

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134866/FO/2022

Date registered valid: 5 September 2022

Proposal: Installation of two single storey portable buildings, following the removal of existing portacabins, to provide improved security facilities on site for a temporary period of 5 years

Address: Iceland Manufacturing Limited, Hammerstone Road, Manchester, M18 8BW

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr Sam Cooke

Agent (if any): Mr Tom Myers, Portakabin Ltd

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 25 January 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Standard consultations:

Printed: 18 November 2022

Expired: 9 December 2022

Neighbour notifications

Printed: 13 December 2022

Expired: 27 December 2022

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: Not applicable

Tree Preservation Order: Not applicable

This application relates to the site of Iceland Manufacturing Limited, which occupies an 'island' site on an industrial estate. The company manufactures and packages ready meal products for Iceland Stores. Finished products are then removed from site to frozen storage warehouses.

The site presently has two existing portable buildings, used for security purposes, but the applicant states that these are now dilapidated and need to be replaced. Consent is therefore sought for two new replacement portacabin style single storey buildings on site. These units are of a temporary nature and a 5 year temporary consent is therefore sought.

At the South-West corner of the site there is currently a single storey security cabin/lodge where staff, visitors and contractors sign in and out, and which also serves as a CCTV central location. This is to be replaced by a similar sized single storey portacabin in the same location.

Adjacent to the northern elevation of the building, approximately 35 metres from the North-West corner of the site, there is currently a single storey security cabin/'gate-house' where all deliveries and outbound finished products are booked in and out. This is to be replaced by a similar sized single storey portacabin/'gate house', which would be located directly at the North-West corner of the site. The applicants have indicated that the reason for the relocation of the 'gate house' is to better accommodate inbound and outbound vehicles, space utilisation and reduce traffic. This would be within the confines of the loading bay yard, where there is a one foot boundary wall in place.

The Proposed portacabin buildings each have an individual floor space of approximately 35.80sqm, giving a total of approximately 71.6sqm combined, and each would be located of an existing area of hardstanding.

The applicants have indicated that no changes are proposed to existing boundary arrangements, staffing levels or car parking levels.

Consultations & Notification Responses

Local residents/adjoining occupiers - One response was received from the occupier of some nearby business premises.

They sought further information in relation to the intended use for the proposed portacabins, as they considered that the current operation, of the application site, created issues for them, due to levels of vehicular activity, loading bays not being used as intended, leading to the blocking of the road, and noise from the site. Their main concern was that this proposal could exacerbate existing problems at the site.

Further information/clarification was provided, to the objector, and an additional neighbour notification was carried out. No additional comments were received.

Highway Services - Makes the following comments:

The cabins provide a replacement for existing dilapidated security buildings with one serving as a gatehouse and the other as a security cabin.

Existing waste management arrangements and on-site parking provision is unaffected as is pedestrian and vehicle access.

Highways have no issues with this proposal.

Strategic Area and Citywide Support Manager - Recommends that a condition is attached, to any permission, in relation to the acoustic insulation of any external equipment.

Issues

National Planning Policy Framework (July 2021) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
- b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. paragraph 127).

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City 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.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

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.

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed

guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is unallocated in the plan.

Saved policy DC26.1 states that the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a. the effect of new development proposals which are likely to be generators of noise; and
- b. the implications of new development being exposed to existing noise sources, which are effectively outside planning control.

Impact of development - In relation to the proposed unit, at the South-West of the site, this is a like-for-like replacement for an existing portacabin, with no change in the size, height, or position of the unit. This therefore represents an upgrade, to an existing dilapidated unit, and it is considered that this proposed unit represents a minimal change to existing arrangements on site.

In relation to the unit, to the north of the site, the proposed unit is of the same size/height, as the existing unit, but is in a different location. It is proposed at the North-West corner of the site, so would be more prominently positioned, than the existing unit, but it is centrally located, within this industrial estate, so not viewed from any residential properties. Also, it will be seen against the backdrop of a larger/higher industrial building. It is there considered that this structure represents a minimal change to existing arrangements on site and would have a minimal visual impact.

Site layout/car parking - The unit at the South-West of the site, is located in a large yard area, where no cars are parked. Some other units are located in this yard, as well as some large nitrogen tanks, which have previously been granted permission. The applicants state that the yard is used for waste movement/disposal and is used to access the two nitrogen tanks only, with no cars parked there.

With regards to the unit at the North-West of the site, the applicants state that the unit is being moved in order to allow more lorries to park on the loading area, which will they state will reduce traffic difficulties in this area.

Cars relating to the overall site use are parked in a 22 space car park, at the front of the eastern side of the building and in a 54 space car park, on the opposite side of Hammerstone Road.

It is not considered that the proposed development would have a significant impact upon the car parking and highways arrangements, at the site, and Highways Services have no objection to the proposal.

Impact on adjoining occupiers - The objectors concerns largely relate to some existing traffic and noise issues that they are experiencing. It is not considered that the proposal, for two replacement portacabins, would lead to any significant changes in existing activities on site and would not therefor worsen any current site issues, perceived by the objector. The objector sought clarification of how the units would operate, and a further consultation was carried out, but no additional response was received. It is not considered that the proposal would lead to any significant impacts on the operators of any adjoining commercial premises.

Building design - Whilst the new portacabins would represent a visual improvement on site, as they are replacing existing dilapidated structures, they are nevertheless portacabin structures, and are therefore of a temporary nature. Consequently a 5 year temporary consent only is being considered.

Waste - There are no changes to the existing waste management arrangements on site.

Hours of operation - The premises lie in the heart of an industrial estate, in which a number of 24 hour uses are present, including at the application site. The units are for security purposes only and are unlikely to lead to any increase in noise from the site. Also, no restriction, on the hours of operation, has been sought from Environmental Health.

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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, the application was originally submitted for permanent consent but was amended to seek a 5 year temporary consent, and clarification was sought in relation to how the units would operate.

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

1) The planning permission hereby granted is for a limited period only, expiring on 27 January 2028. At the expiry of this date all buildings, works, uses of land or other development hereby permitted shall be removed or discontinued and the land reinstated to its former condition within one month of the structure being vacated or before the expiration of the period specified in this condition, whichever is sooner.

Reason - The development is of a temporary nature only, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

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

Drawings numbered TM420062346 and GE0001 rev X and the Design and Access Statement, all stamped as received by the City Council, as Local Planning Authority, on 5 September 2022.

Email from Thomas Myers, dated 3 October 2022, which confirms that a 5 year temporary consent is sought.

Drawing number DR01-00, stamped as received by the City Council, as Local Planning Authority, on 10 November 2022

Email from Matthew Stott, dated 5 January 2023, which provides clarification on the existing and proposed security arrangements.

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.

3) 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. Prior to commencement of the use hereby approved the 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 emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme 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 non-conformity 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, pursuant to saved policy DC26, of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Highway Services

Mobile Library Service Units, Hammerstone Road Depot, Hammerstone Road, Manchester, M18 8EQ

Security Cabin, Hammerstone Road Depot, Hammerstone Road, Manchester, M18 8EQ

Taxi Maintenance House, Hammerstone Road Depot, Hammerstone Road, Manchester, M18 8EQ

Direct Works Department, Hammerstone Road, Manchester, M18 8EF

B1 Coca Cola Building, Hammerstone Road Depot, Hammerstone Road, Manchester, M18 8EQ

3 Gateway Road, Manchester, M18 8EZ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH AREA