

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137908/FO/2023
Date registered valid: 15 March 2024
Proposal: Erection of single storey building to form HGV workshop (Class B2)
Address: Delta Containers (Manchester) Ltd, Preston Street, Manchester, M18 8DB
Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr A White Delta Containers (Manchester) Ltd
Agent (if any): Mr J Kendal
Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 19 June 2024

Application details

Type of application: Full Application Consent

Development type: Minor Industry

Date of site visit:

Standard consultations:

Printed: 18 March 2024 Expired: 10 April 2024

Neighbour notifications

Printed: 18 March 2024 Expired: 10 April 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:

Tree Preservation Order:

This application relates to land within a large industrial site within a long established industrial estate in Gorton. The site is operated by Delta Containers Ltd, who mainly supply industrial packaging and equipment. Due to expansion, and the need for greater efficiency, the applicants are seeking to provide a more efficient vehicle servicing and repair bay to maintain their fleet of HGV's.

In the North-West corner of the site it is proposed to erect a steel frame and UPVC cladded structure. The building would be high level with a single floor and a single large roller shutter door, to allow access for the HGV's. It would have a pitched roof with a height of 6 metres to eaves and 9.1 metres to the apex. It would have a floor area of approximately 198 square metres.

The building would be utilised during the current operating hours of the premises:

Monday to Friday - 8am to 5pm

Saturday - 8am to Noon.

Consultations & Notification Responses

Local residents/adjoining occupiers - No objections received.

Highway Services - Makes the following comments:

PARKING AND ACCESS:

It is noted in Design & Access Statement that parking is located adjacent to the site on the road. There are off-road parking areas on site local to the premises which presently uses the road for parking for staff and owner's vehicles. Information is sought on the number employees that will be at the proposed HGV workshop and whether they will park off-road or on-street?

Furthermore, as per the proposed site plan there is a vehicle parking area adjacent to the proposed development. Further information is required from the applicant on whether this is for HGVs or cars and the number of parking spaces that will be provided.

A swept path analysis is needed of an HGV demonstrating the vehicle access/egress route to the proposed workshop.

CYCLE:

Information is requested on existing cycle parking provision at the site.

REFUSE AND SERVICING:

As per the Design & Access Statement, there are existing secure bin store area on hard standing located at the main entrance of the site.

It is noted that no bin stores will be provided for the proposed development.

It is indicated on Proposed GF Floor that waste oil will sump for specialist removal at registered waste site. It should be confirmed how the waste oil will be removed.

In response, the applicant commented as follows:

There will be max 3 persons at the workshop, and parking for their vehicles will be off road in the existing parking area.

The site usage is for Company HGV service only, No private vehicles to be serviced on this site
The vehicle access/egress is existing and not a new proposal, therefore an analysis should not be required

Cycle parking is located at the site main entrance

No new waste bins will be required

Any waste oil is generally pumped out of the sump into a specialist vehicle and removed from site when required.

Highways Services responded that they understand that the vehicle access from the adopted highway is existing. However, they would require the applicant to provide a swept path analysis of an HGV demonstrating the internal vehicle access/egress route to the proposed workshop. Otherwise, the applicants responses were accepted.

The applicant provided this swept path analysis, which was considered to be acceptable by Highway Services.

Strategic Area and Citywide Support Manager - Recommends that conditions are attached, to any permission, in relation to hours as applied for, deliveries, external lighting, acoustic insulation, external equipment, refuse, air quality and contaminated land.

An informative is also proposed in relation to construction hours.

Flood Risk Management Unit - Recommend that a condition is attached, to any permission, requiring a surface water drainage scheme.

Greater Manchester Police - No objections in principle although they recommend that the building is constructed to Secured By Design standards. This has been provided as an informative.

United Utilities - Recommends that a condition is attached, to any permission, in relation to surface and foul water drainage.

The Coal Authority - No objections.

Network Rail - No comments received.

Issues

National Planning Policy Framework (December 2023) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
- b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. paragraph 126).

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy EC5 relates to employment in East Manchester and states that the area is expected to provide approximately 80-85ha of employment land.

The policy states that the Council will promote development which: ensures major employment opportunities are connected via non-car modes to residential neighbourhoods within East Manchester and North Manchester, these include the City Centre, Central Park, Eastlands and railway stations in the City Centre; takes advantage of key transport infrastructure such as the arterial roads (Oldham Road, Ashton New Road, Ashton Old Road and Hyde Road) and public transport networks, such as bus routes and the proposed extension to Metrolink including two new lines and new stops; creates links to the Rochdale and Ashton Canals and links to the open space network including the Rochdale and Ashton Canals and the Medlock Valley, providing opportunities for walking and cycling to economic development opportunities; has regard to listed buildings and conservation areas including Ancoats and the industrial heritage of the area.

Policy EN1 relates to design principles and strategic character areas and states that all development in Manchester will be expected to follow the seven principles of urban design listed below:

- Character: a place with its own identity
- Continuity and enclosure: a place where public and private places are clearly distinguished
- Quality of the public realm: a place with attractive, and successful outdoor areas

- Ease of movement: a place that is easy to get to and move through
- Legibility: a place that has a clear image and is easy to understand
- Adaptability: a place that can change easily
- Diversity: a place with variety and choice

Policy EN19 relates to waste and states that the Council will require all developers to submit a waste management plan to demonstrate how both construction and demolition waste will be minimised and recycled on site wherever possible and how the sustainable waste management needs of the end user will be met.

Policy T2 states that outside the City Centre all new development should provide appropriate car parking facilities, taking account of the guidance in Appendix B (of the Core Strategy). In all parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B (this indicates maximum car parking standards for various uses).

Notwithstanding the above, Policy T2 requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking that may be required. Policy T2 requires the provision of proportionate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed

guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is unallocated in the plan.

Saved policy DC26.1 states that 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.

The 'Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022 to 2039' was adopted on 21 March 2024.

Policy JP-S1 relates to Sustainable Development and states that, to help tackle climate change, development should aim to maximise its economic, social and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives.

Principle of development - The building is proposed on an open piece of land on a large industrial site. The building is needed to allow for maintenance and repairs of vehicles associated with the existing operation only. It is therefore considered to be a development that is compatible with the overall site use/operations.

Design/Visual impact - The site sits between two railway lines with tall dense tree planting on two sides. The proposed building is of typical industrial appearance and will be seen from within the site only, against the backdrop of the trees. Its visual impact would therefore be minimal.

Residential amenity - The site is separated, from the nearest residential properties, by a railway line and a dense tree planted area approximately 50 metres wide. In addition, the building would only be operational during the standard daytime hours of the existing site. Any impact upon residential amenity is therefore considered to be minimal and proposed conditions relating to acoustic insulation are not considered to be appropriate.

Highways Issues - The proposed building would be in the corner of quite a vast site, which already has numerous HGV movements, due to the existing operation. HGV's are already repaired/maintained on site, so the proposal represents the creation of a definitive area, for such repairs/maintenance, rather than leading to any additional activity on site. Nevertheless a swept path analysis has been provided which demonstrates how HGV's can access the unit.

The applicant has confirmed that the building is for the use of the applicants only, with no change to existing access, cycle parking or refuse arrangements, with waste oil removed from site by a specialist vehicle when required. Also, adjacent to the proposed building there is sufficient open space for any vehicular turning, to access the building. Conditions are proposed in relation to refuse, contaminated land and air quality, and given the insignificant change, to the operation of the site and associated vehicular movements, no further highways conditions are considered necessary.

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

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. In particular negotiations were held to ensure that HGV's can adequately access the proposed unit. The applicant has also been advised of pre-commencement conditions.

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

1) The development 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:

Drawings numbered JK/2132_011, JK/2132_012 and JK/2132_013 and the Mining Risk Assessment document, stamped as received by the City Council, as Local Planning Authority, on 22 August 2023.

Drawing numbered JK/2132_010, the Design and Access Statement and the Waste Management Strategy, stamped as received by the City Council, as Local Planning Authority, on 1 September 2023.

Email from John Kendall, dated 22 April 2024, indicating access and highways related matters on site.

Drawing numbered 3751-01-ATR01, stamped as received by the City Council, as Local Planning Authority, on 23 May 2024.

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

3) Notwithstanding any materials referenced within the application submission, prior to the erection of the above ground structure, samples and specifications of all materials to be used on all external elevations of the development should be submitted to and approved in writing by the City Council as local planning authority. The development shall then be constructed in accordance with the approved details.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1, EN1 and DM1 of the Manchester Core Strategy.

4) The premises shall only operate during the following hours:

Monday to Friday - 8am to 5pm

Saturday - 8am to Noon.

Sundays and Bank Holidays - No working

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan for the City of Manchester

5) Deliveries, servicing and / or waste collections shall be undertaken outside the hours of:

Monday to Saturday - 7.30 am to 8.00 pm;

Sunday and Bank Holidays - No deliveries, servicing and / or waste collections

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

6) Development shall not begin until a surface water drainage layout for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. In addition, the following information needs to be provided;

- Details of the outfall south of the development, with confirmation that there is an existing outfall to the ditch south of the development.

- Condition survey evidence of existing network to support viability of drainage proposal.

The development shall be constructed and completed in accordance with the approved details and details provided of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Manchester Core Strategy.

7) a) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policies DM1, EN19 and SP1 of the Manchester Core Strategy.

8) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

9) a) Prior to commencement of the development, an air quality impact assessment together with any mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason: In the interests of the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant to policies SP1, EN16 and DM1 of the Manchester Core Strategy and Greater Manchester Air Quality action plan 2016.

10) a) Before the use hereby approved commences any external lighting shall be designed and installed in accordance with a scheme approved in writing by the City Council as local planning authority so as to control glare and overspill onto nearby residential properties.

b) Prior to occupation of the development a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the criteria.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policies SP1, EN16 and DM1 of the Manchester Core Strategy.

Informatives

1) Construction/demolition works shall be confined to the following hours:

Monday - Friday: 7.30am - 6pm
Saturday: 8.30am - 2pm
Sunday/Bank holidays: No work

2) The building should be constructed to Secured By Design standards.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
United Utilities Water PLC
The Coal Authority
Network Rail

MAC Processing Ltd, Unit 2, Excel Centre, Preston Street, Manchester, M18 8DB
BAG MAGIC UK LTD, Unit 1A, Excel Centre, Preston Street, Manchester, M18 8DB
Unit 4, Excel Centre, Preston Street, Manchester, M18 8DB
AST EXPRESS LIMITED, Unit 3, Excel Centre, Preston Street, Manchester, M18 8DB
Unit 4C, Excel Centre, Preston Street, Manchester, M18 8DB
Unit 4B, Excel Centre, Preston Street, Manchester, M18 8DB
Unit 4A, Excel Centre, Preston Street, Manchester, M18 8DB
Unit 1C, Excel Centre, Preston Street, Manchester, M18 8DB
Unit 1B, Excel Centre, Preston Street, Manchester, M18 8DB
Universal Pallet Services Ltd, Preston Street, Manchester, M18 8DB

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA