

Planning

Growth & Development

Delegated officer report for planning application

Application no.	134575/DEM/2022
Date registered valid:	8 November 2022
Proposal:	Prior Approval for the demolition of workshops/industrial units and office building
Address:	Paston Road, Manchester, M22 4TF
Ward(s):	Northenden Ward
Applicant:	John Egerton, Egertons Recovery
Agent (if any):	Jamie Davenport, Davenport Architecture Ltd
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	28 March 2023

Application details

Type of application: Proposed demolition

Development type: Notifications

Standard consultations:

Printed: 6 December 2022 Expired: 27 December 2022

Neighbour notifications

Printed: 16 November 2022 Expired: 7 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/area

Long rectangular workshop building (part single/part three storeys) within the Egerton's complex at the corner of Paston Road and Bradnor Road. Egerton's operate a vehicle recovery from the site. The site is located within the Sharston Industrial Estate. Industrial uses are located to the north, east and south of the site, while to the east there are a number of residential properties.

Listed building: no
Conservation area: no
Tree Preservation Order: no

Description of development

The applicant is seeking Prior Approval consent for the demolition of the workshop building.

Consultations & Notification Responses

Local Residents and Businesses – No comments received.

Highway Services – No objections to the proposal and has sought clarification on a number of logistical elements of the demolition process.

Environmental Health – Suggested the imposition of a condition hours of operation and adherence to the demolition method statement.

Greater Manchester Ecology Unit – No objections, though recommends the inclusion of an informative about bat presence and also the imposition of a condition limiting when vegetation can be cleared.

Cadent Gas Ltd – No objections to the demolition work.

Issues

Principle – The principle of the proposed demolition is considered acceptable. Notwithstanding this, consideration must be given to the environmental impact of the demolition work.

Impact of the Demolition Works – Demolition of the site will be undertaken by a specialist demolition contractor. All works will be completed in accordance with the requirements of the Construction, Design and Management Regulations 2015, BS 6187:2011: Code of Practice for Full and Partial Demolition.

On balance, it is felt that the impact will be temporary, of a localised nature and not give rise to any significant effects on the environments. All potential effects can be satisfactorily considered as part of the prior notification for demolition process. It is considered that this proposal would not have any significant environmental impact.

Ecological Impact – It is considered that the proposal would have little impact upon ecological features and this is recognised by GMEU. Notwithstanding this, GMEU have suggested that an informative about potential bat habitation be appended to any approval granted.

The comments in respect of vegetation clearance are noted and an appropriately worded condition is suggested in this instance.

Pedestrian and Highway Safety – As the Egerton site has ample off-street parking and servicing facilities it is not considered that the demolition process would put a severe strain on the levels of existing on-street parking experienced in the industrial estate. Furthermore, as the roads adjoining this site do not connect up with any residential roads it is not considered that the comings and goings associated with the demolition process would have an unduly detrimental impact upon the current levels of pedestrian and highway safety enjoyed within the vicinity of the site.

Residential Amenity – The nearest residential accommodation is located at the rear of the site on Banstead Avenue and it is separated from Egerton's site by a deep mature landscaped strip.

No jackhammers would be used during the demolition process and the applicant is anticipating that the main demolition work would be completed within two days. Given this and the fact the applicant states that the hours of work will be generally 9am-5pm weekdays and 9am-12pm on Saturdays, it is not believed that the proposed demolition works would have a detrimental impact upon existing amenity levels. This is especially so given the contents of the Demolition Method Statement which would ensure any disturbance is kept to a minimum.

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

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 following documents stamped as received on 8 November 2022:

- a) Demolition Method Statement, Photographic Survey and Risk Assessment
- b) Dust Management Strategy, as amended by agents email dated 17 February 2023
- c) Ecology Statement
- d) Location Plan

2) No works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the structures for active birds' nests immediately before the works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Manchester Core Strategy.

Informatives

1) Presence of Bats - Whilst the building to be demolished has been assessed as very low risk for bats, the applicant is reminded that under Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 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.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Environmental Health

Greater Manchester Ecology Unit

Cadent Gas Ltd

Heimbach Uk Ltd, Bradnor Road, Manchester, M22 4TS

Bradnor Point, Paston Road, Manchester, M22 4TF

9 Banstead Avenue, Manchester, M22 4AQ

15 Banstead Avenue, Manchester, M22 4AQ

11 Banstead Avenue, Manchester, M22 4AQ

Sharston Bus Depot, Paston Road, Manchester, M22 4TF

13 Banstead Avenue, Manchester, M22 4AQ

Appendix 2 – Planning constraints

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

Article 4 Direction - Wythenshawe PD Restriction - Class B1(a) To C3

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

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 45M

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA