

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135994/DEM/2023

Date registered valid: 24 January 2023

Proposal: Prior Approval for the demolition of 3 storey building forming shops and maisonette apartments above.

Address: 17-47 Eastford Square, Manchester, M40 7QT

Ward(s): Harpurhey Ward

Applicant: Mr James Kay Manchester City Council

Agent (if any): Mr James Kay Manchester City Council

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

Recommendation: No objection

Date of recommendation: 20.02.2023

Application details

Type of application: Proposed demolition

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 26 January 2023 Expired: 16 February 2023

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: n/a

Tree Preservation Order: n/a

Description of area

The area relates to a part of Collyhurst on the western side of Rochdale Road as it runs northwards out of Manchester city centre. The uses present in the area are residential, high-rise buildings. The area on the site side of Rochdale Road is not densely developed at present. The area falls within the Northern Gateway Regeneration Area. As such, development here is a priority for the city council.

The site relates to a three-storey mixed use building, comprising retail units on the ground floor and maisonettes on the upper two floors. It was constructed c1960/70 as part of a wider estate long since demolished. The building has been unoccupied for some time since the last retail unit was compulsorily purchased.

Description of development

The development relates to the demolition of the building as part of regeneration works being undertaken in the wider Northern Gateway area.

Consultations & Notification Responses

GM Ecology Unit – No objections on ecology ground

Highways – Road dilapidation assessment and road closure requested. Attached as informatives.

Environmental Health – no objections, hours and dust control measures acceptable.

Environmental Impact Assessment

Demolition works fall within the scope of the EIA Directive and therefore it is now necessary to consider whether the demolition project is likely to have significant environmental effects.

The proposal type is listed in category 10 (b) Urban Development Projects of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017, however this proposal falls under the threshold under 1 hectare.

A screening opinion was undertaken as part of the process of considering this application. It is concluded that the development will have some minor impact on the surrounding area. However, based on evaluation against the criteria set out by the TCPA (EIA) Regulations 2017 and the NPPG, it is not considered that these impacts would warrant an EIA. The impacts are predictable, will be of no more than local importance and appropriate mitigation measures are in place. It is the opinion of the city council, as local planning authority, that EIA is not required for this development.

Issues

The site contains the following structures which are to be subject to demolition:

- 17-47 Eastford Square, a unoccupied, mixed use, three-storey building

All demolition works, including the crushing of stone, concrete and brick arisings, will take place within the site boundary. The aggregate will then be reused on site. Other waste materials, including ACMs will be segregated and processed off site appropriately.

The scale of the development is modest. It will take place over 8 weeks and impact a small geographic area. There is unlikely to be significant impacts on local residents. Operational hours are limited to 0730-1700 Mon-Fri. Impacts are considered to be predictable, temporary and no more than locally significant.

There is currently a low-level of development in the area and so the potential for cumulative impacts is low.

The main impacts are vehicle movements, dust and noise from the process and machinery.

Access to the site will be managed by a banksman. Highways have recommended a total highway closure to restrict movement in the interest of safety. The use of dust suppression measures will be employed where necessary. Noise and air quality monitoring will be undertaken throughout the process to ensure they both stay within acceptable levels.

The site will be backfilled with reused aggregate resulting from the demolition once demolition activity has ended.

The applicant has posted site notices on all sides of the site to ensure residents are informed of the demolition.

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: No objection

Article 35 Declaration

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

- 1) The City Council is satisfied that the demolition works in this case are satisfactory and will not have a significant impact on the environment. This decision is based on the submitted GF layout plan and specification DRB0003, Basement and GF plan 240/17/1, Site plan existing and proposed DRB0002, Demolition method statement, Supporting information REF. DXH45304 and Site notice statement received by the City Council as Local Planning Authority on 17/01/2023 and Bat survey, Preliminary Roost Assessment received by the City Council as Local Planning Authority on 24/01/2023 and subject to the working hours Mon-Fri 8am - 4:30pm, Sat-Sun no working.

Informatives

- 1) Although barriers restrict vehicular access along Sand Street, it is recommended that a full temporary closure of Sand Street is taken forward by the applicant in order to restrict pedestrian and cycle movement for safety reasons (whilst maintaining TfGM depot access). Temporary closure of the maintained pedestrian stairway would also be required. The applicant should apply for the temporary closure by contacting MCC Highways Applications and Network Resilience teams via Email: highwaylicences@manchester.gov.uk.
- 2) Prior to the commencement of the works hereby approved, a road dilapidation surveys will be undertaken. This should include photographs and commentary on the condition of carriageway / footways, on construction vehicle routes surrounding the site and outline appropriate remediation works.
- 3) The topsoil to be introduced to the site following demolition should be demonstrated to be chemically suitable for use in a public open space, ie it should not contain unacceptable levels of contaminants with respect to that end-use. The supplier should be able to

provide appropriate certification to this effect and Environmental Health will be happy to review in due course.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Ecology Unit

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
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL