

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/0966

Date registered valid: 30 October 2024

Proposal: Discharge of condition 25 (archaeology) attached to planning permission referenced 134504/FO/2022.

Address: Olympic Freight Terminal, Bennett Street, Manchester, M12 5NL

Ward(s): Ardwick Ward

Applicant: Miss Shannon Cooke, Kellen Homes

Agent (if any):

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

Recommendation: Approve

Date of recommendation: 28 November 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 13 November 2024

Expired: 4 December 2024

Neighbour notifications

No neighbour notifications have been printed and sent.

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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

GMAAS – 18.11.2024

All the requirements set out in the archaeology condition have very nearly been fulfilled. The fieldwork was completed some time ago and yielded some fairly spectacular results. These are presented in a comprehensive final archive report, which provides a good technical account of the excavation and has been accessioned to the Historic Environment Record. Following consultation with GMAAS, however, the report commits to preparing a summary of the excavation for publication as an article in Industrial Archaeology Review, the leading (inter)national journal for industrial archaeology. The journal editors have acknowledged an interest in publishing the article in principle, pending receipt of a suitable draft text. Having discussed this with the applicant's archaeological consultant, it was agreed that the draft article would be submitted before the end of October 2024, a deadline that passed without receipt of the article. The draft article is expected to be completed and submitted later this week.

They advise that they would be content to recommend full discharge of the condition as soon as the draft has been submitted (and the journal editors have confirmed their intention to progress it to publication). They don't think it would be reasonable to wait until the article appears in print as that is unlikely to be before June 2025 but wish to see a draft text before responding to the consultation request to gain some certainty that the publication has been progressed.

Further comments 26.11.2024

In accordance with Condition 25, the programme of archaeological work at the former Olympic Freight Terminal has been carried out in line with an agreed and approved Written Scheme of Investigation (WSI), which covers the following requirements:

1. A phased programme and methodology of investigation and recording to include:

i - archaeological evaluation trenching;

ii - pending the results of the above, a targeted open-area excavation.

2. A programme for post-investigation assessment to include:

- production of a final report on the results of the investigations and their significance.

3. Deposition of the final report with the Greater Manchester Historic Environment Record.

4. Dissemination of the results of the archaeological investigations commensurate with their significance.

5. Provision for archive deposition of the report and records of the site investigation.

In the first instance, in November 2022, a series of evaluation trenches were excavated across the site by Ecus Archaeology with the intention of establishing the survival, extent and significance of any archaeological remains, especially those deriving from the late 19th-century Bennett's Iron Foundry. This exercise demonstrated that extensive foundations of the former foundry survived intact, and that these archaeological remains were susceptible to being removed by the consented construction works, thereby warranting further archaeological investigation. An open-area excavation was therefore implemented in February 2023, targeted on the key parts of the former iron foundry, and was brought to a successful completion by Ecus in March. As such, Parts 1i and 1ii of Condition 25 have been satisfied and the fieldwork elements completed.

Parts 2, 3 and 5 of Condition 25 were fulfilled subsequently with the submission of a detailed final report on the excavation, which has now been accessioned to the Historic Environment Record as an archive copy and they understand that the project archive has been deposited appropriately. The only outstanding element of Condition 25 was Part 4, which required an appropriate level of dissemination. Following discussion with GMAAS, and stated in the final archive report, it was agreed that an article submitted for publication in *Industrial Archaeology Review* (the leading international journal for industrial archaeology) would represent an appropriate level of dissemination.

They confirm that a draft copy of the publication article has now been received , and they have reviewed this document and have discussed it with the journal's editors, who have confirmed their acceptance of the draft article and their intention to progress it to publication. Given that the article will not appear in print until late May / June 2025 (the date of the next Issue of the journal), GMAAS would be content for Condition 25 to be discharged in full at this stage as sufficient progress towards final publication has been demonstrated.

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: Approve

Article 35 Declaration

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

Condition no.25 (Archaeology)

25) The content of the Archaeological Strip , Map and Record Excavation report by Ecus received on 8th November 2024, has been reviewed in conjunction with the draft Publication Article - A PLACE TO PUT YOUR PINT. EXCAVATION OF THE BENNETT & SONS IRON FOUNDRY, ARDWICK,

MANCHESTER, and associated figures . On the basis that the draft publication referenced above is published by the end of June 2025, condition no.25 is discharged.

Appendix 1 – List of consultees & neighbours notified

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

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Flood Zones Type 2 (low to medium risk) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: NORTH AREA