

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139041/VO/2024
Date registered valid: 28 August 2024
Proposal: City Council Development for demolition of existing building
Address: Pike Fold Court, 20 French Barn Lane, Manchester, M9 2PB
Ward(s): Higher Blackley Ward

Applicant: Mr Philip Schofield, Manchester City Council
Agent (if any): Mr Philip Schofield, Manchester City Council
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: **22 October 2024**

Application details

Type of application: Regulation 3 Consent

Development type: Minor Other

Date of site visit: 18 September 2024

Standard consultations:

Printed: 4 September 2024

Expired: 25 September 2024

Neighbour notifications

Printed: 4 September 2024

Expired: 25 September 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The application site relates to Pike Fold Court 20 French Barn Lane within the north Manchester ward of Higher Blackley. The application site relates to the French Barn Lane Family Centre, a family service ran by Manchester City Council. The building consists of a red brick, 'U' shaped, two storey building with an internal courtyard with grey roof tiles. The building sits on the eastern side of French Barn Lane and is bounded by a low timber fence and a double gate. The site consists of hard and soft landscaping with high dense trees against the highway boundary.

Description of area

The application site is largely residential in nature, with French Barn Lane Allotments to the north east of the site and dense forestry to the far west of the site.

Description of development

The application seeks consent for City Council Development for demolition of existing building.

A demolition management statement was provided for the proposal.

The existing gates will be locked and the existing fencing will remain after the demolition.

Site Surface on Completion / Grading Oversight –To grade the site to follow the levels of the adjacent areas. Include for laying minimum 150mm thick, Class 6F2 crushed brick / concrete

recycled granular material 75mm to dust. To be laid and compacted in accordance with Highways Agency Specification for highways works, unless otherwise specified.

Negotiations during the Course of the Application

During the course of the application, the agent provided further information in relation to a justification of why the building should be demolished. The agent confirmed the dense trees and greenery at the front and surrounding the site would not be affected as a result of the demolition. The agent confirmed the boundary treatment as existing would remain at the site as a result of the demolition.

Planning History

F01789/LA- Land adjoining - 18 French Barn Lane, Blackley- Erection of a 2-storey building on vacant land to form a Hostel for mentally handicapped adults with 2 garages plus visitors parking spaces.
Approved 08.01.1975.

Consultations & Notification Responses

Local Residents

Local residents were consulted and two responses were received- one neutral comment and one objection. The following comments were raised:

- Neighbours questioned if the trees in front of the building sited along French Barn Lane would be removed as a result of the proposal, and if there would be any possibility to trim down the existing trees. Concern was raised that if the trees were to be removed, it could give rise to negative drainage and ecology issues, to the detriment of the immediate area.
- Concern raised with high levels of noise, vibration and disruption with the demolition of the building.
- Concern traffic implications will arise if the land is to be re-developed for residential accommodation.

Highway Services

Highways Services were consulted on the application and provided the following response: A Demolition Method Statement has been provided as part of the submission.

Site access/egress will be from the access point off French Barn Lane. Highways recommend that a banksman is present for vehicle manoeuvres.

It is noted that a site welfare area will be set up adjacent to the existing building. This will consist of an office unit, canteen, generator and toilet (male&female). It would be useful if the site welfare area is shown on a site plan.

An appropriate waste management plan should be in place. Further information is required from the applicant on how waste will be managed for the site.

Clarification is sought regarding the following:

- o The number of vehicles expected per day, including size of vehicle;
- o Swept path to show that the largest expected vehicle can enter and exit the site in a forward gear;
- o A dilapidation survey of nearby highway to ensure highway repaired if damaged;

- o Confirmation via a site plan to show that all contractor parking can be accommodated on site, highlighting the waste storage areas, and loading/unloading areas; and
- o Traffic Management Plan.

Due to the proximity to school(s) nearby to the site, it is strongly recommended that vehicular movements are restricted to outside school pick up and drop off times e.g. no movements between 8am-9am and 3pm-4pm.

A temporary site hoarding 2.4m high is to be erected to enclose the demolition site and will incorporate pedestrian and vehicle access gates. Highways recommends that the access gates open inward away from the highway.

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements, including Section 50, will need discussion and agreement with MCC Highways Network teams via Contact Manchester (Tel. 0161 234 5004) Email -highwaylicences@manchester.gov.uk and highwaynetworkmanagement@manchester.gov.uk

Environmental Health

Environmental Health were consulted and provided the following response:
Regarding the above demolition application, we can confirm that the outline proposals contained within the submitted Demolition Method Statement are acceptable - you may wish to condition these via the standard CEMP condition.

Greater Manchester Ecology Unit

Greater Manchester Ecology Unit were consulted and provided the following response:

Bats

Two dusk emergence surveys were undertaken on the building on 19th June 2024 and 9th July 2024 respectively. No bats were seen to emerge from the building during the survey and only a low number of common pipistrelles were recorded foraging in the locality. No further surveys are therefore considered necessary at this time and work can proceed with a low risk to roosting bats.

Notwithstanding the above, bats are mobile in their habits and can be found in the most unlikely places. We would therefore recommend that demolition contractors are reminded of their legal responsibilities in relation to bats and if bats are found or suspected at any time during the works, works should cease immediately and advice sought from a suitably qualified bat worker.

Any future development at the site should also include biodiversity enhancement for bats in the form of integral bat boxes/slates.

Issues

POLICY

The National Planning Policy Framework (NPPF) (December 2023)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): a) an economic objective, b) a social, and c) an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8. Promoting healthy and safe communities

Chapter 12. Achieving well-designed and beautiful places

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management)

Policy SP1 (Spatial Principles)

Policy EN15 (Biodiversity and Geological Conservation)

Policy EN 16 (Air Quality)

Policy EN18 (Contaminated Land and Ground Stability)

Policy EN19 (Waste)

Policy T1 (Sustainable Transport).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC26.1 states 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.

DC26.2 states 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.

DC26.4 states where the council believes that an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, it will in either case require the applicant to provide an assessment of the likely impact and of the measures he proposes to deal satisfactorily with it. Such measures might include the following

- a) engineering solutions, including reduction of noise at source, improving sound insulation of

sensitive buildings or screening by purpose-built barriers

b) layout solutions, including consideration of the distance between the source of the noise and the buildings or land affected by it and screening by natural barriers or other buildings or noncritical rooms within a building; and

c) administrative steps, including limiting the operating times of the noise source, restricting activities allowed on the site or specifying an acceptable noise limit.

Any or all these factors will be considered appropriate for inclusion in conditions on any planning permission

DC26.5 states the council will control noise levels by requiring, where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

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 full weight in the planning balance.

The following policies are relevant:

JP- S1- Sustainable development

JP- S2 – Carbon and energy

JP- S6- Clean Air

JP-P1 – Sustainable Places

ISSUES

Principle of Development

The application seeks permission for City Council Development for demolition of existing building. Via email on 1 October 2024, the agent justified the reasoning for the building's demolition:

"The building is end of life with multiple failures of vital building elements i.e. heating system/roof.

The backlog maintenance is costed at above £1m which The Council does not want to spend.

An alternative facility has attained planning permission ref 137593/VO/2023 and works are currently underway. This will be a far more suitable facility and has utilised an alternative vacant building which was at risk of demolition this will be in a fully refurbished condition, and all employees are being relocated there.

The demolition will prevent anti-social behaviour once the building is vacant, and prevent complaints from nearby residents.

The site will be a cleared site pending redevelopment at a later date subject to planning permission".

Given the existing facility can be re-located and given the developer, Manchester City Council, is not in a position to support further financial investment, in this instance, the principle of the proposed demolition is considered acceptable. Notwithstanding this, consideration must be given to the environmental impact of the demolition work, highway safety, ecological impacts and residential amenity.

Impact of Demolition Works

A demolition management statement was submitted as part of the application and provided an outline of how the building will be demolished. Many of the works on site will be subject to sub-contractor RAMS and Task Sheets which will be developed, reviewed and amended as appropriate during the works.

The scope of work was outlined which includes site set up, asbestos removal, demolition, crushing and backfilling, site clearance and de-mobilisation.

On balance, it is felt that the impact will be temporary, of a localised nature and not give rise to any significant effects on the environment. All potential effects can be satisfactorily considered as part of the planning application for demolition process. It is considered that this proposal would not have any significant environmental impact.

Notwithstanding the above, given the concerns of Environmental Health, a condition requiring submission of a Demolition Management Plan is suggested in this instance, and would be attached to any approval granted. As such, the proposal is considered acceptable to safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

Highway Safety

Highway Services reviewed the submitted demolition management statement. During the course of the application, Highways requested further information to understand the impact of the highway and associated activity of the demolition process.

However, the agent requested the information to be conditioned as they were not in a position to supply the information during the limited determination period.

A pre commencement condition for a demolition management plan was sent to the agent for review on 7 October 2024 and was agreed by the agent on the same day.

An informative advising the applicant of any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements would also be attached to any approval granted.

Given the inclusion of a demolition management plan condition within any approval granted, it is not considered that the demolition works would have a detrimental impact upon the current levels of pedestrian and highway safety enjoyed within the vicinity of the site. As such, the proposal is considered pursuant to policy T1 and DM1 within the Core Strategy.

Ecological Implications

The Greater Manchester Ecology Unit were consulted on the application and reviewed the two bat surveys submitted for the demolition of the building. No bats were seen to emerge from the building during the survey and only a low number of common pipistrelles were recorded foraging in the locality. The Unit confirmed no further surveys are therefore considered necessary at the time and work can proceed with a low risk to roosting bats.

The Unit requested a condition be placed on any approval granted reminding the developer of the legal responsibility in relation to bats and this condition would be attached to any approval granted. With the inclusion of the condition, the demolition is considered to comply with the protection of bats and in order to comply with the Habitats Directive and pursuant to Core Strategy Policy EN15.

A neighbour comment expressing a concern to the potential loss of the dense trees and hedging bounding the site with French Barn Lane was received during the course of the application. However, the agent via email on 1 October 2024 confirmed no trees would be removed as part of the demolition and so the soft landscaping at the site offering aesthetic, environmental and drainage benefits would not be impacted as a result of the proposal.

Impact on Residential Amenity

The nearest residential accommodation to be impacted by the demolition would be properties directly south of the applicant site and the new build properties to the west of French Barn Lane. Concerns were raised during the course of the application with the high levels of noise, vibration and disruption with the demolition of the building. However, given the nature of works would be temporary and measures to safeguard the amenities of nearby residents would be conditioned with the submission of a demolition management plan, the harm to the neighbouring properties is not considered significant to warrant a refusal on the scheme.

A comment was raised in regard to concerns that traffic implications would arise if the land is to be re-developed for residential accommodation. However, in the event of any future planning application, highway issues would be fully assessed and cannot be controlled within the current demolition application.

As such, the demolition is not considered to give rise to adverse harm in relation to visual/residential amenity, pursuant to Policy DM1 and SP1 of the Core Strategy.

Loss of the Council Building as a Community Asset

During the site visit, the facility appeared to be well utilised and concern was raised to the agent that the proposal would result in the loss of an important community asset. Via email on 1 October 2024 the agent justified the loss of the building was acceptable given the re-location of the services at a local alternative facility which would be a 5 minute drive from the existing facility. Given the agent confirmed none of the employment opportunities at the facility would be impacted as a result of the demolition and given the current building as existing gives rise to anti-social behaviour, the demolition is considered to have a long term benefit for the local community. On this basis, the demolition is considered acceptable.

Security Implications

Given the site as existing is subject to anti-social behaviour issues, the agent was asked to confirm how the site would be secured as a result of the proposal. Via email on 21 October 2024, the agent confirmed the existing boundary treatment of the timber fence and gates along French Barn Lane would remain at the site and the gates would be locked. The agent also confirmed Lego style bricks would be placed behind the vehicular gates to deter anyone trespassing the site. This is considered acceptable and the measures would be referenced within conditions within any approval granted.

As such, the proposal is considered pursuant to provisions within the NPPF, policies DM1 and SP1 within the Core Strategy and JP-P1 within Places for Everyone.

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

In this case, officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Further information has been supplied to justify the demolition of the public sector building and confirmation that trees and boundary treatment will not be impacted as a result of the demolition. This is considered acceptable and appropriate conditions would be attached to any approval granted.

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

1) The demolition must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- Application Form, stamped as received by the City Council as Local Planning Authority on 18 January 2024.
- Design & Access Statement, stamped as received by the City Council as Local Planning Authority on 18 January 2024.
- Supporting Information- Method Statement, stamped as received by the City Council as Local Planning Authority on 18 January 2024.
- Drawing- Proposed Site Plan, numbered FBL-MCC-XX-XX-DR-B-0017, stamped as received by the City Council as Local Planning Authority on 18 January 2024.
- Ecology Report- Bat Survey (project ref. 4167), stamped as received by the City Council as Local Planning Authority on 28 August 2024.
- Drawing- Existing & Proposed Works, numbered FBL-MCC-XX-XX-DR-B-0002, stamped as received by the City Council as Local Planning Authority on 16 October 2024.
- Supporting Information- Specification of Works for Demolition, stamped as received by the City Council as Local Planning Authority on 16 October 2024.
- Correspondence- Agent confirming Boundary Treatment after Demolition, stamped as received by the City Council as Local Planning Authority on 21 October 2024.
- Correspondence- French Barn Lane Demolition Site Security, stamped as received by the City Council as Local Planning Authority on 21 October 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

3) Notwithstanding the details as shown within 'Supporting Information- Method Statement', stamped as received by the City Council as Local Planning Authority on 18 January 2024 and 'Supporting Information- Specification of Works for Demolition', stamped as received by the City Council as Local Planning Authority on 16 October 2024, prior to the commencement of development, a demolition management plan outlining working practices shall be submitted to and approved in writing by the City Council as Local Planning authority, which for the avoidance of doubt shall include as a minimum:

- Measures to control noise and vibration;
- Dust suppression measures;
- Compound locations where relevant;
- Details of an emergency contact telephone number;
- A community consultation plan and;
- Sheeting of construction vehicles.

The development shall only be carried out in accordance with the approved management plan.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

4) If during works to demolish the buildings hereby permitted any sign of the presence of bats is found, then all such works shall cease until a survey of the site has been undertaken by a suitably qualified ecologist and the results have been submitted to and approved by the Council in writing as local planning authority. Any recommendations for the protection of bats in the submitted document shall be implemented in full and maintained at all times when the building is in use as hereby permitted.

Reason - For the protection of bats and in order to comply with the Habitats Directive and pursuant to Core Strategy Policy EN15.

Informatives

1) The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements, including Section 50, will need discussion and agreement with MCC Highways Network teams via Contact Manchester (Tel. 0161 234 5004) Email -highwaylicences@manchester.gov.uk and highwaynetworkmanagement@manchester.gov.uk

2) Further information is required in relation to a demolition management plan:

- Site access/egress will be from the access point off French Barn Lane. Highways recommend that a banksman is present for vehicle manoeuvres.

- It is noted that a site welfare area will be set up adjacent to the existing building. It would be useful if the site welfare area is shown on a site plan.

- An appropriate waste management plan should be in place. Further information is required from the applicant on how waste will be managed for the site.

- Clarification is sought regarding the following: the number of vehicles expected per day, including size of vehicle; swept path to show that the largest expected vehicle can enter and exit the site in a forward gear; confirmation via a site plan to show that all contractor parking can be accommodated on site, highlighting the waste storage areas, and loading/unloading areas, and Traffic Management Plan.

- Due to the proximity to school(s) nearby to the site, it is strongly recommended that vehicular movements are restricted to outside school pick up and drop off times e.g. no movements between 8am-9am and 3pm-4pm.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Ecology Unit

35 French Barn Lane, Manchester, M9 6PB
34 Fotherby Drive, Manchester, M9 6PD
11 Fotherby Drive, Manchester, M9 6PD
57 French Barn Lane, Manchester, M9 6PB
53 French Barn Lane, Manchester, M9 6PB
65 French Barn Lane, Manchester, M9 6PB
63 French Barn Lane, Manchester, M9 6PB
61 French Barn Lane, Manchester, M9 6PB
59 French Barn Lane, Manchester, M9 6PB
55 French Barn Lane, Manchester, M9 6PB
13 Fotherby Drive, Manchester, M9 6PD
9 Fotherby Drive, Manchester, M9 6PD
7 Fotherby Drive, Manchester, M9 6PD
36 Fotherby Drive, Manchester, M9 6PD
18 French Barn Lane, Manchester, M9 6PB
16 French Barn Lane, Manchester, M9 6PB
14 French Barn Lane, Manchester, M9 6PB
12 French Barn Lane, Manchester, M9 6PB

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
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 (Middle) -
Area Team Boundary - Name: NORTH AREA