Planning Act 1990 and paragraph 9 of the Lawful Development Certificates chapter of the National Planning Practice Guidance[1], when determining an application for a Lawful Development Certificate a Local Planning Authority should consider whether, on the facts of the case and relevant planning law, the specific matter would be lawful. Planning merits are therefore not a relevant consideration in the consideration of an application for a Lawful Development Certificate. Notwithstanding this, we consider that the proposed extended hours of operation are acceptable having regard to the generally commercial/ industrial character of the surrounding area.

3.8 Having regard to the available planning history highlighted above, it is clear that the lawful use of the site is for the storage, maintenance and repair of vehicles, with associated storage and office uses. Furthermore, all the available evidence indicates that no restrictions have been placed on the hours of operation of the depot by any relevant planning permissions. Consequently we consider that the proposed use of the site for the servicing, maintenance and parking of vehicles on a 24 hour basis is lawful, taking into account the facts of the case. As such, we consider that the lawfulness of the proposed use has been demonstrated in accordance with the requirements of Section 192 of the Town and Country Planning Act 1990 and Section 39 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and that a Lawful Development Certificate should thus be granted.

[1] Reference ID: 17c-009-20140306

4. CONCLUSION

4.1 This Planning Statement has been prepared on behalf of BT in support of an application for a Lawful Development Certificate for a Proposed Use, on the grounds that the proposed use of the site for the servicing/ testing, maintenance and parking of vehicles on a 24 hour basis is in accordance with the lawful use of the site established within the planning history, and thus planning permission for the proposed use would not be required.

4.2 Whilst an initial audit undertaken by Iceni indicated that, on the basis of the evidence available, an extension of the current hours of operation for the depot would be lawful, given the age and somewhat fragmented nature of the planning history, it was considered beneficial as part of the due diligence process to obtain formal confirmation from Manchester City Council that the proposed use of the site would indeed be lawful.

4.3 As discussed above, the available planning history establishes the existing lawful use of the site as being for the storage, maintenance and repair of vehicles, with associated storage and office uses. Furthermore, no restrictions on the hours of operation of the depot are evident in any of the planning history available in the Council's archive as outlined above. We therefore respectfully request that the Council issues a Lawful Development Certificate for a Proposed Use so as to confirm the lawfulness of the proposed use.