

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/0105

Date registered valid: 6 February 2025

Proposal: Discharge of conditions 2 (specified plans) 3 (specification), 4 (security measures), 5 (CCTV), 6 (Photographic Record) and 7 (archaeological survey) attached to Listed Building Consent referenced 135355/LO/2022

Address: Clayton Old Hall, Ashton New Road, Manchester, M11 4RU

Ward(s): Clayton & Openshaw Ward

Applicant: Ms Kath McVicker Manchester City Council

Agent (if any): Ms Bernadette Bone BB Heritage Studio Ltd

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Split decision

Date of recommendation: 26th May 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 12 February 2025 Expired: 5 March 2025

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

Published: 18 February 2025 Expired: 11 March 2025

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II*

Conservation area:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

GMAAS

The application is supported by two documents pertaining to archaeological matters. The first is a Project Design prepared by Matrix Archaeology, which allows for the excavation of three test pits initially, coupled with archaeological monitoring during the groundworks required to deliver the consented scheme, in line with the requirements of Condition 7 (Part i). GMAAS advised that this document should be approved in response to a previous application for condition discharge (Ref: CDN/24/0954) in October 2024 to enable the archaeological works to progress towards fulfilling the requirements of Condition 7. The archaeological work on site has moved forward since October and the three trial pits have been excavated, in line with the approved Project Design. The trial pits were all located in the south-east corner of the Scheduled Monument and revealed a truncated sandstone wall footing, possibly of medieval or early post-medieval date, together with 19 th - / 20 th -century layers and drainage features of lesser interest. The results from this useful exercise are presented in a comprehensive and illuminating

report prepared by Matrix Archaeology and submitted in support of the current application. This recommends that the proposed route of the new cable trench is realigned slightly to the east to avoid any impact of the medieval / post-medieval wall footing. The report also concludes that, on the basis that other belowground elements of the late medieval or early post-medieval manor house may well survive below ground, the excavation of the new service trench should be subject to archaeological monitoring and recording in line with the methodology set out in the agreed Project Design. GMAAS agrees with this conclusion. It seems from the documentation submitted that the new service has yet to be excavated and the associated archaeological monitoring yet to be implemented. GMAAS will be pleased to advise that Condition 7 should be discharged in full once this excavation and monitoring have been completed, and the report updated in the light of any findings, but that stage has yet to be reached. As such, GMAAS is not currently able to advise that Condition 7 has been satisfied.

Historic England

Advice

The applications are for the discharge of conditions on Listed Building Consent reference 135355/LO/2022 and planning permission reference 135354/VO/2022 respectively. The applications are for the discharge of conditions 2, 3, 4, 5 and 7 on 135355/LO/2022, and 2, 3, 4, 5, 6, 7, 8, 12, 13 and 14 on 135354/VO/2022. Conditions 8, 12, 13 and 14 on the planning permission relate to trees, wildlife and habitats, and are not relevant to Historic England's statutory remit; they therefore offer no comments on the request for the discharge of those conditions.

They consider that the documentation submitted in support of the applications for the discharge of conditions 2, 3, 4 and 7 on 135355/LO/2022, and the discharge of conditions 2, 3, 4, 5, 6 and 7 on 135354/VO/2022 set out acceptable proposals for the repair of the Grade II* listed building, the renewal of fencing and the installation of security measures, and for an appropriate level of archaeological recording of groundworks.

Historic England therefore has no objection to the discharge of these conditions, as requested, though they recommend that the Council should seek confirmation from the applicants that in connection with the discharge of condition 7 (archaeological survey) on the Listed Building Consent the recommendations contained in section 7 of the Archaeological Trial Pitting Report by Matrix Archaeology, dated December 2024, will be adopted. These are that (1) the electrical cable trench should be re-aligned to the East to avoid disturbing a wall foundation of presumed medieval date which was located in one of the trial pits; and (2) that an archaeological watching brief should take place during the excavation of the remainder of the electrical cable trench.

Recommendation- Historic England has no objection to the applications on heritage grounds. Your authority should take these representations into account in determining the applications. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decisions in due course.

UDC- have only commented on areas of specialism. Where the works require archaeology input then GMAAS should be consulted. Likewise with arborist and ecology.

Planning Condition #2 (drawing references)

This condition states that the development should be carried out in accordance with these plans

Planning Condition #3 (internal and external fabric repairs)

3) Before the commencement of the development a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the detailed specification of works to the internal and external fabric of the building as referenced in document ref: Proposed

security system layout Ref: MCC-ZZ-XX-DR-E-0010 Design and Heritage Statement Ref: P0224_HS_REP001 Rev A Clayton Hall Manchester Security Installation and Fabric Repairs paragraph 4.6.1 (page 14). The scheme shall include a methodology for the implementation of works, including material specifications, masonry/plaster removal, repointing and cleaning to be applied. The development shall be implemented in accordance with the approved development and maintained in situ thereafter.

E2 The schedule of works refers to the scope of roof repairs not being known. These will need to be submitted and need to agree these works prior to commencement.

E2	HIGH LEVEL & ROOF INSPECTION / SURVEY Allow for high level access for inspection to eaves / roof level by conservation architect. Allow for attendance by a heritage roofing specialist for roof inspection / survey and recommendations for scope of roof repair works. Provisional sum allowance for patch roof repairs TBA with MCC.	C41 / 120	
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E3 We will need to see and agree the samples, as the specification states under paras 300 in the document and only move to the next level of clean if we're happy that the most gentle approaches have not succeeded.

E3	TRIAL PAINT REMOVAL Prior to the commencement of any paint removal undertake 2no. sample trial areas, 1no. trial removal of paint to brickwork and 1no. trial removal of paint to stonework.	C20 / 300	
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E4 We'll need to see the mortar analysis when available. These should also be submitted for our records.

E4	MORTAR & STONE ANALYSIS Prior to the commencement of any repointing or stone repairs allow for mortar analysis to 8no. locations as follows; - 2no. to stonework to south elevation chimney stack - 2no. to brickwork to south elevation chimney stack - 2no. to stonework to northern block - 2no. to brickwork to northern block Allow for stone analysis to 2no. locations	C41 / 200	
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E5 The fixing holes left by the fittings will need to be made good in matching materials, samples to be agreed.

E6 We'll need to agree the extent of repairs to the eaves and see a sample of the proposed netting and fixings.

E5	REMOVAL OF REDUNDANT EXTERNAL FIXTURES Removal of satellite dish and redundant light fittings as shown to drawings al(05)035 & al(05)036	C41 / 135	
E6	REMOVAL & REPLACEMENT OF EAVES NETTING Carefully remove existing netting to the eaves to the full perimeter of the building, including debris within the netting. Allow for a high level inspection of the eaves. Allow for full replacement of eaves soffit boarding. Provisional sum allowance for repairs to eaves level timbers including timber verge boards / timber gutters / rafter ends etc and including allowance for replacement leadwork. Installation of CCTV wiring & equipment. Replacement with new netting.	C20 / 250 C41	
E7	RENDER & PAINT REMOVAL TO SOUTH & EAST ELEVATIONS OF NORTHERN BLOCK Render & paint removal to areas noted to drawings al(05)035 & al(05)036	C20 / 300	

E8 Has it been confirmed if the paint removal below is taking place?

E9 We'll need to know if it is confirmed that the works will be undertaken

E10 We'll need to agree the final extent of pointing works.

E8	ALLOWANCE FOR PAINT REMOVAL TO NORTH ELEVATION GABLE END & OUTBUILDING Possible optional additional scope of paint removal to north elevation gable end.	C20 / 300	
E9	STONWORK & BRICKWORK REPAIRS Provisional sum allowance, scope TBC following paint removal. Allow for - Removal of cement mortar to stone base to perimeter, and stone chimney stack, repointing in lime based mortar. - defrassing of stone, patch stonework repairs, patch brick replacement.	C41	
E10	REPOINTING TO BRICKWORK AND STONWORK Final extent of repointing to be confirmed following the paint removal. Allow for the following areas as noted to drawings al(05)035 & al(05)036 - Stone plinth to the perimeter of the building - Stonework and brickwork to the south elevation chimney stack - Brickwork to the south elevation gable as noted to the drawings - Brickwork to the south & east elevations of the northern block as noted to the drawings	C41	

E14 Any areas where the extent is to be confirmed will need to be discussed and agreed with us.

E14	TIMBER REPAIRS TO EAST ELEVATION TIMBER FRAMED WINDOWS Extent to be confirmed following close up inspection	C41	
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E16 Is this just to investigate. If so then we'll need to see the report on findings. If works are proposed then we'll need to see and agree these.

E16	INVESTIGATE POSSIBLE MOVEMENT TO ROOM B01-01-012 & REPAIRS TO TIMBER FLOOR Carefully lift floor boards to remainder of room B01-01-012 and investigate possible movement. Reinstate floor boards and replace missing section.		
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245 With reference to the existing, is it clear which sections of walling are to be retained and reused and the extent of removal? The method of removal, storage etc has not been detailed. And will need submitting.

245 REMOVAL OF EXISTING BOUNDARY WALLS TO OUTER MOAT NORTH BOUNDARY

- Following the completion of the other enabling works as detailed to clauses C20/210, C20/215, C20/220 dismantle existing boundary walls to extent shown to drawing al(05)022 including excavation of foundations.
- ✱ • Carefully salvage and retain the existing masonry walling and copings for re-use, clean of mortar and vegetation.
- Note: there are restrictions on the types of machinery that can be used stipulated in the Badger Method Statement and Natural England licence.

255 If lath and plaster is found then we'll need to be advised and a solution agreed before progressing. There needs to be a detailed method statement for the careful removal of plaster board to ensure protection of the ceiling above if it exists. I would suggest small trial holes to establish whether there is a lath and plaster ceiling above.

255 REMOVAL OF CEILING & WALL FINISHES WITHIN PROPOSED CCTV ROOM (ROOM REF: B01-01-012)

- Remove existing ceiling board to the whole room, if possible retain the ceiling hatch. All visible fabric to the ceiling is modern and not of heritage significance. If historic lath and plaster is found during the removal works then works should stop and instructions sought.
- Removal of the ceiling should be undertaken with care to avoid any damage to ceiling / roof timber to which it may be attached and to adjacent timber framing within the walls.
- Plasterboard finishes to the walls have previously been partly removed. Any remaining areas of damaged boarding to the walls should be carefully removed as preparation for the necessary repairs.

150 Hand tools only should be used. The use of power tools to remove mortar should be agreed with MCC as this needs to be carefully controlled if agreed and only where mortar is particularly hard. We'll need to see a sample using the proposed equipment.

WORKMANSHIP GENERALLY

150 POWER TOOLS FOR REMOVAL OF MORTAR

- Usage: only permitted where approved by CA.

We'll need to see samples of all new materials whether new reclaimed or new, including masonry (brick, stone) and timber. We'll also need to see and agree samples of all repairs to agree colour, finish, quality etc including pointing works.

Can we please question why a hydraulic lime is being used rather than a hot lime mix? The 3.5 mix proposed could end up very strong and a weaker mix may be required. The analysis should guide the specification. The BB Heritage Document specifies NHL whereas the Morton document seems to specify hot lime which is preferred.

205 Are there any areas where paint analysis would be required. Can we ask the heritage architect. This would be helpful where there is to be any new decoration and where there is the complete removal of paint layers.

GENERALLY

205 PAINT ANALYSIS

- TBC if required.

Fencing generally, can we see a sample of the proposed railing and posts to ensure it is as agreed and matched the existing where required.

220 MILD STEEL FENCING / MILD STEEL VERTICAL BAR FENCING TO OUTER MOAT BOUNDARY DETAIL 01 OVER LOW LEVEL BRICK WALL

Under products we'll need to see and agree the CI and timber gutters and fittings.

PRODUCTS

315 CAST IRON GUTTERS

Scaffolding - we will need to see a full scaffold design including any fixings and any scaffolding should avoid any fixings into the building and should be design with this in mind as per the specification.

The Morton Specification

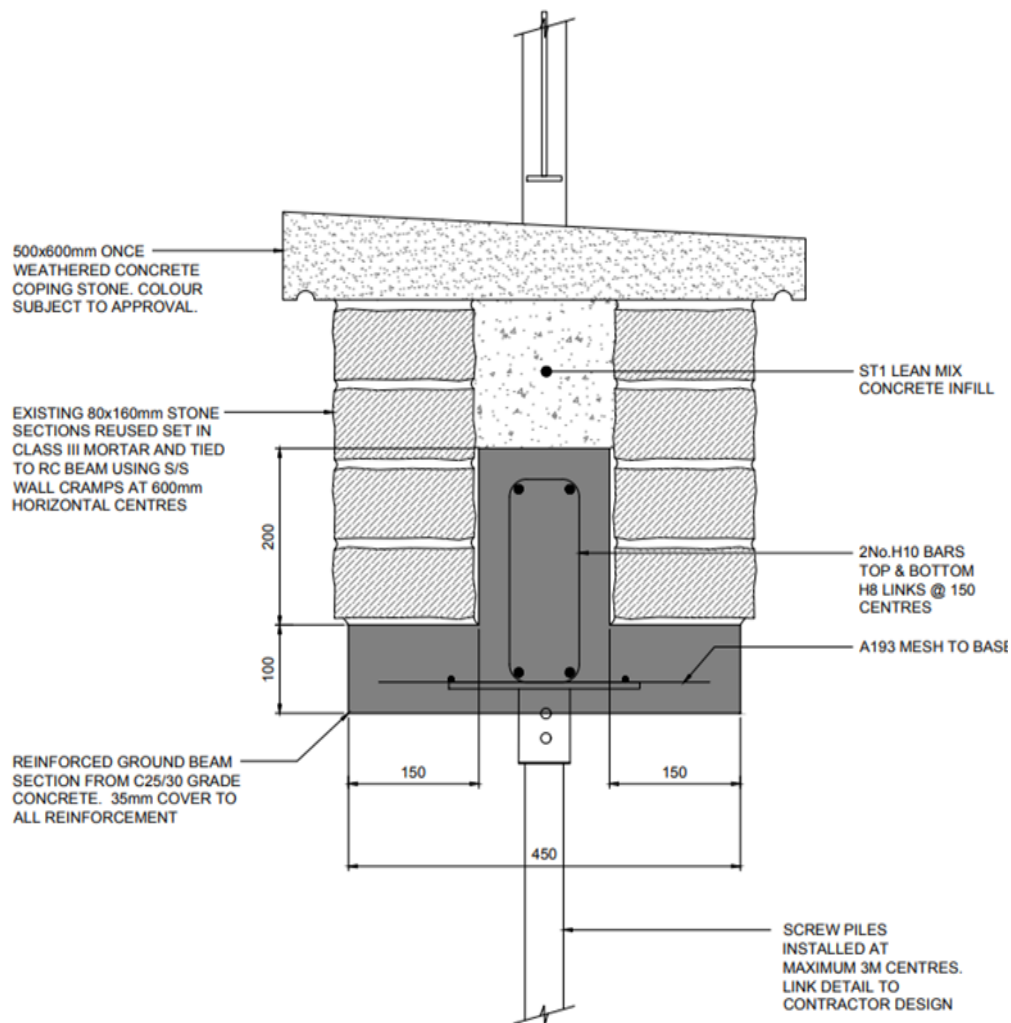
120 We will need to see and agree a detailed contractors method statement for these works as well as any enabling works including temporary support.

- 120 EXTENT OF DEMOLITION: Upper section of southern gable to bearing position of first floor lintel at eastern side as marked on drawing information.
The hall is grade I listed and upon a Scheduled Ancient Monument site. Therefore, due care is to be taken whilst undertaking the demolition.
Under no circumstances are any elements of the hall to be taken down, demolished or removed unless specified or confirmed by written instruction.
The existing brickwork is to be taken down and cleaned down and stored for reuse within the reconstruction.

The para below refers to further inspection. If the scope of works changes from the original submission then we'll need to see and agree.

- 2.4.1.2 Frame repairs will need to be reviewed by Engineer once an access/working platform is present to the south range of the west elevation. Suitable allowance within the programme is to be made for this review and time to adapt schedule. The Contractor Administrator/engineer should be provided with 5 working days to update the schedule of works following this opening up.

The section drawing shows a concrete coping. Are existing copings in concrete? Other wise we should be asking for natural stone.



DETAIL 3

NORTH BOUNDARY FENCE AT SCREW PILE LOCATION

Planning Condition #4 (external equipment colour)

4) Before installation of security measures comprise horn speakers, radar detectors and cameras shown on Elevation CCTV positions Ref: MCC-B01-XX-DR-E-0011 and Proposed security system layout Ref: MCC-ZZ-XX-DR-E-0010 details of the final colour treatment of the equipment to secure an appropriate relationship to the external elevations of Clayton Hall shall be submitted to and approved in writing by the City Council as local planning authority. The approve details shall be implemented as part of the development, installed in the positions shown on drawing referenced: Elevation 135354/VO/2022 Page 4 of 8 CCTV positions Ref: MCC-B01-XX-DR-E-0011 and Proposed security system layout Ref: MCC-ZZ-XX-DR-E-0010 and maintained in situ thereafter.

I've referred back to the original submission showing of the proposed fittings (dome and bullet cameras) and the proposed RAL colour is black 9005 for the columns but it just states black for the fittings - can we confirm. The colour is proposed as black which is acceptable, but we will need a RAL colour. All external fittings including the radar equipment, cabling, sounder etc need to be the matching black. Do we also have details of the location and impact of the internal recording station and cabling routes and associated M and E. There is reference in the specification to plastic trunking and plastic junction boxes which could look unacceptable, and we'll need to see and agree details of the installation equipment / cabling etc and their impact.

Planning Condition #5 (CCTV)

5) Before the commencement of groundworks, a drawing shall be submitted to and approved in writing by the City Council as local planning authority, relating to the height, appearance, colour treatment and specification of the pole mounted CCTV camera in the position shown on drawings referenced: Site plan as proposed Ref: 0224-al (05)012. The approved details shall be implemented as part of the development, to a timescale agreed by the City Council as local planning authority and maintained in situ at all times thereafter.

The colour proposed on the CCTV column drawing is Black RAL 9005. If this is proposed for all black fittings then it is acceptable.

Planning Condition #6 (fence and boundary conditions)

6) The development shall be implemented in accordance with detail of the appearance and siting of retailing as details on drawings referenced Fence and boundary fabric removal Ref: 0224-al(05)022 and Proposed fence types Ref: 0224-al(05)023 Rev A. The installed railings shall be finished with a black colour treatment and retained in situ at all times thereafter.

This requires the implementation in accordance with the drawings.

They have not commented on the following conditions as this will be the remit of others.

Issues

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: Split decision

Article 35 Declaration

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

Condition no. 2 (specified plans),

2) Plans refs: 0224-al(05)040 and 0224-al(05)042 relating to the revised fencing designs to allow for badger access were reviewed and advice provided that these could not be approved through a discharge of condition application and that they would need to form part of a variation of condition application. The content of the email from the planning agent dated 7th May 2025 confirming that the developer will not be proceeding on the basis of plan ref: 0224-al (05)042, and the fence will be as the consented drawing 0224 -al (05)023 rev.A, and as such they would not be seeking a variation as part of this application has been noted.

Therefore, as condition no .2 is a compliance condition and on the basis that the development would be implemented in accordance with the originally approved plans, no further action in relation to the condition no.2.

Condition no. 3 (specification)

3) The contents of the Morton Partnership Schedule and Specification for Clayton Hall document ref: RGR/BBR/16076-sched&spec-Rev A; Clayton Hall: Scope of Works Security and Fabric Repairs ref: P0224-SCH-REP010 rev A; and Floyd Consult Timber Report May 2024 have been reviewed.

An email setting numerous requirements for the submission related to the scope of roof repairs, samples of materials (including repair finishes, netting and fixings), mortar analysis, confirmation if additional paint removal is to take place and any associated resulting stonework and brickwork repairs, the extent of pointing works, the extent of timber repairs, etc and the submission of a detailed contractor method statement was sent to the planning agent on 26th March 2025.

On the basis of the Morton Partnership Schedule and Specification for Clayton Hall document ref: RGR/BBR/16076-sched&spec-Rev A; Clayton Hall: Scope of Works Security and Fabric Repairs ref: P0224-SCH-REP010 rev A; and Floyd Consult Timber Report May 2024 it is considered that the pre-commencement element of the condition has been satisfied, which will enable the investigative works to inform the matters set out in the email dated 26th March 2025 to the planning agent to be provided for consideration.

However, due to the level of detailed information which is required as set out in the email dated 26th March 2025 to the planning agent condition no.3 cannot be discharged at this time, and no repair works should be undertaken.

Condition no. 4 (equipment colour)

4) The contents of the Clayton Hall: Scope of Works P0224-SCH-REP010 rev A , plan Ref: E0010 rev E, and Clayton Hall Security and repairs Note dated 05.02.2025 (paragraph 3.2) confirming that Bullet cameras to be provided in black finish, dome camera to be provided with a casing and weathershield in black. Mounting brackets, radar and speakers to be spray finished in black have been noted. On the basis that all the security measures, including horn speakers, radar detectors and cameras shown on Elevation CCTV positions Ref: MCC-B01-XX-DR-E-0011 and Proposed security system layout Ref: MCC-ZZ-XX-DR-E-10 are black (RAL 9005) in colouration and are installed in the positions shown on drawing referenced: Elevation CCTV positions Ref: MCC-B01-XX-DR-E-0011 and Proposed security system layout Ref: MCC ZZ-XX-DR-E-0010 and maintained in situ thereafter, condition no.4 is discharged.

Condition no. 5 (CCTV pole)

5) The details shown on CCTV Column details plan ref: MCC-XX-XX-DR-E-0020 have been examined. It is noted from the annotation on the plan that column and camera would be black (RAL 9005) in colouration. On the basis that the column as shown on CCTV Column details plan ref: MCC-XX-XX-DR-E-0020 is implemented in the position shown on drawings referenced: Site plan as proposed Ref: 0224-al (05)012, as part of the development, to a timescale agreed by the City Council as local planning authority and maintained in situ at all times thereafter, condition no.5 is discharged.

Condition no.6 (Photographic record)

6) The photographic record of the site and the building (internally and externally) including the areas where physical changes are proposed has been noted, together with the photographic images in the Floyd Consult Timber Report May 2024 of key areas of the roof affected by the proposed works, including timbers and the roof void. On this basis of the photographic images provided condition no.6 is discharged.

Condition no. 7 (archaeological survey)

7) The content of the Project Design for Archaeological Trial Pitting & Watching Brief report no. 2024-05:MA866 Rev 04 dated September 2024; and Archaeological Trial Pitting Report December 2024 has been examined. The Project Design for Archaeological Trial Pitting & Watching Brief report no. 2024-05:MA866 Rev 04 dated September 2024, allowed for the excavation of three test pits initially, coupled with archaeological monitoring during the groundworks required to deliver the consented scheme, in line with the requirements of Condition 7 (Part i). It is understood that the three trial pits have been excavated, in line with the approved Project Design, and the results present in the Archaeological Trial Pitting Report, together with recommendations to realign the new cable trench slightly to the east to avoid any impact of the medieval / post-medieval wall footing. It is also noted that the report *concludes* that, on the basis that other belowground elements of the late medieval or early post-medieval manor house may well survive below ground, the excavation of the new service trench should be subject to archaeological monitoring and recording in line with the methodology set out in the agreed Project Design.

From the submitted information it would appear that the new service trench has yet to be excavated and the associated archaeological monitoring yet to be implemented. As the Archaeological works are not yet complete and as the report will need to be updated with the additional finding when they are available condition no.7 cannot be discharged at this time.

Appendix 1 – List of consultees & neighbours notified

Greater Manchester Police
Historic England (North West)
Greater Manchester Archaeological Advisory Service

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
HSE COMAH Zone - H3777 Evonik Outer Zone
Area Team Boundary - Name: NORTH AREA