

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138323/FO/2023
Date registered valid: 9 November 2023
Proposal: Change of use of car parking area to Storage and Distribution use (B8 use)
Address: New Acre House, Shentonfield Road, Manchester, M22 4RW
Ward(s): Sharston Ward

Applicant: Mr Matthew Bennett, EDAM Group
Agent (if any):
Case officer: David Lawless
Tel: 0161 234 4543
Email: david.lawless@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 13 June 2024



Application details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit: 22 November 2023

Standard consultations:

Printed: 14 November 2023

Expired: 5 December 2023

Neighbour notifications

Printed: 14 November 2023

Expired: 5 December 2023

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/area

This application relates to the car park (●) to the west of the EDAM Group office building (▲). To the west of the site there is a yard used for the storage of materials and plant associated with a groundworks and landscaping business (● Redburn Groundworks and Landscaping Ltd). Redburn also occupy some of the office space within the EDAM Group office building. To the north of the site there is a large car park (■) associated with the EDAM Group operation.

The site is located within the Sharston Industrial Estate.



Listed building: No
Conservation area: No
Tree Preservation Order: No

Description of development

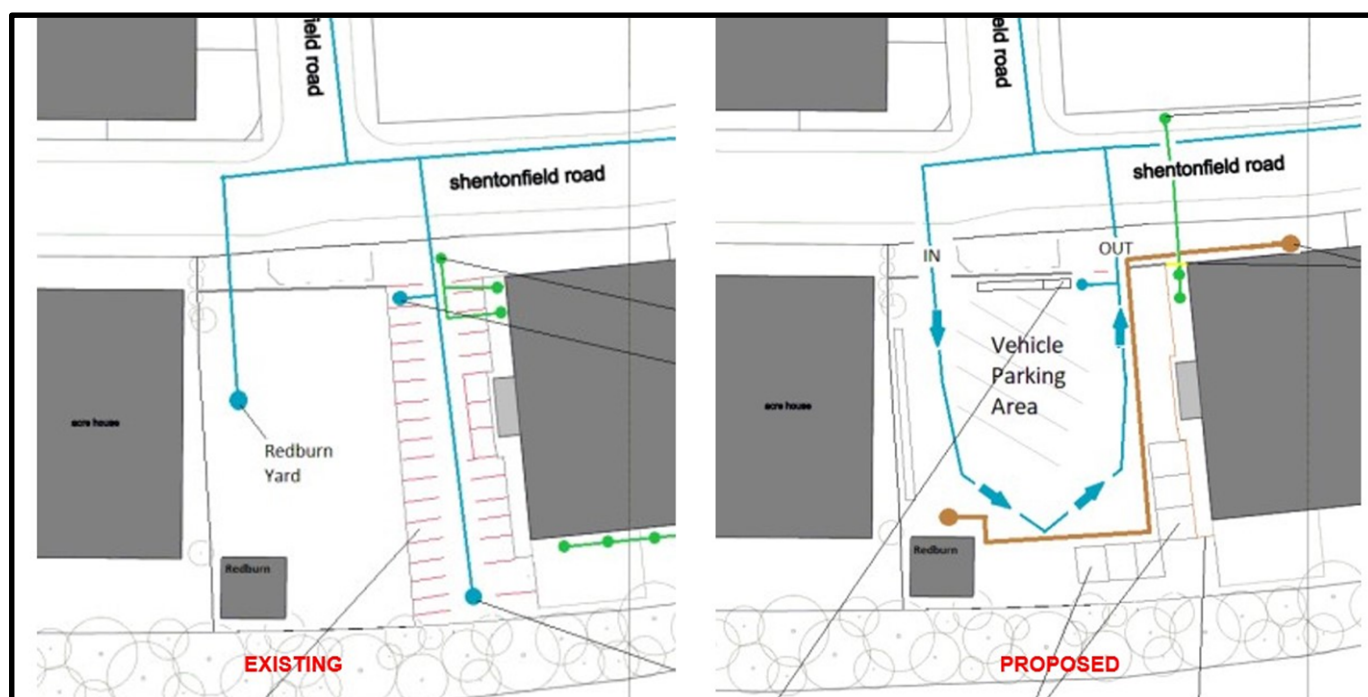
The applicants are proposing to change the use of the car park to one of storage and distribution (Class B8), in order to extend the operations of the adjoining groundworks and landscaping company. The proposal will

- Create a “one way” traffic management system to remove the need for vehicles to reverse and complete three-point turn manoeuvres to leave the yard.
- Relocate egress away from the junction of Shentonfield Road and Carrsfield Road.
- Facilitate additional night-time parking spaces for Redburn’s company vehicles.

In addition to the above, the following will be stored on the site:

- Sand
- Gravel
- Type 1 Limestone
- Type 6F2 recycled stone
- Precast concrete products

The existing and proposed layouts are shown below:



Consultations & Notification Responses

Local Residents and/or Businesses – No comments received.

Environmental Health – No objections to the proposal.

Highway Services – Highway Services have made the following comments:

- The applicant has confirmed that there will be no increase in staff numbers and use of the existing access points will be retained so no highways works will be necessary. The updated swept-path assessments are acceptable and so is the updated circulation strategy.
- The applicant has confirmed that a total of 265no. car parking spaces are made available to cater for fleet cars, visitors and staff with a total demand of 170no. spaces. Highways are therefore satisfied that ample car parking provision is provided for operations and the proposals would not give rise to issues associated with any parking displacement.

Policies

The National Planning Policy Framework (December 2023) – The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The Places for Everyone Plan – This plan was adopted on 21 March 2024, as such 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 significant weight in the planning balance. The relevant policy is set out below:

Policy JP-Strat9 (Southern Areas) – This policy states that the economic competitiveness, distinctive local neighbourhood character and environmental attractiveness of the southern areas will be protected and enhanced. There will be a strong emphasis on making as much use as possible of suitable previously developed (brownfield) land and promoting the roles of the areas' town centres and its other key assets.

Core Strategy Development Plan Document – 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. Relevant policies in the Core Strategy are detailed below

Policy SP1, *Spatial Principles*, - 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 and protect and enhance the built and natural environment.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of specific issues, of which the following are of most relevance 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, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Community safety and crime prevention.
- Design for health.
- 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.

Issues

Principle of the Proposal – There is no objection in principle to Redburn Groundworks and Landscaping Ltd wishing to extend their operational yard into the adjoining car park, particularly given that it will allow for the creation of a safer one-way in and out arrangement for delivery vehicle and vehicles associated with their business.

Notwithstanding this, any impact on existing levels of pedestrian and highway safety must be assessed, as well as any impact upon existing levels of visual amenity.

Pedestrian and Highway Safety – The applicant has demonstrated that the loss of the parking facilities will not impact on the operation of the EDAM Group or lead to increased instances of on-street parking, particularly given the size of the car park on the opposite side of Shentonfield Road which is utilised and in the ownership of the EDAM Group. As such it is not considered that the proposal will lead to an increase in the instances of on-street parking.

Redburn receive approximately 160 tonnes of “bulk” aggregates per week which equates to 8 deliveries. They also receive up to 12 deliveries of plant and consumables making a total of 20 bulk deliveries per week. As it is not intended that the proposed change of use will significantly increase the quantity of materials and deliveries being currently received, it is not considered that traffic movements associated with the Redburn operation would have a detrimental impact upon highway safety.

Overall, it is not considered that the proposal would have a detrimental impact upon the levels of pedestrian and highway safety enjoyed within the vicinity of the site.

Visual Amenity – Given the nature of the proposed use and those adjoining it, it is not considered that the development would have a detrimental impact upon the levels of visual amenity enjoyed within the vicinity of the site.

Refuse Storage – A condition requiring the submission of elevational details of the proposed bin store, as well as a waste management strategy, is suggested in this instance.

Boundary Fencing – The existing boundary fencing, as shown below, is to be retained.



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 in a positive and proactive manner based on seeking solutions to issues arising from the consideration of this application.

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:

- a) Existing Site Layout, received on 9 November 2023
- b) Location Plan, received on 9 November 2023
- c) Location Plan, received on 13 October 2023
- d) Site Plan, received on 13 October 2023
- e) Proposed Site Layout, received on 9 November 2023
- f) Supporting Drawings and Statement, received on 22 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) Prior to the commencement of the use hereby approved, a scheme for the storage (including segregated waste recycling) and disposal of refuse, including elevational drawings of the proposed enclosure, shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the development is in operation.

Reason - In the interests of residential amenity, pursuant to policy DM1 in the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Strategic Development Team
South Neighbourhood Team

The Linen Group, Shentonfield Road, Manchester, M22 4RW
International Transformers, Longley Lane, Manchester, M22 4RU
Crompton Parkinson Ltd, Longley Lane, Manchester, M22 4HT
EUROTRADE W LTD, Shentonfield Road, Manchester, M22 4RW
Delta Point, Leestone Road, Manchester, M22 4SA
10 Shentonfield Road, Manchester, M22 4RW
Acre House, Shentonfield Road, Manchester, M22 4RW

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Article 4 Direction - Wythenshawe PD Restriction - Class B1(c) To C3
Article 4 Direction - Wythenshawe PD Restriction - Class B1(a) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 45M
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA