

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132806/FO/2022

Date registered valid: 31 January 2022

Proposal: Installation of 9 variable refrigerant flow (VRF) units on flat roof of building

Address: Transport For Greater Manchester , 2 Piccadilly Place, Manchester, M1 3BG

Ward(s): Piccadilly Ward

Applicant: Mr Jonathan Arthur Jamieson Contracting 2 Dunkirk Lane, Hyde , SK14 4PL

Agent (if any): Mr Ralph Taylor Paul Butler Associates 31 Blackfriars Road, Salford, M3 7AQ

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 7 April 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 17 February 2022 Expired: 10 March 2022

Neighbour notifications

Printed: 17 February 2022 Expired: 10 March 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of Site/Area

The application site comprises the roof of the 2 Piccadilly Place office building which is currently in use as an office. The building is located on the west side of London Road (A6) and lies approximately 75m to the north west of Piccadilly Railway Station. A pedestrian footway runs to the south of the building and is linked via a pedestrian bridge to Station Approach / Piccadilly Station over London Road (A6). The building is eight storeys in height with a parapet enclosing a flat roof. The deep parapet enclosure accommodates a plethora of existing mechanical plant associated with the building.

Description of Development

The submitted application seeks planning permission for the installation of 9 variable refrigerant flow (VRF) units on flat roof of building.

Consultations & Notification Responses

Local residents and businesses were notified for 21 days however no responses were received.

Environmental Health – originally raised concerns in relation to the submitted noise report as it would not meet the councils noise criteria and therefore could give rise to impacts on amenity in terms due to increased noise levels. Following these comments the proposal has been revised and a new noise report submitted. Environmental Health have accepted the conclusions of the report and recommended a condition that requires a verification report to be submitted prior to the first operation of the plant material.

Policies

National Planning Policy Framework (July 2021)

The revised NPPF was adopted in July 2021. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7).

In order to achieve sustainable development, the NPPF states that the planning system has three overarching objectives - economic, social and environmental (paragraph 8).

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality 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 126).

Section 14. Meeting the challenge of climate change, flooding and coastal change
Paragraph 152 advise that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.

Paragraph 158 advises that when determining planning applications for renewable and low carbon development local authorities should approve the application if these impacts are (or can be made) acceptable.

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 EN 4 - Reducing CO2 Emissions by Enabling Low and Zero Carbon Development
The Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO2 emissions, and rising fossil fuel prices, through the following actions:

All development must follow the principle of the Energy Hierarchy, being designed:

- o to reduce the need for energy through design features that provide passive heating, natural lighting and cooling
- o to reduce the need for energy through energy efficient features such as improved insulation and glazing to meet residual energy requirements through the use of low or zero carbon energy generating technologies
- o Where possible new development and retrofit projects will be used as a mechanism to help improve energy efficiency and provide low and zero carbon energy supplies to existing buildings.

Policy EN 8 - Adaptation to Climate Change

All new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces. In achieving developments which are adaptable to climate change.

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 EN1 relates to design principles and strategic character areas and states that all development in Manchester will be expected to follow the seven principles of urban design listed below:

- Character: a place with its own identity
- Continuity and enclosure: a place where public and private places are clearly distinguished
- Quality of the public realm: a place with attractive, and successful outdoor areas
- Ease of movement: a place that is easy to get to and move through
- Legibility: a place that has a clear image and is easy to understand
- Adaptability: a place that can change easily
- Diversity: a place with variety and choice

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.

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.

Issues

Sustainability

Pursuant to policies EN4 and EN8, the proposed VRF units use are more energy efficient and their technology the exact amount of cooling necessary, reducing overall energy consumption. VRF systems also improve energy efficiency by capturing and reusing the heat generated during the cooling process.

The proposed VRFs are efficient electric systems and will help to see the reduction in CO2 emissions in accordance with Core Strategy Policies EN4 and EN5.

Visual impact of works

The development would involve the installation of 9 no VRFs will be located on the flat roof of the building. The flat roof currently houses a variety of mechanical plant associated with the 2 Piccadilly Place office building. The roof is enclosed by a deep parapet wall which provides a visual screen and The VRFs will sit below the parapet. The proposal is therefore considered to be acceptable and in accordance with Core Strategy Policy DM1.

Noise

Initially concerns were raised by Environmental Health officers in relation to noise as the submitted noise report concludes that the originally propose ASHP unit would not achieve the councils noise criteria during the day (3dB below) or at night (0dB below). The report does not propose any mitigation measures to mitigate the noise and therefore further assessment was required.

Concerns related to the noise which would potentially emanate from the proposed units against the level of background noise levels and in turn would possibly impact nearby noise sensitive receptors.

In response to this the agent has revised the scheme to provide 9 VRF units in lieu of the ASHPs provided a revised noise report, EH officers have assessed the noise report and that they are satisfied with the content, as the acousticians have demonstrated that the noise requirements would be complied with. However, the applicant would still need a verification report once the heating systems have been commissioned to prove that they are operating at the agreed level, and are in compliance with the 5dB(A) below background level criteria. It is therefore proposed to attach an appropriately worded noise condition to any approval.

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: Approved

Article 35 Declaration

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through the stages of the planning process and resolve any issues that arose in dealing with the planning application. The original submission raised initial concerns about the levels of noise from the proposed equipment, and following the receipt of further information these matters have been satisfactorily resolved and the appropriate conditions have been attached.

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:

Location Plan received by the City Council as Local Planning Authority on 31 January 2022.

Received by the City Council as Local Planning Authority on 14 March 2022:

Drawings referenced 2PP1002-TGM-01-RF-DR-M-0001 Rev C and 2PP1002-TGM-01-RF-DR-M-0002 Rev D

Plant Sound Assessment Report ref. 0922/4/PSA1 Revision 1 dated 10 March 2022

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).

3) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with the recommendations in the 'Plant Sound Assessment Report ref. 0922/4/PSA1 Revision 1' dated 10 March 2022 received by the City Council as Local Planning Authority on 14 March 2022. The measures shall be implemented in full prior to first use of the development.

b) Prior to first use of the equipment, 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 policy DM1 of the Manchester Core Strategy and saved policy DC26.1 of the Unitary Development Plan for the City of Manchester.

Informatives

1) Plant installation works shall be confined to the following hours unless otherwise agreed in writing by the City Council

- o Monday - Friday: 7.30am - 6pm
- o Saturday: 8.30am - 2pm
- o Sunday / Bank holidays: No work

Appendix 1 – List of consultees & neighbours notified

Environmental Health
High Speed Two (HS2) Limited

City Inn, 1 Piccadilly Place, Manchester, M1 3DG

Appendix 2 – Planning constraints

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

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

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

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)

Area Team Boundary - Name: CITY2