

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141725/DEM/2024
Date registered valid: 11 December 2024
Proposal: Prior Approval for demolition of former industrial buildings
Address: Land Off Crabtree Lane, Manchester
Ward(s): Clayton & Openshaw Ward

Applicant: Mr Jonathan Steggles, Keepmoat Homes Limited
Agent (if any): Ms Katie Daniels, Euan Kellie Property Solutions
Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: No Objection
Date of recommendation: 8 January 2025

Application details

Type of application: Proposed demolition

Development type: Notifications

Standard consultations:

Printed: 17 December 2024

Expired: 10 January 2025

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 and surroundings

The site relates to a parcel of land approximately 4ha in area, accessed off Crabtree Lane. To the north, the site is flanked by Ashton canal. To the south the site neighbours residential dwellinghouses and to the south-east, Higher Openshaw Community School.



The site contains several vacant, brick built, dilapidated, former industrial buildings with steel roofs.

The immediate area is mixed in character, with a number of industrial premises within close proximity.

The site lies adjacent to the Ashton Canal which is Site of Biological interest and home to a number of listed locks, including locks 13 and 14 which are Grade II listed.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of development

Prior Approval is sought for the demolition of the existing, vacant industrial buildings on site to allow required ground investigation and enabling works to take place ahead of a planning application to be submitted for redevelopment of the site for residential use.

The fencing will remain intact throughout the demolition period and left thereafter.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Environmental Health –The updated Demolition Management Plan is satisfactory.

Highway Services - An updated Demolition Method Statement has been submitted. The Statement confirms that the site will be provided along the existing road to the former Connells Yard (northern boundary). This is acceptable.

A site compound area will be provided outside the main working area, within the area of the Former Connells Yard. An area of contractor parking will be provided and on-street parking managed to enable safe access for larger plant / low loaders. This is acceptable.

A banksman will be in place and control measures will be implemented during any reversing manoeuvres onsite. These measures will include planned vehicle movements to ensure vehicles do not cause traffic issues the surrounding highway network. This is acceptable.

A Dust Management Strategy has been submitted. This is acceptable to Highway.

Where there are any proposed works which impact on the highway, the applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with MCC Highways Applications and Network Resilience. Dilapidation surveys are requested.

Issues

Prior Approval for demolition applications need only be considered on the basis of the method of demolition and the condition of the site following clearance. All other matters are considered below for completeness.

The application has been screened for EIA, for which it is concluded that given the nature, scale and location of the proposal, the impacts of the development would not be significant in terms of the local environment and existing land uses.

It is maintained that the whilst the proposed development would have some impact on the immediate area, any environmental or planning issues area capable of being appropriate mitigated. Namely, through the implementation of the submitted Demolition Environmental Management Plans.

Impact and Method of Demolition

The application has been accompanied by Demolition Management Plan and supporting documents which detail the satisfactory amelioration and mitigation of any effects.

The submitted Statements detail site specific requirements, including details of site access, disconnection of services, material removal, the provision of an exclusion zone for safe working, traffic management, personal protective equipment, emergency arrangements, dust suppression/air quality, and best practice measures.

On the basis of the submitted information, it is not believed that the proposed demolition works would have any serious, detrimental environmental impact on the surroundings, including the adjoining canal and trees. The condition of the site post demolition is considered satisfactory. As such, the works are considered acceptable.

Condition of the site following clearance

Post demolition, the site area is to be cleared (e.g. any materials and debris generated will be removed). The level site will be left after the completion of the works. This is considered acceptable.

Ecology

A Bat Survey has been submitted which concludes the development carries a very low risk of injuring and/or killing bats or disturbing/destroying bat roosts. An appropriate 'informative' is provided should any bats be encountered during works.

EIA

The EIA Screening process is used to determine whether the proposed development is likely to have any significant effects on the environment. The Council as Local Planning Authority have considered the proposed demolition works against the EIA regulations and the response is outlined below. The proposal type is listed in category 10 (b) 'Urban Development Projects' of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2017.

It is indicated that consideration should be given by the Local Planning Authority to potential significant effects on the environment where: (i) The development includes more than 1 hectare of urban development which is not dwellinghouse development; or (ii) the development includes more than 150 dwellings; or (iii) the overall area of the development exceeds 5 hectares.

The wider site area subject to the works is approximately 4 hectares in size, but taking account, the area covered by the buildings proposed to be demolished, the area would not fall within the thresholds set out within the EIA regulations.

Nevertheless, it is considered good practice to assess the proposals against the EIA regulations and the criteria in Schedule 3 of the regulations. Having taken into account the criteria in Schedule 3 to the above Regulations and the level of mitigation proposed, it is considered that the proposed demolition is less than significant and would be temporary in duration. As such, the proposal would not be likely to have significant effect on the environment.

Any future application for residential redevelopment of the site will likely need to be screened in accordance with EIA regulations.

Conclusion

Provided the mitigation detailed within the submitted Demolition Management is implemented, the means of demolition and the condition of the site post demolition is considered to be acceptable

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: No Objection

The City Council is satisfied that the demolition works in this case are satisfactory and the means of demolition and condition of the site post demolition would not have a significant impact on the environment. The decision is based on the submitted documents:

- Site Location Plan;
- Covering letter prepared by Euan Kellie Property Solutions ('EKPS');
- Nocturnal Bat Survey Report (CW 20-2148) prepared by Collington Winter Environmental Ltd;
- Proposed Demolition Plan prepared by JTA

Received by the City Council as Local Planning Authority on 11 December 2024.

- Demolition Method Statement (issue 03) prepared by DB;
- Dust Management Strategy (496.01.25.DMS) prepared by DB.

Received by the City Council as Local Planning Authority on 7 January 2025.

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

INFORMATIVE 1 - Work (including building demolition and any vegetation and site clearance) should be timed to avoid the main bird nesting season (March - August inclusive) unless it can otherwise be demonstrated by a suitably qualified expert that no active bird nests are present.

The applicant needs to be aware of the legal protection that certain species receive and that this decision does not negate the need to abide by the laws that are in place to protect biodiversity. If at any time any protected species are found or are suspected of being present on the site and adversely affected by the development, work should cease immediately, and an ecologist/LPA should be contacted.

INFORMATIVE 2 - Whilst there is no evidence of bats on site, the applicant is reminded that under Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

INFORMATIVE 3 - Where there are any proposed works which impact on the highway, the applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with MCC Highways Applications and Network Resilience section.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Ecology Unit

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Site of Biological Interest - Name: Ashton Canal (West)
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA