

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138587/NMC/2023

Date registered valid: 22 November 2023

Proposal: Non-material amendment to planning permission referenced 135454/JO/2022 to allow minor amendments to site levels, re-location of the substation and alterations to roof overhang details

Address: Former Mather & Platt Foundry, Grimshaw Lane, Manchester, M40 2BA

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Ian Murray, Canmoor (Manchester) Ltd

Agent (if any): Mr Roland Lee, Hale Architecture Limited

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 27 November 2023

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Standard consultations:

No consultations have been printed and sent.

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

The application site relates to a large area of previously developed vacant land, accessed from Grimshaw Lane, Newton Heath and bounded by Ten Acres Lane to the north.

The site, now a development site relating to the host permission for which this application relates, is a long-standing employment site having previously been used for industrial purposes. The former Mather and Platt foundry/engineering works once occupied site, but closed in 2017.

The site contains a large number of mature trees and vegetation and is relatively flat. The site is bounded by Grimshaw Lane, the Rochdale Canal and towpath and Ten Acres Lane.

To the rear of the site is Ten Acres Lane which has a small residential development and a sports complex. To the south-east along Ten Acres Lane is the larger residential area of Newton Heath comprising of largely semi-detached properties

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The surrounding area comprises largely industrial uses and vacant former industrial land, beyond which is the residential area of Newton Heath to the east. To the south of the site is a large bakery and distribution unit which obtained planning approval in 2009 and was completed in 2010. To the south-east of Briscoe Lane are established industrial uses in buildings of varying heights and materials, all accessed from Briscoe Lane.

Grimshaw Lane to the north-west is a mixed industrial area, the main occupier comprising the Princes soft drinks manufacturing and distribution complex. Grimshaw Lane continues in a

north- west direction to join the A62 Oldham Road main arterial route which then continues on to the M60 motorway to the north-east.

Description of development

Non-material amendment to planning permission referenced 135454/JO/2022, a S.73 minor material amendment application which allow for the development to be implemented int 2 phases and to provide future access to the adjoining Stone House site, following permission being granted for the erection of 12 No. industrial units (Class E(g), B2 and B8) with ancillary offices (42782 sqm), together with service areas, car parking, landscaping and boundary treatment following demolition of existing building (Ref: 129444/FO/202).

In this case the non-material amendment relates to a minor change to the site levels, re-location of the substation adjacent to unit 6 and alterations to roof overhang details for units 1 and 2.

The level changes are required to the Unit A car parking area to ensure it is accessible and DDA compliant after the ramps were repositioned to create the Stonehouse entrance pursuant to permission referenced 135454/JO/2022.

Policy

The following policy and guidance is considered relevant to the consideration of this application:

-Policies SO1, SO2, SO6, EC1, EC3, SP1, T1, T2, EC6, EN4, EN5, EN6, EN9, EN14, EN15, EN16, EN17, EN18, EN19 and DM1 of the Manchester Core Strategy;

-Saved policies DC26, DC20 and E3.3 of the UDP;

-The Guide to Development in Manchester (SPD);

-Manchester Green and Blue Infrastructure Strategy 2015;

-National Planning Policy Framework (2021)

Consultations & Notification Responses

None required.

Relevant Planning History

135454/JO/2022

Variation of conditions 2 (specified plans), 6 (drainage), 10 (boundary treatment), 16a (acoustic), 18 (opening hours), 24 (car parking provision), 25 (cycle storage), 33 (landscaping and 34 (sub-division) attached to planning permission referenced 129444/FO/2021 to allow the development in 2 phases and provide future access to the adjoining Stone House site by allowing minor changes to the location of the site access road ramp and gates together with adjusting the location of the access gates and fencing to the service yard of Unit 1. *Approved 15 February 2023.*

129444/FO/2021

Erection of 12 No. industrial units with Use Class E(g), B2 and B8 uses with ancillary offices (42782 sqm) together with service areas, car parking, landscaping and boundary treatment following demolition of existing building. *Approved 24 September 2021.*

099637/FO/2012/N1

Retrospective consent for extraction plant in association with existing foundry. *Approved 13 August 2012.*

Issues

Materiality

The principle of the development has already been established by the host permission. The issues for consideration in this case relate solely to the minor change to site levels, the roof overhang alteration to units 1 and 2 and the repositioning of the sub-station.

Given the nature of the change in the context of the wider development site, it is not considered that there would be any material impact to the envisaged design, site layout or any issues relating to amenity, the operation of the highway or environmental considerations.

Since the conclusions of technical assessments approved as part of the host permission would be the same and there have been no changes to all relevant, overarching policy and guidance, the proposed revisions are considered to be of a non-material nature.

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

The proposed amendment relates to minor changes to the site levels for Unit A car park, the re-location of the substation and alterations to roof overhang details.

Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed change will not result in any significant or material alterations to the host planning permission.

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

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

Drawings referenced PL 1003-Q, PL1004-H, PL1251-C, PL1255-C, PL1014-C, PL1054-C, PL1074-D, PL1084-D and PL1124-E, received by the City Council as Local Planning Authority on 22 November 2023.

Drawings referenced PL1001A, PL1005H, PL1218A, 205229/AT/N01/D and 205229/AT/N02/D, received by the City Council as Local Planning Authority on 12 December 2022;

Drawing 20-93-05H, stamped as received by the City Council, as Local Planning Authority on 25 August 2021;

Drawings referenced PL1081C, PL1083A, PL1085B, PL1101C, PL1103A, PL1104B, PL1105B, PL1111C, PL1113A, PL1114A, PL1115B, PL1122C -A1, PL1123A and PL1125C D, stamped as received by the City Council, as Local Planning Authority on 13 August 2021;

Drawings referenced PL1202, PL1203, PL1011B, PL1012A, PL1013, PL1051B, PL1052A, PL1071C, PL1073, PL1075A, PL1201, PL1205, PL1206, PL1207 and PL1053, stamped as received by the City Council, as Local Planning Authority, on the 17 February 2021;

Drawings referenced PL1250 and PL1254A relating to the proposed phasing, received by the City Council on 14 November 2022 and 11 January 2023;

Drawings referenced 205229-AT-N01 RevD and 205229-AT-N02 RevD, received by the City Council on 11 January 2023.

Supporting information

Design and Access statement

- Geo Env Assessment by Curtins, ref 070588-CUR-00-XX-RP-GE-001, dated 03/02/20
- Plot 2 Ground Investigation Report by Wyg Environment, dated May 2014
- Plot 3 Ground Investigation Report by Wyg Environment, dated January 2014
- Demolition Method Statement by Kings Heath Demolition, dated 06/11/20
- Notice of Consent for Demolition by Manchester City Council, ref DM/20/00398 dated 19/11/20
- Flood Risk Assessment & Drainage Strategy by PTA ref. 9762-PTA-XX-XX-RP-C-9071 Rev03 dated 12/02/21

(Parts 1 to 4)

- Ecology Assessment by TEP, ref 8035.01.002 v2, dated 12/02/21
- BNG calculations by TEP, ref 8035_01_001 v2, dated 12/02/21
- Soft Landscape proposals by BEA Landscape drawing ref 20-93-05C
- Soft Landscape proposals Phase 1 by BEA Landscape drawing ref 20-93-07
- Soft Landscape proposals Phase 2 by BEA Landscape drawing ref 20-93-10
- Tree Survey Report By BEA Landscape RevA ref 2093/EH/TR001A dated 06/02/21
- Tree survey plan by BEA Landscape ref 20-93-01C
- Tree Constraints Plan 20-93-02B
- Tree retention plan by BEA Landscape ref 20-93-03C
- Tree retention plan Phase 1 by BEA Landscape ref 20-93-08
- Tree retention plan Phase 2 by BEA Landscape ref 20-93-11
- Tree protection plan by BEA Landscape ref 20-93-04A
- Tree protection plan Phase 1 by BEA Landscape ref 20-93-09
- Tree protection plan Phase 2 by BEA Landscape ref 20-93-12
- Arboricultural Impact Assessment by BEA Landscape RevA ref 2093/EH/AIA001A dated 11/02/21
- Arboricultural Method Statement by BEA Landscape RevA ref 2093/EH/1MS001A dated 11/02/21
- Acoustic Assessment by Hoare Lea, rev 02, dated 04/02/21
- Transport Statement by Vectos ref. R01-ES, dated 12.02.21
- Travel Plan by Vectos, ref R02-ES, dated 12.02.21
- - Passive Design Analysis by Hive, ref R.002 RevB
- Archaeology Statement By BSA Heritage, ref BSA 203-2a , dated 08/02/21
- BREEAM Pre-Assessment 2018 by ESC, RevD dated February 2021

The above documents were stamped as received by the City Council, as Local Planning Authority, on the 17 February 2021.

TEP's attached email of 20/08/21;

Waste management collection, Waste management plan and waste management proforma stamped as received by the City Council, as Local Planning Authority, on the 8 March 2021;

Junction modelling results stamped as received by the City Council, as Local Planning Authority, on the 13 July 2021;

Response to TfGM comments stamped as received by the City Council, as Local Planning Authority, on the 13 August 2021;

Phase 1 Geo-Environmental Site Assessment - Grimshaw Lane Plots 1&2, Manchester. Prepared by TRC Companies Ltd on the behalf of Canmoor (Manchester) Limited. Report Ref: 423207.0000.0000. Issue Date; April 2021 and Phase II Geo-Environmental Site Assessment - Grimshaw Lane Plots 1&2, Manchester. Prepared by TRC Companies Ltd on the behalf of Canmoor (Manchester) Limited. Report Ref: 423207.0000.0001. Issue Date: April 2021 stamped as received by the City Council, as Local Planning Authority, on the 22 April 2021;

Air Quality Assessment by Hoare Lea, ref. 10/11979 Rev02 stamped as received by the City Council, as Local Planning Authority, on the 27 July 2021;

Energy Strategy by Hive, ref 20006.R.001 RevD stamped as received by the City Council as Local Planning Authority on 28 June 2021;

Crime Impact Statement prepared by The Greater Manchester Police stamped as received by the City Council as Local Planning Authority, 5 May 2021;

Note from Hoare Lea and Response to flood risk comments stamped as received by the City Council as Local Planning Authority on 30 April 2021;

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.

Appendix 1 – List of consultees & neighbours notified

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 - Not Affected

Site of Biological Interest - Name: Rochdale Canal, Stott's Lane - Ducie Street Basin

Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH AREA