

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/0953

Date registered valid: 8 October 2024

Proposal: Discharge of conditions 3 (internal and external fabric), 4 (external equipment colour), 5 (CCTV spec.) 7 (landscaping) and 13 (habitats) attached to planning permission referenced 135354/VO/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: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation:

Date of recommendation:

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: 17 October 2024



Fig.1 – Displayed site notices

Standard consultations:

Printed: 16 October 2024 Expired: 6 November 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: Grade II*

Conservation area: No

Tree Preservation Order: No

Consultations & Notification Responses

Design and Conservation Officer – The following comments have been received:

Condition 3 (internal and external fabric) attached to (CDN/24/0953 and CDN/24/0954)

- i. Further information is required on the existing 2 no. lintels proposed for replacement (i.e. photographs). Where lintel is timber, it should be replaced with timber on a like-for-like basis. A standard concrete lintel would not be supported to the Grade II* listed asset. M01 detail illustrated on drawing no. 16076-05 A should be revised accordingly.
- ii. Further photographic evidence is required in support of the proposed scope of the timber repairs, as set out in the Schedule of Works. The details of the structural interventions as provided on drawing no. 16076-03 A are acceptable, and the works should be undertaken on that basis.
- iii. Whilst Helibar reinforcement to brickwork is supported, the use of resin / cementitious grout must be avoided, with any pointing//additional repairs undertaken in lime-based mortar to match. This is key due to the very porous construction of the Grade II* listed asset.
- iv. The indicative specification of the mortar is acceptable. Further specification of new plaster needs to be provided. Samples of cleaning, pointing, plaster, brickwork, stonework and roof finish (if any) need to be viewed and agreed by the LPA prior to the commencement of these works, and as part of this condition.

Condition 4 (external equipment colour) attached to CDN/24/0953 and CDN/24/0954

- i. Please confirm the proposed colour/finish of the proposed equipment. This should sit discretely in its context, with RAL finish to achieve this.

Condition 5 (CCTV specifications) attached to CDN/24/0953 and CDN/24/0954

- i. Please confirm product specification for horn speaker. A more discrete radar detector to Axis D2110-VE should be explored.

Condition 7 (landscaping) attached to CDN/24/0953

- i. Whilst the landscaping appears acceptable on heritage grounds, in order to reduce the risk of anti-social behaviour and unauthorised entry onto the site, it is recommended that additional defensive planting is considered to the edges of the site.

Historic England – No objection to the specified conditions.

GMEU Ecology Unit – The following comments have been received:

Condition 7 – Landscape Proposals – The principal ecological consideration relates to the loss of mature trees to facilitate the new security fencing. Mitigation in the form of native tree planting has been proposed. These measures are considered to be acceptable and there is no objection to the discharge of condition 7.

Condition 13 – Protected Species License - Evidence that a license to disturb protected species has been issued by Natural England has provided. No objection to the discharge of condition 13 subject to the development being implemented in accordance with the details of the issued Natural England licence Ref: 2024-001733-SPM-LIC.

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: Approved and refused

Article 35 Declaration

N/A

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

3) The discharge of condition 3 (internal and external fabric) is refused, as insufficient details have been provided in submitted documents referenced: Schedule and specification for Clayton Hall Manchester Referenced RGR/BBR/16076~ sched&spec~Rev A by Morton Partnership dated September 2024 and Scope of works: Security & Fabric Repairs Clayton Hall Referenced P0224-SCH-REP010 scope of works by BB Heritage Studios dated September 2024.

4)The discharge of condition 4 (external equipment colour) is refused as submission received on 8 October 2024 does not provide sufficient information in relation to the specification and colour treatment of external equipment.

5) The discharge of condition 5 (CCTV specification) is refused as the design and appearance of the proposed horn speaker Axis D2110-VE would have an obtrusive and incongruous relationship to the listed building. A more discrete and appropriate radar detector should be considered.

7) The discharge of condition 7 (landscaping) is refused as the drawing referenced: Landscape Proposals Plan Ref: 2407-CWS-XX-GF-DR-L-10 Rev P02 fails to incorporate satisfactory defensive planting to reduce the risk of anti-social behaviour and unauthorised entry.

13) The discharge of condition 13 (habitats) is approved on the basis that the development being implemented in accordance with the details of the issued Natural England licence Ref: 2024-001733-SPM-LIC dated 18 September 2024.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design
Greater Manchester Ecology Unit
Historic England (North West)

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 OZ - Evonik Chemicals Ltd Outer Zone
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA