MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/24/0116
Date registered valid:	19 February 2024
Proposal:	Discharge of Conditions 8 (Cycle Shelter Details), 13 (Secure by Design), 21 (Biodiversity Enhancement), 31 (Fence Details) and 33 (Roof Access Stairs) attached to planning permission 137572/JO/2023
Address:	Hammerstone Road Depot, Hammerstone Road, Manchester, M18 8EQ
Ward(s):	Gorton & Abbey Hey Ward
Applicant:	Anna Lucas Manchester City Council
Agent (if any):	Mr Andrew Thompson Fletcher-Rae
Case officer:	Sue Wills Tel: 0161 234 4524 Email: sue.wills@manchester.gov.uk
Recommendation:	Split decision
Date of recommendation:	19 April 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:
Printed: 28 February 2024 Expired: 20 March 2024

Neighbour notifications
No neighbour notifications have been printed and sent.

Site notice
No site notice has been produced

Press advert
No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Highways Services - In regard to Condition 8 (Cycle Shelter Details) Drawing 'HRD-BRO-XX-XX-DR-X-0001- P01' provides detail the cycle store and Sheffield stands. The information is sufficient to allow them to recommend the discharge of the condition from a Highways perspective.

GMEU - Condition 21 – The information submitted is satisfactory, and they recommend that the condition be discharged.

Network Rail- Network Rail has a BAPA in place for the proposal to manage the interface, so the applicant should have submitted the docs to Network Rail ASPRO, and they will take it forward.

LLFA - Lead Local Flood Authority Comments (08/04/2024)

The information submitted and uploaded onto the planning portal on 19 Feb 2024 has been considered.

They have reviewed Condition 33, details regarding the proposed access stair and its relationship to the existing Corn Brook Culvert. The information provided is insufficient for a thorough evaluation of the project's impact on the culvert's integrity and safety.

To ensure a comprehensive assessment and to address regulatory requirements adequately, we kindly request the following additional information:

Feasibility of Avoiding Loading the Structure: Please provide an assessment of the feasibility of implementing measures to avoid loading the Corn Brook Culvert altogether. If it is determined that avoiding loading the structure is not feasible, refer to the points below.

Sectional View: A sectional view of the proposed access stair and its proximity to the Corn Brook Culvert is essential for understanding the spatial relationship between the structures and assessing potential impacts on the culvert's structural integrity.

Foundation Plan: We require a detailed plan showing the foundations of both the access stair and the supporting base concrete slab. This will aid in evaluating the load distribution and any potential risks to the culvert.

Loadings on the Culvert: Please provide specific information regarding the anticipated loadings on the Corn Brook Culvert resulting from the installation and use of the access stair. We need to understand the magnitude of these loadings and their potential effects on the culvert's structural stability.

Evidence and Assurance: Evidence and assurance that the proposed measures, such as the demountable superstructure and the design of the supporting base slab, are sufficient to minimise adverse effects on the Corn Brook Culvert. This could include structural calculations, engineering analysis and precedent examples (if any).

Risk Assessment: A risk assessment that identifies potential hazards and risks associated with the project, including those related to the Corn Brook Culvert's structural integrity, public safety, and environmental concerns. This should include mitigation measures to address identified risks.

Monitoring Plan: A plan for monitoring the condition of the Corn Brook Culvert before, during, and after the installation of the access stair. This should include monitoring methods, frequency of monitoring, parameters to be monitored, and criteria for triggering remedial action.

Issues

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 polices 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: Split decision

Article 35 Declaration

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

Condition no. 8 - Cycle Shelter Details

The contents of the Cycle Shelter Report - HRD-FRA-ZZ-XX-RP-A-80-6111-C01 dated 22.01.2024, and details on the General Arrangement Manchester Cycle Compound plan ref: HRD-BRO-XX-XX-DR-X-0001 P01 rev.B received 19th February 2024 have been reviewed and are considered to be satisfactory.

On the basis that the development is implemented in accordance with the scheme for the provision of space and facilities for bicycle parking on plan ref: HRD-FRA-00-XX-DR-A-90-0200 rev. C06 Proposed Site Plan GA; the Cycle Shelter Report - HRD-FRA-ZZ-XX-RP-A-80-6111-C01 dated 22.01.2024, and details on the General Arrangement Manchester Cycle Compound plan ref: HRD-BRO-XX-XX-DR-X-0001 P01 rev.B; that all the agreed works are completed prior to the proposed accommodation being brought into use, and the approved space and facilities are then retained and permanently reserved for bicycle parking, condition no.8 is discharged.

Condition no. 13 - Secure by Design

The Secure by Design Accreditation Gold Award certificate is noted. On this basis condition no.13 is discharged.

Condition no. 21 - Biodiversity Enhancement

The details on the Proposed west elevation Bird Box Location and details plan ref: HRD-FRA-01-XX-DR-A-20-1215 rev. C02 (Schwegler 1SP House sparrow nest box located in 4no. groups of 2no. boxes (8no. boxes total), minimum 3m above external ground level and recessed into existing wall) ; Data Sheet - SCHWEGLER 79_2021 Sparrow terrace, and Photographs of Bird Boxes 1 – 4 have been reviewed . On the basis of the information referenced above, and that the measures are thereafter retained condition no.21 is discharged.

Condition no. 31 - Trespass proof fence

The Survey relating to fencing details in proximity to the railway in email entitled Discharge of Condionnno.31 from the contractor to the planning agent is noted. Furthermore, that the works identified to the boundary with the rail line are Area 13 – dense trees and shrubs present ; Area 14 - which relates to the removal and replacement of damages D-section palisade pales and the removal and replacement of damaged palisade angle rails , and Area 15 – Removal of and replacement of damaged palisade rails and removal and replacement of damaged palisade rails is noted (as annotated on existing site plan ref: 18021-FRA-00-XX-DR-91-0002-rev.P1.
On the basis of the implementation of the works set out above, the retention of the existing shrubs and trees to survey Area 13, and an existing BAPA being in place at the site , condition no.31 is discharged .

Condition no. 33 - Roof Access Stairs

The content of the Curtins report ref: HRD-CUR-ZZ-XX-RP-S-00005 dated 10.11.2023 and details on the External Escape Stairs 1 &2 Foundation General Arrangement Plan ref: HRD-CUR-01-FN-DR-S-16003 rev.C02 received 19th February 2024 has been examined. However, the information provided is insufficient to enable a thorough evaluation of the impact of the proposed roof access stairs on the culvert's integrity and safety, and on this basis condition no.33 is not discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
MCC Flood Risk Management
Greater Manchester Ecology Unit
Network Rail

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
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
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 (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA