

Planning

Growth & Development

Delegated officer report for planning application

Application no. 143355/FO/2025

Date registered valid: 8 September 2025

Proposal: Retention of 1no extraction stack to rear

Address: Carbogen Amcis Ltd , 303 Clayton Lane , Manchester, M11 4SX

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Damien Bray Carbogen Amcis

Agent (if any): Mrs Helen Hey lab-Lab Ltd

Case officer: Sam Elliott
Tel: 0161 219 2856
Email: sam.elliott@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 20/10/2025

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 23 September 2025

Standard consultations:

Printed: 11 September 2025 Expired: 2 October 2025

Neighbour notifications

Printed: 11 September 2025 Expired: 2 October 2025

Site notice

Posted: 23 September 2025 Expired: 14 October 2025

Press advert

Published: 16 September 2025 Expired: 7 October 2025

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The site relates to a light industrial chemical laboratory building on Clayton Lane. The building is comprised of red brick and features existing plant on the roof, including a number existing discharge stacks that extend a maximum of 3.5m above the height of the roof.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The site is located at the periphery of Manchester City Centre, within an industrial area on the north side of the Ashton Canal in proximity to the Clayton district of the city. The site is a short distance from the Clayton Hall Metrolink tram stop sited to its north, has industrial uses to the east and west and is to the northeast of Manchester City's Training Academy Complex.

The site is in relative proximity to the Grade II listed Canal Lock (Number 9), with the Grade II* listed Church of St Cross and Clayton Hall situated to the northeast on the other side of Ashton New Road.

Neighbouring uses are largely comprised of commercial office or industrial uses, with the closest neighbouring residential development lying c180m to south-east along Kincaig Close.

Description of development

Planning permission is sought retrospectively for a discharge flue to the rear of the building.

The flue is affixed to the western elevation, therefore being visible from the Ashton Canal towpath. It extends from the first floor upwards and exceeds the height of the roof, having an approximate height of 12m and therefore extending 3.9m above the roof and 42cm above the height of any other discharge flue. The flue has a diameter of 355mm, and projects an approximate 500mm beyond the elevation.

There is a CMV 250 fan unit situated at the base of the flue, complete with AV mounts, a PVC weather cover, and a drainage point for connection to drainage by others. The fan and ductwork is supported by Unistrut system support frames.

The flue and fan unit are finished in a dark grey colour. The metal fixings are not colour-matched, which are silver in colour.

Consultations & Notification Responses

Highway Services

No objections.

Environmental Health

Are satisfied that the acoustic report is acceptable. A verification report should be submitted.

Canal and River Trust

No objections.

Notification:

Occupiers of neighbouring buildings were notified of the proposal via notification letters. At the time of writing this report, no representations have been received.

Advertisement:

The application was advertised by site notice and in the local press as the proposal affects a listed asset and for reasons of public interest. At the time of writing this report, no representations have been received.

Policy Context

The following policies are considered relevant to this application:

Places for Everyone

- JP-Strat5 – Inner Areas
- JP-P1 – Sustainable Places
- JP-P2 – Heritage

The Adopted Core Strategy for the City of Manchester

- SP1 – Spatial Principles
- CC9 – Design and Heritage
- EC7 – Eastlands Strategic Employment Location
- EN1 – Design Principles and Strategic Character Areas
- EN3 – Heritage
- EN19 – Waste
- DM1 – Development Management

The Unitary Development Plan for the City of Manchester

- DC19 – Listed Buildings
- DC26 – Development and Noise

Listed Buildings and Conservation Areas Act 1990

- Section 66

Issues

Principle of Development

The proposal serves an existing industrial use, supporting the continued economic regeneration of East Manchester in line with Core Strategy policy EC7 and PfE Policy JP-Strat5. While the stack is visible from the canal towpath, given the existence of other comparable stacks on the building, and the industrial context of this stretch of the canal more broadly, the proposal is not considered to result in an unacceptable level of visual harm to the building, the listed canal lock, or the canal more broadly.

Visual Amenity

In consideration of the various long-range and short-range views from which the stack is visible, when viewed from Clayton Lane the stack despite its height blends in with existing stacks located on the roof by virtue of its siting to the rear. Where it is seen at the rear of the building (as viewed from the canal towpath), it is acknowledged the stack features more prominently by virtue of its length and location.

However, the building already reads as an industrial use building owing to the number of existing stacks and plant visible from this vantage. Moreover, its dark grey colouration is of a similar colour to the existing stacks and downpipe of the building.

On balance, it is not considered that the proposal is sufficiently harmful to warrant a refusal on the basis of its visual impact and is ultimately considered acceptable with respect to PfE Policies JP-P1 and JP-Strat5 and Core Strategy Policies SP1, EN1 and DM1.

Heritage

When stood at the listed canal lock, the proposal would by virtue of its height be partially visible, and is moreover fully visible from along the towpath further to the west. As per JP-P2, particular consideration is to be given to ensure that the significance of key elements of the historic environment which contribute to Greater Manchester's distinctive identity and sense of place, including historic transport routes transport routes such as the canal network.

Given the existing context of industrial uses along this stretch of the canal, and with the proposal being seen in the context of existing stacks and plant to the rear of the building, the flue is considered to result in negligible harm to the significance of the listed asset and to the historic canal route more broadly. It is noted that the Canal and River Trust have responded to the application and do not view that there would be any increased visual harm on the canal corridor.

Given this, it is not considered necessary to weigh the proposal's impact against its public benefits as per Section 16 of the NPPF. On this basis, the proposal is considered to meet the statutory test to preserve as required by Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

The proposal would also meet the requirements set out in Places for Everyone Policies JP-P1, JP-P2 and JP-Strat5; Policies SP1, CC9, EC7, EN1, EN3 and DM1 of the Core Strategy; saved UDP policy DC19; and sections 12 and 16 of the NPPF as they relate to the preservation and enhancement of heritage assets.

Noise

The fan associated with the stack is a CMVeco 250/250 Radial Fan with operating hours of 09:00 to 17:00 hours, Monday to Friday. The closest neighbouring residential development is c190m to south-east along Kinraig Close, with other neighbouring uses being largely comprised of commercial or industrial uses.

Environmental Health are satisfied that the submitted noise assessment demonstrates the scheme achieves a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. In the event of an approval, it is recommended that a condition is attached requiring that the scheme remains implemented in accordance with the acoustic report and that a verification report is submitted to ensure the residential amenity is protected.

In consideration of the above and subject to condition, the proposal is considered acceptable with regards to Core Strategy Policies SP1, EN19, DM1 and saved UDP Policy DC26.

Other Legislative Requirements Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 application.

Condition(s) to be attached to decision for approval

1. Approved Drawings and Documents

The development hereby approved shall be carried out in accordance with the following drawings and documents, received by Manchester City Council as the Local Planning Authority on 06/08/2025:

[Location Plan]

C6594-01 REV 0

C6594-02 REV 0

Noise Impact Assessment Project Reference NP-013156

INSTALLATION, OPERATION & MAINTENANCE MANUAL (Edition 04_13)

Answers to Questions email 24/07.

As well as the 02 REV:01 drawing received 08/10/2025.

Reason - To ensure that the development remains in accordance with the approved plans. Pursuant to PfE Policies JP-Strat5, JP-P1 and JP-P2; Core Strategy policies SP1, CC9, EC7, EN1, EN3, EN19 and DM1; saved UDP policies DC19 and DC26; Sections 12 and 16 of the NPPF; and Section 66 of the Listed Buildings and Conservation Areas Act 1990

2. Materials

The materials as implemented and hereby approved shall remain those as specified on the approved plans in type, size, colour, and texture.

Reason - To ensure the appearance of the building is not adversely affected by any change in the materials used in the construction of the structure. Pursuant to PfE Policies JP-Strat5, JP-P1, JP-P2; Core Strategy policies SP1, CC9, EN1, EN3, and DM1; saved UDP policy DC19; Sections 12 and 16 of the NPPF; and Section 66 of the Listed Buildings and Conservation Areas Act 1990

3. Noise Verification

- a) The plant as implemented and hereby approved shall not be altered and remain acoustically treated in accordance with the following documents received by Manchester City Council as the Local Planning Authority on 06/08/2025:

Noise Impact Assessment Project Reference NP-013156

INSTALLATION, OPERATION & MAINTENANCE MANUAL (Edition 04_13)

Answers to Questions email 24/07.

- b) Within one month from the date of this permission, a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the works undertaken conform to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with

the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard residential amenity by minimising the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and Unitary Development Plan saved policy DC26.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Canal & River Trust

Wolf Engineering Ltd, Victoria Works, Croft Street, Manchester, M11 4RQ
Phoenix Motors, Victoria Works, Croft Street, Manchester, M11 4RQ
Victoria Works, Croft Street, Manchester, M11 4RQ
Air Products Plc, Clayton Lane, Manchester, M11 4SR
273 Clayton Lane, Manchester, M11 4SS

Appendix 2 – Planning constraints

[illegible]