

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135354/VO/2022

Date registered valid: 15 November 2022

Proposal: City Council Development for the erection of new fencing to the perimeter of the site, building mounted CCTV and a new CCTV pole in the adjacent park, urgent fabric repairs.

Address: Clayton Old Hall, Ashton New Road, Manchester, M11 4RU

Ward(s): Clayton & Openshaw Ward

Applicant: Ms Kath McVicker, Manchester City Council

Agent (if any): Ms Bernadette Bone, BB Heritage Studio

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 6 November 2023

Application details

Type of application: Regulation 3 Consent

Development type: Minor Office

Date of site visit: 7 December 2022
6 January 2023
16 January 2023

Standard consultations:

Printed: 11 January 2023 Expired: 1 February 2023

Neighbour notifications

Printed: 11 January 2023 Expired: 1 February 2023

Site notice

Posted: 7 December 2022 Expired: 28 December 2022

Posted: 16 January 2023 Expired: 6 February 2023

Press advert

Published: 17 January 2023 Expired: 7 February 2023

Published: 29 November 2022 Expired: 20 December 2022



Fig.1 – Displayed site notices

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II*

Conservation area: No

Tree Preservation Order: No

Description of area

This application related to a Grade II* listed building that formed part of a Manor House and related grounds and structures. It is located within Clayton Park and has planning permission for use as a museum. The site is separated from Ashton New Road (to the south) by parkland and incorporating extensive mature tree planting. To the east of the site is St Cross Church and graveyard, which also has a Grade II* listing. North Road and Clayton Hall Road lie to the north and south of the application site respectively and incorporates streetscapes of two storey housing.



Fig. 2 - Principal elevation Clayton Old Hall (west)

The application site is enclosed by fencing with access managed through a security hoarding. The application is surrounded by a moat and is located upon a moated platform that also forms a scheduled ancient monument. The listed building was constructed circa 15th century with subsequent alteration between the 16th and early 20th centuries.

The building has a pitched roof set between gable elevations. A projecting bay to the principal western elevation incorporates a related hipped pitched roof that punctuates the eaves line. The roof to the bay also incorporates a turret. The related section of principal elevation incorporates black timber frame with white square render panels with the remaining wall comprising of red brickwork. The elevation is punctuated by windows with sectional frames with a vertical emphasis. The northern elevation incorporates white render and is adjoined by a single storey red brick extension with a pitched roof. The rear eastern elevation comprises a mix of white render and black and white timber panelling. The southern elevation is composed of red-brick and characterised by a projection chimney breast and stack that rises above the ridge line.

The retained moat is traversed by a 17th century coursed squared sandstone bridge, incorporating two segmental arches, arch-bands and a central pier with triangular "cutwater" on each side. A stone bench is formed to the inner side of each parapet and stone gate posts at inner end. The site is enclosed by a mix of boundary treatments. The moated platform is designated as an ancient monument.



Fig.3 – Moat and site access



Fig.3 – Part rear elevation (east)

Details of the existing fencing to the inner and outer moat are shown in Fig. 4 and 5.





Fig.4 – Fencing perimeter of inner moat (east and south)



Fig. 5 - Fencing to eastern site boundary (outer moat)

The impact of the proposed are also considered by listed building consent application ref: 135355/LO/2022.

Description of development

The proposed development involves:

1. CCTV and security installation

1.1 The installation of six cameras, two tannoy (horn speakers) and two radars (motion detectors) which are to be building mounted, i.e. close to the projecting eaves to reduce visual impact but maintain suitable 'view Range'.

1.2 A CCTV pole located outside of the moated platform within the adjacent park to provide coverage of the bridge access.

1.3 The CCTV installation will be served by a new broadband cable which requiring installation via a trench across the moat to facilitate connection to a servicing cabinet. The trench will require a separate Scheduled Monument Consent and is expected to require an archaeological watching brief during excavation.

1.5 Connections to the security equipment will require limited interventions to the listed building, including the installation of a new consumer unit.

1.4 The position of security apparatus to the building and routing of the cabling is shown at

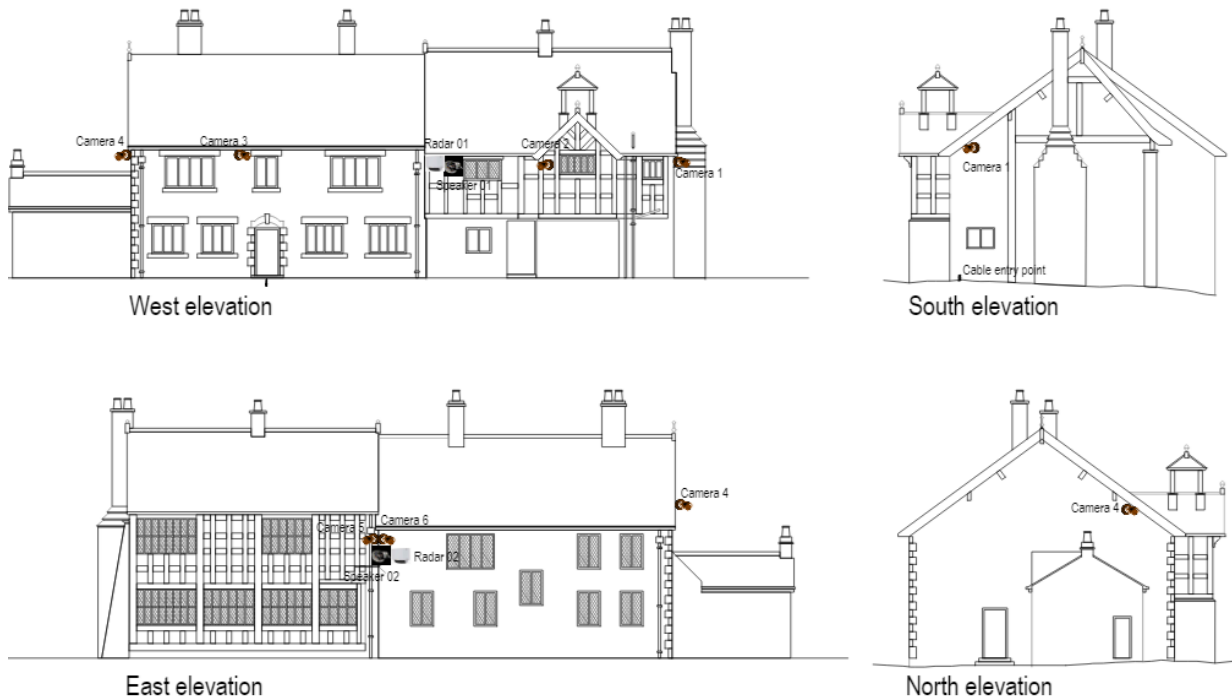


Fig. 6 – Elevations with proposed security features

2. Replacement fencing to outer and inner moat boundary

2.1 The boundary is currently defined by a mix of boundary types in a deteriorated condition. The position of new railing fencing and fence types are shown at Fig.7. New railing Type 0C would have a height of 1220 mm to match the existing. Similarly, new railing Type 1B would match the existing and would have a height of 750 mm. Railing fence type 1 C is existing and would be retained.

2.2 For consistency, the existing fencing to the moated platform to incorporate matching railings, i.e., Type 1 B.

2.3 The development would involve the removal of a low stone wall and railings to the northern boundary.

2.4 This application does not seek consent for the reinstatement of gates to stone posts forming the entrance to the moated platform

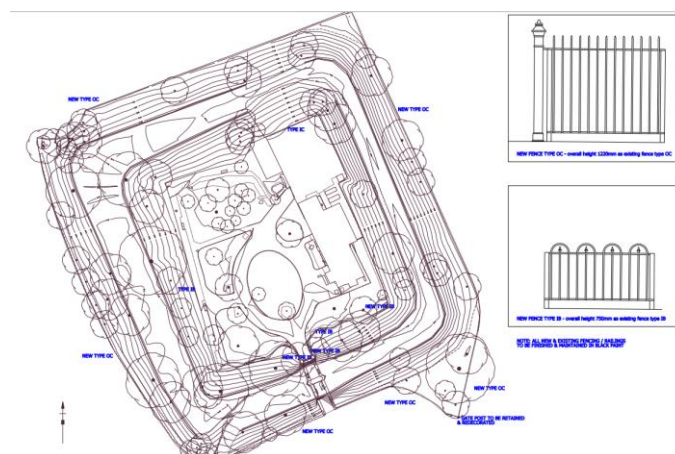


Fig.7 – Proposed fence types

3. Vegetation removal and replacement planting to outer an inner moat embankment.
 - 3.1 The removal of vegetation is proposed, including section of hedgerow where it affects the siting of replacement fencing.
 - 3.2 Clearance of overgrown planting within the moat and suitable landscaping is proposed to improve the appearance of the moat and to facilitate a longer term aspiration of returning water to the moat.
4. Repairs to the fabric of Clayton Old Hall – These works include:
 - i. Repairs to the timber frame to include some timber replacement, oakum caulking, lime fillets.
 - ii. Repairs to the southern gable end where there is an area of structural movement
 - iii. Patch roof repairs to address water ingress and also enable a detailed survey of the roof
 - iv. Removal of masonry paint to the north and east elevations of the Hall, to address deterioration to the stonework underneath.

Site history

- i. 108305/LO/2015/N2 Approved - 19.05.2015 Clayton Hall, Ashton New Road, Clayton, Manchester, M11 4RU
Listed Building Consent for installation of cabling and associated equipment for wifi,
- ii. 113620/VO/2016 Approved - 18.11.2016 Clayton Old Hall, Ashton New Road, Manchester, M11 4RU
City Council Development - Change of use of southern end of building , and retrospective change of use to northern range of building from dwellinghouse (Class C3) to museum (Class D1 non residential institution), use of ancillary outbuilding for storage in connection with Class D1 use, together with associated works, including installation of extract fans, cabling, minor interior alterations, and associated repair works.
- iii. 113621/LO/2016 Approved - 21.11.2016 Clayton Old Hall, Ashton New Road, Manchester, M11 4RU
Listed Building Consent for minor internal alterations, including installation of extract fans, cabling, and associated repair works, in order to facilitate the use of the building to Class D1 museum use
- iv. 085884/LO/2008/N2 Approved - 05.06.2008 Yard and outbuildings at Clayton Park, North Road, Clayton, Manchester, M11 4RU
Listed Building Consent for the installation of 2.5 metre high railings to part of Clayton Hall Road frontage with associated internal 2 metre high gates and fencing
- v. 085724/VO/2008/N2 Approved - 05.06.2008 Yard and outbuildings in Clayton Park, North Road, Clayton, Manchester, M11 4WH
City Council Development - Erection of 2.5 metre high fencing to part of Clayton Hall Road frontage with associated internal 2 metre high gates and fencing

Consultations & Notification Responses

Local residents and business – No comments received.

Environmental Health – No objections.

Highway Services – No objection but the following comments have been made:

- i. The proposed works will be contained within the site and will not impact upon the highway or affect pedestrian movement.
- ii. All boundary fencing is acceptable.

Neighbourhood Team Leader (Arboriculture) – No objection subject to CCTV cabling being excavated by non-mechanical equipment to reduce potential harm to the root systems of surrounding trees.

Greater Manchester Ecology Unit – The following comments have been received.

- i. Bats – A valid bat report carried in accordance with best practice. Two dusk and one dawn survey undertaken during the peak activity season found no evidence of bats roosting in the buildings. On this basis, it appears that the development proposals are very unlikely to have any adverse effects on the local bat populations and no further surveys are required at this time. As bats were identified foraging around the buildings, the recommendations of the submitted specialist report are accepted, including the undertaking of an update, if development does not commence before Spring 2025.

An informative is recommended advising of the legislative requirements for protecting bats and measures to be undertaken should bats be encountered, including liaison with Natural England.

- ii. Badgers – A supplementary ecology report has confirmed the presence of badger was confirmed. A badger mitigation strategy has been provided and the need for a license accepted. A condition is recommended that acknowledges and requires:

The removal or erection of fencing within 30 metres of any active badger setts may cause harm to badger and shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a license issued by Natural England pursuant to section 10(1)d or 10(1)(e) Protection of Badger Act 1992 authorising the specified activity/development go ahead: or
- b) a statement in writing from the relevant licensing body that it does not consider that the development will require a license.

There is concern that the mitigation strategy indicates the permanent closure of the main badger sett. Clarification is sought regarding the necessity for permanent closure as the related risks are temporary during fence construction. Upon completion it seems likely that the sett could be reopened to allow the badger to return. It is not recommended that the mitigation should be approved until this point is clarified and, if necessary, an artificial sett provided.

- iii. Nesting Birds – Whilst there is a long term objective to remove trees from the moat, the proposed development seeks the removal of trees and shrubs to enable removal of the existing and installation of new fencing. These works have the potential to affect birds nesting habitat. A condition is recommended to ensure that trees and shrubs are not removed during the bird nesting season unless the absence of bird nests has been demonstrated by and ecologist and the related report agreed with the LPA.

- iv. Hedgehogs – The submitted ecology report identifies the scrub around the moat in the locality of the fencing as having potential to provide cover for hedgehog, nesting and hibernation. Reasonable avoidance measures are recommended and can be conditioned.

- v. Contributing to and enhancing the natural environment – The development will involve the selective removal of trees and shrubs with a consequential impact on bird nesting habitats. Although, the ecology report recommends replacement tree planting, it is acknowledged that

such an approach may impact upon future heritage and restoration objectives. It is therefore recommended that a landscaping scheme be condition that enhances retained trees and woodland and the introduction of native woodland species and removal of non-native species.

Historic England (North West) – No objection on heritage grounds. Detailed comments relate to the issues considered under listed building consent application ref: 135355/LO/2022.

Greater Manchester Police Design for Security – No comments received.

Issues

Section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990 (the 'Listed Building Act') - Provides that 'in considering whether to grant listed building consent for any works to a listed building, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (General duty as respects listed buildings in exercise of planning functions) - Is relevant to the consideration of the proposed development given its relationship to the neighbouring Grade II listed St Peter's Church and states that: 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.' This requires more than a simple balancing exercise and considerable importance and weight should be given to the desirability of preserving the setting. These issues are assessed in more detail in the related listed building consent application.

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 and subsequently in September 2023. It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). The purpose of the planning system is to achieve sustainable development. Paragraph 8 of the NPPF states that to achieve this, the following three overarching objectives need to be pursued mutually:

- i. The economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth.
- ii. The social role is required to support communities by creating a high quality built environment with accessible local services to reflect the needs of the community.
- iii. The environmental role should protect and enhance the natural, built and historic environment.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. The following aspects of the Framework.

- i. Section 8: Promoting healthy and safe communities – States that planning decisions should aim to achieve healthy, inclusive and safe places which:
- a) Promote social interaction, including opportunities for meetings between people who might not otherwise come into contact;
 - b) In addition to being safe and accessible, should discourage crime and disorder, the fear of crime and maintain the quality of life or community cohesion.
- It also seeks to provide social, recreational and cultural facilities and services that meet community needs.

It is considered that the development would encourage the sustained operation of the listed building as a museum, community asset and a location for social, recreational and cultural interaction. The development incorporates measures to improve site security. Section 8 would therefore be accorded with.

- ii. Section 15: Conserving and enhancing the natural environment – States that in assessing habitats and biodiversity, the conservation, restoration and enhancement of habitats, ecological networks and the protection and recovery of priority species should be promoted. Opportunities for securing measurable net gains for biodiversity should be pursued. It also states that when determining planning applications, local planning authorities should assess if significant harm to biodiversity resulting from a development could be avoided or adequately mitigated. In this case, the potential harm to wildlife has been assessed and mitigation measures can be delivered as part of the development. Further bio-diversity measures would be delivered through the landscaping condition. Section 15 would therefore be accorded with.

- iii. Section 16: Conserving and enhancing the historic environment – States that in determining applications for proposals affecting heritage assets, local planning authorities should require an applicant to describe the significance of any heritage assets affected. The level of detail should be proportionate to the assets' and should be sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. It requires that local planning authorities should identify and assess the particular significance of heritage asset affected by a proposal taking account of the available evidence and any necessary expertise. It also requires that local planning authorities take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality should be assessed. When considering potential impacts of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It is considered that the development would build upon previous works that have brought the listed building back into active and sustained use. The level of detail accompanying the application takes into consideration the significance of the heritage asset and has facilitate an appropriate assessment of the impact of the development. On the basis of the submitted details, it is considered that the character and setting of the listed building would be maintained to secure compliance with Section 16.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.' The following policies are relevant to the proposed development:

Policy SP 1 Spatial Principles - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. 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.

The development relates to the sustained use of listed building with cultural value that contributes to the well-being of the local community and the wider city. It would also positively contribute to the maintenance of the listed building and its setting. Policy SP1 would therefore be accorded with.

Policy EN 1 (Design Principles and Strategic Character Areas) – Relates to the delivery of opportunities for good design and improvements to the appearance of the city. In this case, the proposed works to the listed building would not undermine its character and external works would enhance its setting. The development would therefore be appropriately related to policy EN1.

Policy EN 3 (Heritage) – Encourages development that complements and takes advantage of a distinct historic and heritage features. The policy seeks to preserve and enhance the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings. Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset. The proposed development would accord with these aspirations and policy EN3 accorded with.

Policy EN 9 (Green Infrastructure) - States that new development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. In this case some trees and shrubs will need to be removed to facilitate external works and to reinstate the original setting of the listed building. A landscaping condition has been included to manage these works and existing tree cover and ensure the provision of native tree planting. Policy EN9 would thereby be accorded with.

Policy T1 Sustainable Transport - Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and carbon free modes of transport.

Policy T2 (Accessible areas of opportunity and need) - Discusses the relationship of development to transportation routes and the utilisation of sustainable transport modes. It states that the Council will take account of the circumstances of each proposal to establish what level of parking is appropriate and whether proposals are likely to present access or transport issues.

The development would not impact upon the highway network or affect existing car parking arrangements. It is noted that the development is in a sustained location, in terms of access to public transport.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues, which are considered to be relevant to the consideration of this application:

- a. Appropriate siting, layout, scale, form, massing, materials and detail;
- b. Impact on the surrounding areas with regard to design and appearance of proposed development;
- c. Effects on amenity;
- d. Accessibility with regard to inclusive access for people with disabilities and access via sustainable transport modes;
- e. Community safety and crime prevention;
- f. Design for health;
- h. Refuse storage and collection.

It is considered that the submitted information demonstrate that the characteristics of the listed building and its setting would not be harmed by the development. Local amenity would be enhanced rather than harmed by the development, Existing circumstances in respect of accessibility to the site and building would not be affected by the development. The development would enhance site security and provided facilitates that would be beneficial to the well-being of the community. Policy DM1 would thereby be accorded with.

Unitary Development Plan (UDP) Saved Policies -The following saved UDP policies are also considered to be relevant:

Policy DC19 – Listed Building – States that in determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic

Interest, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting.

It is considered that the development would facilitate a sustained and previously authorised use of the building with adverse impact on its architectural or historic character. It would also complement the setting the listed building and facilitate improvements to its setting, including maintenance of trees and enhanced landscaping. Policy DC19 would thereby be accorded with.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. In this case, officers engaged in pre-application discussions with the applicant's agent resulted in the submission of supplementary information that facilitated the appropriate assessment of the development.

Principle of the development – The principle of the development is considered to be acceptable as it seeks to secure the continued use of the building, a maintain its character and improve its appearance and setting. Conditions relating to the operation of the authorised museum are related the application site through planning permission ref: 113620/VO/2016.

Impact of the development on the scheduled ancient monument – The works affecting the moated platform would be the subject of an application for Scheduled Monument Consent (SMC), which must be made to the Secretary of State for Culture, Media and Sport before the undertaking of works. Notwithstanding the outcome of the above application, for the purpose of the planning application it is considered that the submitted details demonstrated that undue harm would not be caused to the ancient monument or moat.

Impact of works to the listed building – The impact of these works is considered under listed building consent application ref: 135355/LO/2022. Notwithstanding the above, the installation of external equipment requires an assessment as part of the planning application. Given the limited number of externally mounted units and the related size and positioning, it is not considered that there would be a significant impact on the character and appearance of the listed building.

Boundary treatments – The proposed boundary fencing is considered to be satisfactorily related to existing retained fencing. It would help to secure and appropriately enclosed open space and woodland around the application site. The submitted details have been conditioned for implementation as part of the development.

Security and crime reduction measures – The details of the wall mounted security arrangements (comprising six cameras, two tannoy (horn speakers) and two radars (motion detectors)) have been conditioned to the development in the positions shown on the submitted drawing. A condition has been included requiring the final specification of the externally mounted security equipment, in relation to its colour treatment to ensure that it has an appropriate relationship to the external elevations of Clayton Hall. The applicant has provided indicative details of the proposed CCTV monopole. Whilst the siting of the monopole (in relation to the listed Clayton Hall, moated site and moat) is considered to be acceptable, a condition has been included to ensure confirmation of its height and colour treatment. It is considered that appropriate security measures are capable of being delivered as part of the development without undue harm to the character of the listed building.

Landscaping – A condition has been included to ensure that landscaping scheme is implemented as part of the development that incorporates native species planting and secure appropriate management of the existing woodland. A separate condition has been included to ensure that the trench servicing the CCTV column is hand excavated to avoid harm to the root systems of adjacent trees,

Ecology – The ecological impact the development has been considered and the following conditions included.

- i. Bats – The detail of the submitted bat survey are conditioned, including the recommendation that a further bat survey be undertaken if the development is not commenced before Spring 2025. An informative has been included advising of the legislative requirements for protecting bats and measures to be undertaken should bats be encountered, including liaison with Natural England.
- ii. Badger – The condition recommended by the GMEU has been included to ensure the provision of a badger license or confirmation of its exemption from any works undertaken within 30 metres of badger sett. A separate condition has been included requiring a supplement to the badger mitigation strategy. The condition requires that, before the undertaking of ground works, measures to ensure the re-opening of the badger set are provided or, if satisfactorily justified, arrangements for the provision of an artificial replacement. It would also require confirmation of arrangements to facilitate badger movement within and through the site as set out in the submitted ecology report.
- iii. Nesting Birds – The recommended condition to prevent the removal of trees and shrubs during the bird nesting season unless the absence of bird nests has been demonstrated by an ecologist and the related report agreed with the LPA.
- iv. Hedgehog – A condition has been included that requires, before the commencement of groundworks, a scheme in submitted, approved and implemented incorporating measures to

safeguard hedgehogs and their habitats. The related ecologist survey would need to include an assessment of the areas of the moat where fencing is to be erected to determine the presence of hedgehog habitats.

v. Contributing to and enhancing the natural environment – To address the concerns of GMEU, a landscaping condition has been included to ensure the improved management of the woodland and retained trees and to ensure introduction of native woodland species.

Highways issues – The development would not affect existing arrangements for car parking or present issues affecting existing highway capacity. The site is also sustainable terms of access to public transport, including bus services and a Metrolink stop located on the southern side of Ashton New Road.

Conclusion – The development would help to maintain the fabric and setting of an important heritage asset.

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 problems arising in relation to dealing with the planning application. In this case,

officers engaged in pre-application discussions with the applicant's agent resulted in the submission of supplementary information that facilitated the appropriate assessment of the development.

Condition(s) to be attached to decision for approval

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 stamped as received by the City Council as local planning authority on 2 November 2023, 10 January 2023, 23 February 2023 and 1 September 2023:

Planning applications forms

Site location plan Ref: 0224-al(05)001

Site plan as proposed Ref: 0224-al (05)012

Proposed ground and first floor Ref:0224-al(05)013

Proposed roof Ref: 0224-al(05)014

Proposed east and west elevations Ref: 0224-al(05)015

Proposed north and south elevations Ref: 0224-al(05)016

Fence and boundary fabric removal Ref: 0224-al(05)022

Proposed fence types Ref: 0224-al(05)023 Rev A

Elevation CCTV positions Ref: MCC-B01-XX-DR-E-0011

Proposed security system layout Ref: MCC-ZZ-XX-DR-E-0010

Design and Heritage Statement Ref: P0224_HS_REP001 Rev A Clayton Hall Manchester

Security Installation and Fabric Repairs dated February 2023 by BB Heritage Studio

Structural Report Clayton Hall Ref: RGR/BBR/16076-srep Rev2 dated February 2022 by Morton Partnership

Bat Survey Report Ref: UG1455 Issue No 1 dated 4 August 2023 Clayton Hall Ashton Old Road Clayton Manchester M11 4RD by Urban Green

Badger Survey Report Ref: UG1455 Issue No 1 dated 4 August 2023 Clayton Hall Ashton Old Road Clayton Manchester M11 4RD by Urban Green

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policies CD19 and DC20 of the Unitary Development Plan.

3) Before the commencement of the development a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the detailed specification of works to the internal and external fabric of the building as referenced in document ref: Proposed security system layout Ref: MCC-ZZ-XX-DR-E-0010 Design and Heritage Statement Ref: P0224_HS_REP001 Rev A Clayton Hall Manchester Security Installation and Fabric Repairs paragraph 4.6.1 (page 14). The scheme shall include a methodology for the implementation of works, including material specifications, masonry/plaster removal, repointing and cleaning to be applied. The development shall be implemented in accordance with the approved development and maintained in situ thereafter.

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 and DM1 of the Core Strategy for the City of Manchester and saved policies DC19 and DC20 of the Unitary Development Plan.

4) Before installation of security measures comprise horn speakers, radar detectors and cameras shown on Elevation CCTV positions Ref: MCC-B01-XX-DR-E-0011 and Proposed security system layout Ref: MCC-ZZ-XX-DR-E-0010 details of the final colour treatment of the equipment to secure an appropriate relationship to the external elevations of Clayton Hall shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall be implemented as part of the development, installed in the positions shown on drawing referenced: Elevation CCTV positions Ref: MCC-B01-XX-DR-E-0011 and Proposed security system layout Ref: MCC-ZZ-XX-DR-E-0010 and maintained in situ thereafter

Reason - To reduce the risk of crime and the interests of visual amenity pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

5) Before the commencement of groundworks, a drawing shall be submitted to and approved in writing by the City Council as local planning authority, relating to the height, appearance, colour treatment and specification of the pole mounted CCTV camera in the position shown on drawings referenced: Site plan as proposed Ref: 0224-al (05)012. The approved details shall be implemented as part of the development, to a timescale agreed by the City Council as local planning authority and maintained in situ at all times thereafter.

Reason - To ensure the provision of satisfactory security arrangements and reduce the risk of crime pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework and saved policy DC20 of the Unitary Development Plan.

6) The development shall be implemented in accordance with detail of the appearance and siting of retailing as details on drawings referenced Fence and boundary fabric removal Ref: 0224-al(05)022 and Proposed fence types Ref: 0224-al(05)023 Rev A. The installed railings shall be finished with a black colour treatment and retained in situ at all times thereafter.

Reason - Reason - To ensure the provision of satisfactory security arrangements and reduce the risk of crime and in the interests of residential amenity, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework and saved policy DC20 of the Unitary Development Plan.

7) Before the commencement of groundworks, a scheme shall be submitted to and approved in writing by the City Council as local planning authority, relating to the provision of a landscaping scheme detailing replacement tree, shrub and other planting involving native species and arrangements for the implemented scheme and retained trees. The landscaping scheme shall be implemented within the first full planting season following the completion of the development and retained in situ at all times thereafter.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy for the City of Manchester.

8) The development shall be implemented in accordance with document referenced: Preliminary Arboricultural Assessment (PA) Ref: UG1455 dated 21 March 2023 by Urban Green, including the implementation of works to retained trees and tree removal.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy for the City of Manchester.

9) Excavation of trenches relating the installation of cables to the CCTV pole as shown on drawing referenced shall be excavated by using non-mechanical equipment.

Reason – To protect the root systems of adjacent trees and to safeguard retained tree cover, pursuant to policies SP1, EN9 and SP1 of the Core Strategy for the City of Manchester.

10) No removal or other work to trees and or hedges shall be undertaken in the main bird breeding season (1 March to 31 August), unless nesting birds are found to be absent, by a suitably qualified person.

Reason - To safeguard local bio-diversity and nature conservation, pursuant to policy EN15 of the Core Strategy for the City of Manchester.

11) The development shall be fully implemented in accordance with document referenced: Bat Survey Report Ref: UG1455 Issue No 1 dated 4 August 2023 by Urban Green and stamped as received by the City Council as local planning authority on 1 September 2023. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Reason - In order to enhance local biodiversity through the provision of wildlife habitats, pursuant to policy EN15 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

12) The removal or erection of fencing within 30 metres of any active wildlife habitats shall not be undertaken until written confirmation has been submitted to and approved in writing by the City Council as local planning authority demonstrating that either:

- a) A license has been issued by Natural England to facilitate works relating to authorised development; or
- b) A written statement is used by Natural England as the relevant licensing body that it does not consider that the specified development will require a license.

The development shall be fully implemented in accordance with the approved details.

Reason - In order to protect and enhance local biodiversity through the safeguarding of wildlife habitats, pursuant to policy EN15 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

13) Before the undertaking of ground works, measures to ensure the maintenance protected species habitats within the site shall be submitted to and approved in writing by the City Council as local planning authority. The approved arrangements shall be implemented to a timescale to be agreed in writing by the City Council as local planning authority and maintained in situ thereafter.

Reason - In order to protect and enhance local biodiversity through the safeguarding of wildlife habitats, pursuant to policy EN15 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

14) Before the commencement of groundworks, a scheme shall be submitted to and approved in writing by the City Council as local planning authority, which shall be related to a survey undertaken by an ecologist that includes an assessment of the areas of the moat where fencing is to be erected to determine the presence of hedgehog habitats and habitats and measures to ensure their safeguarding during the construction phase of the development. The approved

scheme shall be implemented prior to the commencement of excavation works and at all times during the construction phase of the development.

Reason - In order to enhance local bio-diversity through the provision of wildlife habitats, pursuant to policy EN15 of the Core Strategy for the City of Manchester and The National Planning Policy Framework.

Informatives

1) The applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

2) The works affecting the moated platform will need to be considered as part of an application for Scheduled Monument Consent (SMC), which must be made to the Secretary of State for Culture, Media and Sport before the undertaking of works.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Highway Services
Neighbourhood Team Leader (Arboriculture)
Greater Manchester Ecology Unit
Greater Manchester Police
Historic England (North West)

Music Stuff Education, Hollinwood Workshop, Clayton Street, Manchester, M11 4HA
St Cross Church, 611 Ashton New Road, Manchester, M11 4RX
10 Clayton Hall Road, Manchester, M11 4WH
30 Clayton Hall Road, Manchester, M11 4WH
14 Clayton Hall Road, Manchester, M11 4WH
50 Clayton Hall Road, Manchester, M11 4WH
48 Clayton Hall Road, Manchester, M11 4WH
42 Clayton Hall Road, Manchester, M11 4WH
24 Clayton Hall Road, Manchester, M11 4WH
20 Clayton Hall Road, Manchester, M11 4WH
26 Clayton Hall Road, Manchester, M11 4WH
16 Clayton Hall Road, Manchester, M11 4WH
SILVER SPOON KITCHENS LTD, Hollinwood Workshop, Clayton Street, Manchester, M11 4HA
2 Clayton Hall Road, Manchester, M11 4WH
22 Clayton Hall Road, Manchester, M11 4WH
Park View Rest Home, 56 Clayton Hall Road, Manchester, M11 4WH
54 Clayton Hall Road, Manchester, M11 4WH
52 Clayton Hall Road, Manchester, M11 4WH
46 Clayton Hall Road, Manchester, M11 4WH
44 Clayton Hall Road, Manchester, M11 4WH
40 Clayton Hall Road, Manchester, M11 4WH
38 Clayton Hall Road, Manchester, M11 4WH
36 Clayton Hall Road, Manchester, M11 4WH
34 Clayton Hall Road, Manchester, M11 4WH
32 Clayton Hall Road, Manchester, M11 4WH
28 Clayton Hall Road, Manchester, M11 4WH

18 Clayton Hall Road, Manchester, M11 4WH
12 Clayton Hall Road, Manchester, M11 4WH
625 Ashton New Road, Manchester, M11 4RX

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
HSE COMAH Zone - H3777 OZ - Evonik Chemicals Ltd Outer Zone
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA