

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139984/FO/2024

Date registered valid: 21 May 2024

Proposal: Creation of compound including the siting of 7 number storage containers and installation of 1.8m high fencing and access gates for a temporary period of 5 years

Address: Manchester Telephone Engineering Site, Crossley Street, Manchester, M18 8BA

Ward(s): Gorton & Abbey Hey Ward

Applicant: Gareth Smyth, British Telecom PLC

Agent (if any): Mr Gareth Smyth, CBRE

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 16 July 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Standard consultations:

Printed: 30 May 2024 Expired: 20 June 2024

Neighbour notifications

Printed: 25 June 2024 Expired: 5 July 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: Not applicable

Tree Preservation Order: Not applicable

This application, for temporary planning permission, relates to the grounds of a large telephone engineering site, located in a mostly residential area of East Manchester. The most recent planning permission, granted on the site, is as follows:

122913/FO/2019 - Proposed erection of a detached single storey building within existing car park to provide vehicle repair centre to existing BT Fleet - Approved 6 December 2019

This repair centre, and associated parking, largely covered the site, that is subject of this application, and the applicant indicates that this part of the site is no longer used for vehicle repairs.

Within this part of the site it is proposed to create a secure storage compound which will house 7 storage containers, each measuring approximately 6 metres long x 2.4 metres wide x 2.5 metres high. It is proposed that the containers would be used to store equipment and materials in support of the local telecoms infrastructure network, such as excavations, tools, ducting, fibre cable and man hole covers. In addition, the proposal includes the installation of a 1.8 metre high galvanised palisade fence and access gates, around 3 sides of the site, with the existing 2.4 metre high Crossley Street, main site boundary, palisade fence forming the western boundary of the site.

The site, as a whole, currently has 120 car parking spaces and it is indicated that 60 spaces would be lost, in order to provide the compound, with 60 remaining on site.

It is indicated that the compound would operate on Mondays to Fridays, from 7am to 3pm and consent is sought for a temporary period of 5 years.

Consultations & Notification Responses

Local residents/adjoining occupiers - One objection has been received, from a local resident, for the following reasons:

- This will increase traffic to the site especially early in the morning in a residential area. It will also increase noise pollution from both the traffic to and from the site and as these are metal containers, during the operation of the storage containers.
- This is directly opposite private houses and is not suitable for areas where small children live. It will also create an eyesore and depreciate the aesthetics of the site which is overlooked by private housing.

Highway Services - Makes the following comments:

The proposed secure compound, containing 7no. 6m storage containers, is to be located at the former front car park of the Manchester Telephone exchange site. It is noted that the former car park area for the site is no longer used for motor repair site.

The site has 120no. existing car parking spaces and 60no. car parking spaces is to be retained. However, there will be a loss of 60 vehicle parking spaces due to the proposed development.

The applicant should confirm that the car parking spaces, to be lost, are no longer required by the Manchester Telephone Exchange site.

There is a proposed 1.8m high Palisade fencing around the perimeter of the compound with a 4.2m wide entrance and exit gate. The applicant should provide a vehicle swept path analysis demonstrating access/egress in a forward gear at the proposed compound.

Strategic Area and Citywide Support Manager - No objections and no proposed conditions are recommended.

Greater Manchester Police - 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 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 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 Development Control policy DC26, of the Unitary Development Plan, relates to development and noise and 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 Plan is a Joint Development Plan Document - Provides a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester.

The Places for Everyone Plan is adopted and forms part of Manchester's development plan. Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications.

The Plan and its policies must therefore be given significant weight in the planning balance. The following policy is relevant:

JPS1 - Sustainable development

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance was formally adopted in April 2007. This guidance aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places, that is character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability.

The guidance advises that high quality design is a vital attribute of successful neighbourhoods, the design of streets should promote neighbourliness and design should respect and be informed by location. Also, it requires that the design of new development incorporates a cohesive relationship with the street scene, aids natural surveillance through the demarcation of public and private spaces and the retention of strong building lines and appropriate elevational detailing and strong design particularly to corner plots.

Principle of works - The government has set a target to connect a minimum of 85% of premises to gigabit-capable coverage by 2025 with further provision beyond then. In order to achieve this, the applicant states that small depots are seen to be both sustainable and effective in meeting the needs of the roll out. The proposed compound is within the grounds of the existing Telephone Engineering site, and is for a temporary period only and is considered to be an acceptable complimentary use of the site.

Appearance - The proposed compound site lies adjacent to the Crossley Street boundary of the site, with residential properties on the opposite side of Crossley Street. This part of the site was formerly used as a vehicle repair centre with a detached building and associated parking. Currently the site houses some containers, with the remainder of the site used as car parking. The boundary treatment, along Crossley Street, is 2.4 metre high palisade fencing, so the cabins would be seen behind this and they are only marginally higher, at approximately 2.5 metres. Also, at 1.8 metres high, the proposed fence would be lower than the existing boundary fence. There will be views of the compound, from between the boundary fence panels/rails, but views of the compound would be largely obscured and, where it is seen, this would be against the backdrop of an existing industrial complex. Generally it is therefore considered that the proposed compound would have a minimal visual impact upon the locality.

Car parking - The proposed development would lead to the loss of 60 car parking spaces on site, due to the reduction, of car parking on site, from 120 spaces to 60 spaces. Highways Services are not satisfied, from the information provided, that the existing operation can accommodate such a loss in parking provision. Further information on this, providing justification for this loss, was requested, from the applicant, but this was not provided. Highways Services also requested a vehicle swept path analysis, demonstrating access/egress in a forward gear at the proposed compound, but this was also not provided. It cannot therefore be determined that the level of car parking proposed would be sufficient to meet the needs of the development, and that the proposed development would not lead to potential increases in on -

street parking demand, to the detriment of local residents. In addition the applicant has not demonstrated that vehicles can safely access/egress the compound area, and it cannot therefore be determined that the proposal would not lead to adverse highway safety implications. For these reasons the application cannot be supported.

Residential amenity - The site would operate from 7am to 3pm on Mondays to Fridays. The former vehicle repair centre was allowed to operate from 9am to 5pm, Mondays to Fridays, which amounts to the same number of hours per week, although the proposed use would begin earlier in the morning. There are no restrictions, however, on the main use of the site and Environmental Health consider these hours to be acceptable. There is the potential for increases in comings and goings at the site, but this is already a commercial complex with movements by commercial vehicles that operate throughout the day. It is not therefore considered that the proposed changes would significantly operate how the site operates and it is not considered that this aspect, of the proposal, would impact upon residential amenity, although there may be the potential for nuisance by increased on-street parking, as referenced in the above paragraph.

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: Refuse

Article 35 Declaration

Officers have attempted to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant, on multiple occasions, during the course of the planning application, but the applicant did not provide the required

information to satisfy officers concerns. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

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

1) The proposed development is not supported by justification for the significant loss of car parking spaces proposed, which creates the potential for the exacerbation of existing on-street parking, highway difficulties and traffic congestion in the area, to the detriment of pedestrian and highway safety and the amenity of local residents. The proposal would thereby be contrary to policies SP1, T2 and DM1 of the Manchester Core Strategy.

2) It has not been demonstrated that vehicles can safely access/egress the site and safely manoeuvre within the site, which would result in the potential for conflict and collision for vehicles manoeuvring within the site and attempting to access and egress the proposed compound area. The proposal therefore has the potential to introduce additional and unacceptable traffic hazards within the site and its surroundings and would thereby be contrary to policies SP1, T2 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Vehicle Repair Workshop, Crossley Street, Manchester, M18 8BA

91 Gorton Lane, Manchester, M12 5WF
93 Gorton Lane, Manchester, M12 5WF
95 Gorton Lane, Manchester, M12 5WF
97 Gorton Lane, Manchester, M12 5WF
99 Gorton Lane, Manchester, M12 5WF
101 Gorton Lane, Manchester, M12 5WF
103 Gorton Lane, Manchester, M12 5WF
105 Gorton Lane, Manchester, M12 5WF
107 Gorton Lane, Manchester, M12 5WF
109 Gorton Lane, Manchester, M12 5WF
111 Gorton Lane, Manchester, M12 5WF
113 Gorton Lane, Manchester, M12 5WF
115 Gorton Lane, Manchester, M12 5WF
117 Gorton Lane, Manchester, M12 5WF
119 Gorton Lane, Manchester, M12 5WF
121 Gorton Lane, Manchester, M12 5WF
123 Gorton Lane, Manchester, M12 5WF
30 Crossley Street, Manchester, M18 8BA
32 Crossley Street, Manchester, M18 8BA
28 Crossley Street, Manchester, M18 8BA
26 Crossley Street, Manchester, M18 8BA
34 Crossley Street, Manchester, M18 8BA
22 Crossley Street, Manchester, M18 8BA
24 Crossley Street, Manchester, M18 8BA
14 Crossley Street, Manchester, M18 8BA
20 Crossley Street, Manchester, M18 8BA
18 Crossley Street, Manchester, M18 8BA
16 Crossley Street, Manchester, M18 8BA
36 Crossley Street, Manchester, M18 8BA

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 Zone - All Exceeding 90M

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 (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH AREA