

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132844/FO/2022

Date registered valid: 5 April 2022

Proposal: Change of use of site to form scaffolding hire depot (B8 use) together with installation of site buildings, concrete hardstanding, storage cabins, lighting and acoustic fence.

Address: Generation Uk Limited, Paston Road, Manchester, Manchester, M22 4TF

Ward(s): Northenden Ward

Applicant: Mr Mark Clifford Generation (UK)

Agent (if any): Mr B. Woollard, Planning and Design Group Ltd

Case officer: David Lawless
Tel: 0161 234 4543
Email: david.lawless@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 1 August 2025



Application details

Type of application: Full Application Consent

Development type: Minor Industry

Date of site visit: 31 May 2022

Standard consultations:

Printed: 8 April 2022 Expired: 29 April 2022

Neighbour notifications

Printed: 5 March 2024 Expired: 26 March 2024

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

This application refers to a site, 1.6 hectares in size, which is located on the western side of Paston Road, within the Sharston Industrial Estate. The site was formerly used as a dairy, which has since been demolished. The site is now used as a scaffolding yard, albeit without planning permission. To the north and east of the site there are further industrial/commercial uses, while to the south, beyond a landscape strip, there is an active heavy railway line. To the west, again beyond a landscape strip, lies a residential estate, with the nearest dwellings being on Roundwood Road.



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

Description of development

The applicant is seeking retrospective planning permission to change the use of site to form scaffolding hire depot (B8 use) together with installation of site buildings, concrete hardstanding, storage cabins, lighting and acoustic fence.

Consultations & Notification Responses

Local Residents – Seven letters of objection have been received from five households, the comments are summarised.

- Lack of Planning Permission: The company is operating and has developed the site without formal approval.
- Excessive Noise: Repeated early morning disturbances (as early as 6:15 AM) are affecting residents' health and well-being, particularly for retirees and shift workers.
- Disruption to Daily Life: Constant daytime noise and intrusive floodlights make it difficult to enjoy outdoor spaces.
- Misleading Conduct: Residents feel misled about the purpose of noise monitoring equipment, believing it was for complaint resolution rather than supporting the planning application.
- Call for Enforcement: Residents request immediate action, including potential shutdown of the site, due to the company's disregard for regulations and community impact.

Highway Services – Have made the following comments:

- Trip Generation: Only basic data was provided initially, with no TRICS analysis, making it difficult to assess traffic impact. However, following additional data submission, Highways now raise no objection.
- Parking: Ten spaces proposed, which is acceptable, but their exact location is unclear. Recommendations include:
 - i. Proper demarcation and aisle widths
 - ii. One disabled bay (3.6m x 6m)
 - iii. Two EV charging bays (minimum 7kW)
 - iv. Standard bay size: 2.4m x 4.8m
- Cycle Parking: At least two secure, ideally sheltered, cycle spaces required.
- Waste Management: No new details provided; developer referred to MCC Waste Guidance (GD04).
- Lighting: No luminance data submitted, so potential light spill impact on the highway is unknown.
- Access and Movement: Limited information on vehicle access, gate operations, and internal manoeuvring (e.g., swept paths). Further details needed on pedestrian access to assess potential conflicts with vehicles
- Boundary Treatments: No issues raised.

Environmental Health – Concerns have been raised about the activity associated with the day to day running of the scaffolding yard, particularly the noise generated by the loading and unloading of the scaffolding poles. A number of complaints have been received from local residents which demonstrates that this remains a problem.

Therefore, requests have been made to submit additional information, namely updated acoustic surveys/mitigation, along with a management plan. This information is required to undertake a full assessment.

Network Rail – Have made the following comments:

Following the incident on the approach to Liverpool Lime Street Railway Station, where a retaining wall collapsed as a consequence of the cumulative impact of the weight of containers being sited adjacent to the railway boundary, Network Rail would request that the developer submit the following details of the storage containers on site:

- Confirmation of where the containers are to be stored; are they elevated above the railway – top of a retaining wall, slope or cutting
- Where they are stacked
- Where they are in close proximity to our boundary restricting inspection and maintenance of that boundary?
- How the containers are to be installed on site?
- Containers must not be stacked
- Containers must not prevent Network Rail from inspecting our boundary

Cadent Gas Ltd – No objection to the proposal.

HSE PADHI+ – HSE's Advice: *Do Not Advise Against*, consequently, HSE does not advise on safety grounds, against the granting of planning permission in this case.

Policies

The National Planning Policy Framework (December 2024) – The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear strong reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local

planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The Places for Everyone Plan – This plan was adopted on 21 March 2024, as such the Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance. The relevant policy is set out below:

Policy JP-Strat9 (Southern Areas) – This policy states that the economic competitiveness, distinctive local neighbourhood character and environmental attractiveness of the southern areas will be protected and enhanced. There will be a strong emphasis on making as much use as possible of suitable previously developed (brownfield) land and promoting the roles of the areas' town centres and its other key assets.

Core Strategy Development Plan Document – 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. Relevant policies in the Core Strategy are detailed below

Policy SP1, *Spatial Principles*, - 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 and protect and enhance the built and natural environment.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of specific issues, of which the following are of most relevance:-

- 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, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Community safety and crime prevention.
- Design for health.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Flood risk and drainage.

Saved UDP Policy DC26, "Development and Noise" – 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.

Policy DC26.2 states that new noise-sensitive developments (including large-scale changes of use of existing land or buildings), such as housing, schools, hospitals or similar activities, will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the Council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.

Issues

Principle of the Proposal – The application site is situated within the Sharston Industrial Estate, an area long established for industrial and commercial activities. In light of this historical and functional context, there is no objection in principle to the proposed use of the site as a scaffolding yard.

However, it is recognised that scaffolding operations can generate significant noise, particularly during the early morning hours when scaffolding poles and associated equipment are loaded and unloaded from delivery vehicles. This has led to a number of complaints being lodged with the City Council, primarily from residents of Roundwood Road, who are most affected by the disturbance.

The applicant has acknowledged these concerns and has made efforts to address them through the commissioning of acoustic surveys aimed at identifying appropriate mitigation measures. Despite these efforts, a satisfactory noise mitigation strategy has not yet been established.

Further acoustic survey work was proposed by the applicant for January/February of this year; however, the resulting report has not been submitted to date. Consequently, the Council is unable to undertake a comprehensive assessment of the proposal's impact on residential amenity.

In summary, while the principle of the proposed use is considered acceptable given the site's industrial setting, the absence of critical acoustic data means that a recommendation for approval cannot currently be supported.

Residential Amenity – As outlined above, the absence of an up-to-date acoustic survey and a corresponding mitigation strategy significantly limits the ability of the Local Planning Authority to undertake a thorough assessment of the proposal's potential impact on residential amenity, particularly for those residents living on Roundwood Road, who have already expressed concerns regarding noise disturbance. In the absence of this critical information, it is not possible to determine whether the proposed use can operate without causing unacceptable harm to the living conditions of nearby occupiers. Accordingly, the application is recommended for refusal for the reason set out later in this report.

Visual Amenity – Given the nature of the proposed use, the design of the associated buildings, and the established character of neighbouring developments, it is considered that the proposal would not have a detrimental impact on the levels of visual amenity currently enjoyed in the vicinity of the site.

Moreover, it is acknowledged that the site benefits from effective screening, particularly in relation to the residential properties along Roundwood Road. As such, the proposal is unlikely to give rise to any undue visual intrusion or loss of amenity for these residents, preserving the existing quality of their outlook.

Pedestrian and Highway Safety – It is not considered that the proposed use and the traffic movements associated with it would have a detrimental impact upon the existing levels of pedestrian and highway safety enjoyed along Paston Road.

It is considered that the queries raised by Highway Services could be addressed by suitably worded planning conditions.

Railway Safety – It is considered that the issues raised by Network Rail could be addressed by suitably worded planning conditions.

Security – The proposal does not raise any security concerns.

Conclusion

The proposed use of the site as a scaffolding yard is considered acceptable in principle, given its location within the established Sharston Industrial Estate. The proposal aligns with the historical and functional character of the area and raises no concerns in terms of visual amenity, highway safety, railway safety, or site security.

However, the absence of an up-to-date acoustic survey and a robust noise mitigation strategy presents a significant barrier to assessing the impact of the development on residential amenity. The concerns raised by residents of Roundwood Road regarding noise disturbance remain unresolved, and without the necessary acoustic data, the Local Planning Authority cannot be satisfied that the proposed use would not result in unacceptable harm to nearby occupiers.

In light of these considerations, and notwithstanding the proposal's compatibility with the industrial character of the area, the application is recommended for refusal due to the lack of essential information required to safeguard residential amenity.

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: Refuse

Article 35 Declaration

The application was refused because the applicant failed to provide sufficient information to enable the Local Planning Authority to fully assess the impacts of the proposed development.

Despite opportunities to submit the necessary documentation, the absence of key information, specifically a revised acoustic impact assessment and mitigation strategy, meant that the proposal could not be considered acceptable in planning terms. The Local Planning Authority was therefore unable to determine whether the development would comply with the relevant policies of the Manchester Core Strategy and the National Planning Policy Framework.

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

1) The application has been refused due to a lack of sufficient information to enable a full and proper assessment of the proposal. In particular, the applicant has failed to provide a revised acoustic impact assessment and mitigation strategy which is necessary to determine the potential impacts of the development on the current levels of residential amenity enjoyed by the nearest residents on Roundwood Road.

Without this information, the City Council as Local Planning Authority cannot be satisfied that the proposal complies with the relevant policies in the Manchester Core Strategy and the guidance contained within the National Planning Policy Framework. As such, the application is considered to be contrary to Policy DM1 in the Manchester Core Strategy, saved UDP Policy DC26 and the guidance contained within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Environmental Health

Corporate Property

Network Rail

Cadent Gas Ltd

Northern Dairies Ltd, Paston Road, Manchester, M22 4TF

Haden Maintenance Co Ltd, Paston Road, Manchester, M22 4TF

129 Roundwood Road, Manchester, M22 4AD

105 Roundwood Road, Manchester, M22 4AD

87 Roundwood Road, Manchester, M22 4AD

131 Roundwood Road, Manchester, M22 4AD

125 Roundwood Road, Manchester, M22 4AD

117 Roundwood Road, Manchester, M22 4AD

111 Roundwood Road, Manchester, M22 4AD

Sharston Bus Depot, Paston Road, Manchester, M22 4TF

99 Roundwood Road, Manchester, M22 4AD

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115 Roundwood Road, Manchester, M22 4AD
113 Roundwood Road, Manchester, M22 4AD
109 Roundwood Road, Manchester, M22 4AD
107 Roundwood Road, Manchester, M22 4AD
103 Roundwood Road, Manchester, M22 4AD
101 Roundwood Road, Manchester, M22 4AD

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - Wythenshawe PD Restriction - Class B1(a) To C3
Article 4 Direction - Wythenshawe PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 45M
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH