

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136094/FO/2023

Date registered valid: 14 February 2023

Proposal: Alterations to vehicle access point

Address: Stone House Investments Development Site, Grimshaw Lane,
Manchester, M40 2BA

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr James Lewis, Canmoor (Manchester) Ltd

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

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

Recommendation: Approve

Date of recommendation: 4 April 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 30 March 2023

Standard consultations:

Printed: 22 February 2023 Expired: 15 March 2023

Neighbour notifications

Printed: 22 February 2023 Expired: 15 March 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

The application site relates to a large area of disused grass and scrub land. The site is bounded to the north and west by an industrial site (former Mather and Platt foundry/engineering works which has recently obtained planning permission for the erection of 12 No. industrial units, (Ref: 129444/FO/2021). To the east is a large bakery and distribution unit, whereas to the south are further industrial premises and the junction with Lord North Street. Immediately to the west of the site is an internal access road leading from Grimshaw Lane, intended to serve the recently approved industrial development at the Mather and Platt site.



The western perimeter contains a row of large Poplar trees which delineates the boundary between the host site and the Mather and Platt site.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

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

Grimshaw Lane to the north-west is a mixed industrial area, the main occupier comprising the Princes soft drinks manufacturing and distribution complex. Grimshaw Lane continues in a north-west direction to join the A62 Oldham Road main arterial route which then continues on to the M60 motorway to the north-east.

Description of development

Planning permission is sought to create a new access off the existing, private internal access road which serves the neighbouring Mather and Platt site. The proposed access will require changes to an existing bellmouth junction and would involve the removal of 4 Poplar trees.

The proposed access is intended to facilitate the future redevelopment of the vacant site by allowing access into the site.

Policy

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

- Policies DM1, SP1, EC4, T2 and EN9 of the Manchester Core Strategy;
- Manchester Green and Blue Infrastructure Strategy 2015;
- National Planning Policy Framework.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Highways Services – No objection to the proposed access alterations.

Neighbourhoods (Arboriculture) – It would be preferred for the access points to be moved to a location which does not require any additional tree removal. However, the trees are not of high visual amenity value and therefore it is requested that the tree loss is mitigated with extra heavy standard trees within the site boundary.

Issues

Trees

The proposed access would involve breaking through the boundary which separates the host site and the neighbouring access road serving the Mather and Platt site and would require the removal of 4 large Poplar trees.

Whilst it is agreed that the Poplar trees along this road are degenerating and have significant crown dieback and weak branch unions, the removal of the old poplars and self-set mixed specimens along would require replacement in line with Council policy.

The Council's Arboriculturalist considers that whilst an alternative access would be preferable, given the low amenity value of the tree and their relative poor health, their removal can be sustained. It is requested that heavy standard trees are planted to mitigate their loss. An appropriate condition has been included.

It is believed that whilst the loss of trees is always regrettable, they are not high quality specimens and unlocking the development potential of the host site outweighs concerns surrounding their loss if suitably replaced.

It should also be noted that the trees are not statutorily protected and could be removed without consent. As the trees are not protected and are not considered to be of sufficient amenity value, it is not considered their loss should provide a constraint to development.

Ecology

An informative has been included to ensure the trees are not removed during the optimum bird nesting season in order to protect any potential nesting birds.

Highway Impact

The proposed access alterations relate to an internal access road serving the neighbouring Mather and Platt Site. This road is unadopted, albeit access is eventually gained off Grimshaw Lane which does form adopted highway.

The proposed access is to allow shared use of the access road and to unlock the potential of the host site.

The application has been accompanied by vehicular tracking assessment which demonstrates that a 16.5 metre long articulated vehicle can access and egress the site in a forward gear.

Highway Services have assessed the proposed access and considered that any impact can be readily sustained and would have no harmful impact to the operation of the highway. On this basis, the impact to the highway is considered acceptable.

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 to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

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

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:

Drawings referenced PL2002 and 20-93-03/E received by the City Council as Local Planning Authority on 27 January 2023 and drawings referenced PL-2000/A and 205229/AT/S01 received by the City Council as Local Planning Authority on 27 January 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.

3) No development shall commence until a tree replacement scheme to be sited on land owned by the applicant, as shown on drawing PL-2000/A has been submitted to and agreed in writing by the City Council as Local Planning Authority. The replacement trees should be of an extra heavy standard. The approved scheme shall be implemented not later than 12 months from the date the new access is created. If within a period of 5 years from the date of the planting of any tree, the tree or any tree planted in replacement for them, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To compensate for the tree proposed to be removed and its interests of amenity and bio-diversity, pursuant to policies SP1, EN9 and DM1 of the Manchester Core Strategy.

Informative

1) No vegetation or tree clearance required to facilitate the development shall take place during the optimum period for bird nesting (March to August inclusive). All nesting birds their eggs and young are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)

Grimshaw Lane Depot, Grimshaw Lane, Manchester, M40 2AX
Princes Soft Drinks Ltd, Lord North Street, Manchester, M40 2HJ
Units 1 To 10, Clifton Street, Manchester, M40 8HF

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA