

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136690/FO/2023

Date registered valid: 1 June 2023

Proposal: Continued use of site as a compound including retention of structures and boundary treatment until 31/03/2025.

Address: Palmerston Street Compound , Palmerston Street, Manchester, M12 6PT

Ward(s): Ancoats & Beswick Ward

Applicant: Mr Richard Hooper One Manchester - Housing Association.

Agent (if any):

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24.07.2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 8 June 2023 Expired: 29 June 2023

Neighbour notifications

Printed: 8 June 2023 Expired: 29 June 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

Listed building: Not applicable

Conservation area: n/a

Tree Preservation Order: n/a

Description of area

The area relates to an area to the south of Ancoats and New Islington, just above the River Medlock. The character of the area mainly comprises green space and low density, low-rise residences. The area is not within a conservation area, but is in a flood risk zone owing to the presence of the River Medlock.

The site relates to a compound on the northern side of Palmerston Street and is accessed via a retained vehicular crossover. The site comprises the route of a former cul-de-sac and areas of hard standing situated on Palmerston Street between the rear boundary of no.37 Ancoats Grove and side boundary of no.44 Tutbury Street.

The site was formerly occupied by residential properties located around a former cul-de -sac which were demolished some years ago. The site is relatively flat rising towards the rear (north) of the site away from Palmerston Street and sloping gently from north east to south west.

Description of development

The development relates to the continued use of the compound that was previously granted approval under app. ref. 131923/FO/2021. The site is used for welfare, administration and materials storage related to development taking place further east in Openshaw. Permission is sought to operate the compound until 31/03/2025.

Consultations & Notification Responses

Publicity - Letters were sent to surrounding occupiers informing them of the development. No representations were received as a result of this publicity.

Highways Services – no objection

Secure by Design at Greater Manchester Police – no objection

Environmental Health – conditions requested

Environment Agency – no objection, requested condition to ensure continued implementation of approved flood management plan

Local Lead Flood Authority – no comment

United Utilities – no comment

Issues

The main policies that relate to this application are DM1 (Development Management), SP1 (Spatial Principles) and EN14 (Flood Risk) of the Manchester Core Strategy, saved policy DC26 (Development and Noise) of the Unitary Development Plan for Manchester (1995) and the National Planning Policy Framework.

Planning history

The compound was originally given temporary permission for a period of 15 months in 2021 under app. ref. 131923/FO/2021. This period expired on 10/04/2023.

Principle

The purpose of the compound is for contractor welfare, to operate as a site office and to store materials. The site has previously operated as a compound for the same purpose by the same operator, One Manchester, and so the principle is considered established.

Flood Risk

This southern part of the site falls within Flood zone 3, with the remainder of the site falling within Flood zone 2. A Drainage Strategy and Flood Risk Assessment was submitted and approved under app. ref. 131923/FO/2021. The recommendations of this report were required to be implemented by a condition attached to 131923/FO/2021 and an appropriate condition is attached to this approval to ensure these remain in place.

Parking

The proposed site accommodation would reduce the on-street parking facilities on Palmerston Street for the period it remains in operation. The proposed layout of the site compound, however, includes the provision of 6no. off street parking spaces for use by staff and visitors to the site. It is therefore not considered that the proposed development would lead to any significant on street parking issues in the vicinity of the site.

Hours

The same hours of operation approved under app ref 131923/FO/2021 are sought by the applicant under this application. The City Council is not aware of any complaints pertaining to use of the compound during these hours and so it is considered appropriate that the same hours of operation remain in place. An appropriate condition is attached to this approval.

Secure by Design

The site is secured with a 2.4m high weldmesh fence and lit from existing street lighting exterior to the site. This was considered sufficient under the original permission and remains in place. No security concerns have been raised by the applicant or by Greater Manchester Police. Therefore, the site is considered to be sufficiently secure.

Amenity

The temporary site compound includes three temporary cabins. The cabins are located 32m from the nearest boundary with residential properties. They are orientated so that the majority of windows face south and north and not towards the houses on Tutbury Street to reduce any potential for overlooking, and associated loss of privacy. The accommodation is only used during construction hours for the parking of staff vehicles, staff accommodation, and storage of materials. No objections were received from nearby occupiers when contacted by letter. Hence, it is considered that there should be no detrimental effect on the amenity of nearby residents.

The cabins and storage containers are of a standard construction which are often seen on construction sites and compounds. The development site itself was a large expanse of poorly maintained concrete/tarmac prior to the installation of the compound and hence its presence represents a neutral impact on the visual quality of the site. It is well removed from nearby properties, siting within an expanse of green space. On the opposite of the road is a utilitarian palisade fence and large amount of overgrown shrubbery that leads to the River Medlock. In this context, on balance, there would appear to be no significant impact upon visual amenity or upon the character of the surround area.

Waste

A condition was attached to app ref 131923/FO/2021 requesting the submission of a waste management strategy for the compound. To date this condition has not been discharged. The applicant has been made aware of the necessity of submitting a waste strategy. Therefore, a similar condition is attached to this approval requiring a waste management strategy to be submitted and approved. It is noted that the City Council is not aware of any complaints related to waste management.

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 local planning authority in making its decision has had due regard to the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and recommends approval the application for the reasons outlined in this report. Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to flood risk issues and lighting. The scheme is considered to be in accordance with the guidance contained within policies SP1 and DM1 of the Core Strategy.

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

1) The permission hereby granted is for a limited period only, expiring on 31 March 2025.

Reason - The use hereby granted is for a temporary period only to help meet the short term demand for compound facilities associated with refurbishment work in the area pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

2) The use hereby permitted shall be discontinued no later than the 31 March 2025 and the works and buildings comprising the development are required to be removed no later than one month from the use ceasing.

Reason - The use is required to cease within a specified timescale in order to allow reinstatement of the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

3) Two months prior to the expiration of the temporary period, a scheme to restore the land shall be submitted for approved in writing by the City Council, as Local Planning Authority. The scheme shall be implemented within one month of the use ceasing and thereafter retained and maintained in accordance with this scheme.

Reason - To ensure that the land is reinstated to an appropriate standard in the interest of visual amenity of the site pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

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

Drawing - Proposed DWG_25 COMPOUND SET UP received by the City Council, as Local Planning Authority, on 06/04/2023

-Supporting Information SIG Roofing brochure

-Supporting Information SiBCAS Quality Site Accommodation brochure

-Supporting Information MESH FENCE SPECIFICATION

-Flood Risk Assessment or Drainage ref: LRD 32236 dated December 2021 revision 001

-Drawing - Existing DWG_25 LIGHT POSITIONING

received by the City Council, as Local Planning Authority, on 01/06/2023

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 (2012).

5) a) Within one month of the date of this approval, a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented within one month of approval and shall remain in situ whilst the use or development is in operation .

Reason - In the interests of amenity and public health, pursuant to policy SP1 and DM 1 of the Manchester Core Strategy (2012).

6) The use of the site compound and office, canteen and staff welfare facilities hereby approved shall be confined to the following hours:-

Mondays to Fridays:

0700hrs-1700hrs

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

6) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 17:00, Monday to Friday, no deliveries/waste collections on Saturday/Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

7) a) Any externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

Within one months of the date of this planning permission, a scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise from plant. The scheme shall be implemented in full one month after approval.

b) One month after approval of the scheme agreed in part (a) of this planning condition, a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of nonconformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

8) The development hereby approved shall be implemented in accordance with the measures recommended in the Drainage Strategy and Flood Risk Assessment for Site Compound at Palmerston Street (ref: LRD 32236 dated December 2021 revision 001) received by the City Council, on 01/06/2023.

Reason - To manage the risk of flooding and pollution, pursuant national policies within the NPPF and NPPG and policies EN08 and EN14 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
Environment Agency
United Utilities Water PLC

6 Caterham Street, Manchester, M4 7DE
10 Harding Street, Manchester, M4 7DR
16 Tutbury Street, Manchester, M4 7DG
Discovery House, 54 Every Street, Manchester, M4 7DN
7 Harding Street, Manchester, M4 7DR
3 Harding Street, Manchester, M4 7DR
40 Tutbury Street, Manchester, M4 7DG
32 Tutbury Street, Manchester, M4 7DG
28 Tutbury Street, Manchester, M4 7DG
22 Tutbury Street, Manchester, M4 7DG
10 Tutbury Street, Manchester, M4 7DG
5 Grace Walk, Manchester, M4 7DA
13 Grace Walk, Manchester, M4 7DA
4 Caterham Street, Manchester, M4 7DE
4 Fairham Walk, Manchester, M4 7DD
8 Harding Street, Manchester, M4 7DR
6 Harding Street, Manchester, M4 7DR
5 Harding Street, Manchester, M4 7DR
4 Harding Street, Manchester, M4 7DR
2 Harding Street, Manchester, M4 7DR
14 Harding Street, Manchester, M4 7DR
12 Harding Street, Manchester, M4 7DR
1 Harding Street, Manchester, M4 7DR
7 Tutbury Street, Manchester, M4 7DG
5 Tutbury Street, Manchester, M4 7DG
44 Tutbury Street, Manchester, M4 7DG
42 Tutbury Street, Manchester, M4 7DG
38 Tutbury Street, Manchester, M4 7DG
36 Tutbury Street, Manchester, M4 7DG
34 Tutbury Street, Manchester, M4 7DG
30 Tutbury Street, Manchester, M4 7DG
3 Tutbury Street, Manchester, M4 7DG
26 Tutbury Street, Manchester, M4 7DG
24 Tutbury Street, Manchester, M4 7DG
20 Tutbury Street, Manchester, M4 7DG
18 Tutbury Street, Manchester, M4 7DG
14 Tutbury Street, Manchester, M4 7DG
12 Tutbury Street, Manchester, M4 7DG
1 Tutbury Street, Manchester, M4 7DG
9 Grace Walk, Manchester, M4 7DA
7 Grace Walk, Manchester, M4 7DA
3 Grace Walk, Manchester, M4 7DA
15 Grace Walk, Manchester, M4 7DA
11 Grace Walk, Manchester, M4 7DA
1 Grace Walk, Manchester, M4 7DA

8 Caterham Street, Manchester, M4 7DE
2 Caterham Street, Manchester, M4 7DE
6 Fairham Walk, Manchester, M4 7DD
2 Fairham Walk, Manchester, M4 7DD

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
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: CENTRAL