MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	131111/FO/2021
Date registered valid:	19 July 2021
Proposal:	Installation of ground source heat pump in a new plant enclosure, together with associated works
Address:	North City Family And Fitness Centre , Upper Conran Street, Manchester, M9 4DA
Ward(s):	Harpurhey Ward
Applicant:	Mr Dipak Shah Ameresco Limited 3rd Floor, 14-16 Dowgate Hill, London, EC4R 2SU
Agent (if any):	Mr David Tye Paul Butler Associates Ltd 31 Blackfriars Road, Salford, M3 7AQ
Case officer:	Janine Renshaw-Livesey Tel: 0161 234 4555 Email: janine.renshaw-livesey@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	4 October 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:
Printed: 27 July 2021 Expired: 17 August 2021

Neighbour notifications
Printed: 27 July 2021 Expired: 17 August 2021

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: No

Tree Preservation Order: **No**

The application site is North City Family and Fitness Centre located off Rochdale Road, adjacent to the Shopping Centre and Market in Harpurhey. The site is bound by Moston Lane and Upper Conran Street. The site lies within the designated boundary of Harpurhey District Centre.

The Proposal

The proposal includes the erection of single storey brick plant enclosure to house equipment associated with the ground floor heat pump.

The number of boreholes is estimated to be 30 with the ground area for the works including drilling, trenching and temporary excavations being 0.34 hectares taking place within the car parking area of the fitness centre.

Background

As part of the Public Sector Decarbonisation Scheme (PSDS), Manchester City Council are seeking to decarbonise their heating system by introducing energy efficiency improvements within their facilities. This would support their long term goals of becoming carbon neutral by 2038 across all areas of their operation. The driver for this project is maximising long term carbon savings for the site and the project involves retrofitting a ground source heat pump system into the existing heating systems at the North City Family and Fitness Centre.

The proposed pump location will be housed within a small new plant building next to the centre. Each heat pump unit shall be supplied with independent MID compliant heat output and electrical input meters which are to be interfaced with the building management system for remote monitoring. Meters will be positioned to enable them to be removed for calibration without impacting any other services except the heat pump.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted and no representations were received.

Environment Health-Commented that in the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and contact Environment and restricted the construction hours. These stipulations have been added as an informative to the consent. Furthermore, environmental health accept the construction management arrangement provided by the applicant and confirmed that it is acceptable and environmental health have agreed the amended wording for the noise condition to avoid a pre commitment condition, which now states that the borefield hereby approved may be commenced prior to the approval of the acoustic scheme for the Heat pump.

The Highways Team commented raised no objection to the proposal subject to the newly resurfaced car park be de marked and a condition has been attached to the consent.

Issues

National Planning Policy Framework - Sets out the government's planning policies for England and how these are expected to be applied. It defines the government's requirements for the planning system `only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through `which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 11 states that `at the heart of the Framework is a presumption in favour of sustainable development' and, in `decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted.

National Policy Framework has been related to the proposed development, with particular emphasis given to the following:

Core planning principles - Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan making and decision-taking with the following specific policies being particularly relevant to the proposed development:

Chapter 12 Achieving well-designed places

Paragraph 124 states that in 'the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.' It further states that '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.'

In this case, it is considered that the proposal would be not be harmful to the visual amenities of the area and the character of the built environment. Furthermore, the proposed development would not unduly impact upon the immediate streetscene.

Chapter 14 Meeting the challenge of climate change, flooding and coastal change

Paragraph 148 states 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. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Paragraph 154 states 'When determining planning applications for renewable and low carbon development, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and b) approve the application if its impacts are (or can be made) acceptable49. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas'.

The proposed development would provide a long term zero carbon emitting sustainable heat source for the care home and has the potential to off set at least 130 tonnes of carbon annually, thus complying with the aspirations set out in the NPPF.

Local Development Framework Core Strategy Development Plan Document (Adopted 11 July 2012)

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

- Policy DM 1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN4 Reducing CO2 Emissions by Enabling Low and Zero Carbon Development
- Policy EN5 Strategic Areas for low and zero carbon decentralised energy infrastructure

It is considered that the proposed ground source heat pump and associated pipework would relate appropriately to the context of the site and its surrounding area. Furthermore, the proposed works would not be visible above ground would be 'read' within the context and function of the site without unduly affecting residential amenity. The single storey brick building positioned on the south eastern corner of the fitness centre will house the associated heat pump equipment. The building lies within a recessed area behind the back of the fitness centre and replaces an unattractive wooden fence. The proposed brick building in term of size,

appearance and location is considered to be acceptable. Therefore, the proposals would thereby be appropriately related to Core Strategy policies SP1, EN1, EN4 and DM1.

4. Saved Unitary Development Plan Policies - The UDP has been superseded by the Core Strategy Development Plan, of relevance are the following saved policies.

o Saved Policy DC26 - Noise
DC26.1 advises 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.

Principle - The proposed installation of the ground source heat pump by the fitness centre to provide an on-going sustainable solution their heating requirements is commensurate with the fitness centre use.

Sustainability - Core Strategy and NPPF policies seeks to reduce carbon emissions by using renewable energy. The proposed ground source heat pumps utilise naturally stored heat from under the ground, and in this case are predicted to off set over 130 tonnes of carbon per year, thereby providing a sustainable solution for the heating requirements of the fitness centre. Furthermore, there would be no nitrous oxides or particulate matter, and no requirements for fuel deliveries to the site. This accords with policy EN4 of the Core Strategy and NPPF guidance.

It is a requirement of Section 38(6) of the Town and Country Planning Act 2004 that where a development plan contains policies relevant to an application, the decision must be made in accordance with the development plan, unless material considerations indicate otherwise.

The statutory development plan therefore relating to the application site consists of the Manchester City Council Core Strategy and the saved policies of the Unitary Development Plan. Material considerations relating to this application include the National Planning Policy Framework

Visual Amenity

The GSHP will be located within an enclosed plant building located in a recessed area on the south westerly elevation of the Fitness Centre. The brick built plant room lies next to a similar sized brick building. The proposed plant room is diminutive in comparison to the scale of the fitness centre building which it would serve. Despite the proposed plant room being visible from the street scene the highway it is positioned adjacent is a service road to the shopping centre. Therefore, the size and appearance and location of the plant room building is considered not to detract visually from the architecture if the host building nor does it visually detract from within the street scene and is therefore compliant with Policy DM1: 'Development Management'.

Noise

Technical data for the proposed plant and equipment was provided by the applicant and environmental health confirmed the borefield procedure may commence prior to the approval of the acoustic scheme for the Heat pump. However, prior to commissioning of the plant a verification report shall be submitted 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, to ensure the development is therefore considered to be compliant with Policy DC26.1: 'Development and Noise' and capable of proceeding from a noise perspective.

Amenity

The proposal is located in a plant building and is visually discrete. The GSHP will not impact detrimentally upon the acoustic environment in which it will function. The amenities of neighbours are not detrimentally impacted by the development and the proposal is therefore considered compliant with Policy DM1: 'Development Management' which seeks to protect amenity.

Benefits

The scheme will clearly help meet an identified need for reducing CO2 emissions by enabling low and zero carbon development in Manchester. The installation will achieve a significant carbon reduction over the present operational position. The development can be regarded to be sustainable and compliant with Policy EN4 and EN5 which seek to reduce CO2 emissions by enabling low carbon development.

National Planning Policy Framework

Whilst the above demonstrates that the principle of development is acceptable when considered against local planning policy, the NPPF is a material consideration carrying significant weight and as such an assessment of the principle of development against the framework is required.

The scheme will clearly help meet an identified need for reducing CO2 emissions by enabling low and zero carbon development in Manchester. The NPPF outlines a presumption in favour of sustainable development, whereby development proposals that accord with the development plan should be approved unless material considerations indicate otherwise.

Having regard to the adopted policies of the Core Strategy and Saved UDP and paragraph 11 of the NPPF, we consider that the principle of the development is appropriate. Furthermore, it is also demonstrated that the proposed development constitutes sustainable development when assessed against the policies in the Framework as a whole. There are no other policies in the NPPF that in our view would restrict the development proposed and any adverse impacts of granting planning permission would not significantly or demonstrably outweigh the environmental benefits of the proposal.

The following section demonstrates that the principle of development is considered to be consistent with the policies in the NPPF, specifically:

Para 8c) The planning system should encourage measures to mitigate and adapt to climate change, including by moving to a low carbon economy.
Para 148) The planning system should support the transition to a low carbon future by supporting renewable and low carbon energy and associated infrastructure.
Para 154) States that 'When determining planning applications for renewable and low carbon development, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and b) approve the application if its impacts are (or can be made) acceptable.

Findings As evidenced above the proposal has been shown to be within a suitable and sustainable location for the proposed GSHP development, with no known adverse impacts arising from the development that would significantly and demonstrably outweigh its benefit. The application scheme is considered to be in full compliance with the adopted policies of the Core Strategy and Saved UDP. It is our view that no material planning considerations exist that would justify a refusal of planning permission. Consequently, the proposals are considered to constitute sustainable development as defined by the NPPF and the presumption in favour of sustainable development should apply in the determination of this application.

Highways

The development is situated within the site boundary and does not impinge upon the adopted highway. Highways require all contractor and construction vehicles to be accommodated within the site boundary or alternatively within an appropriate off-street location.

The car park to the Northwest of the site will be closed for the duration of the borehole drilling works. Sufficient car parking space will be available for all users at the adjacent retail shopping centre (this is currently used as overspill for the Fitness Centre), which has been agreed with the Building Manager at the Centre. Clear information and signage will be required to inform all users of the retail shopping centre car park location and access points and an informative has been attached to the consent.

The car park will be resurfaced following completion of the borehole drilling works and the car par spaces/orientation will be restored to its original condition. It is recommended that standard parking bay dimensions be a minimum of 2.4m x 4.8m, this should also include a 6 metre aisle width to allow vehicles to safely manoeuvre within the car park. It is also recommended that the parking bays are formally demarcated and a planning condition had been attached to the consent. The construction management plan has been submitted which is acceptable to Highways.

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 polices 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:

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. Further information was sought from officers during the application and amendments were made to the proposal.

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:

EP2012B-01 Rev P04, 10850-20-00-PL-DWG-0004 and the Location Plan, The Technical Specification from Carrier and the Geological Report, Ground Source System Design by Enercret, stamped as received on the 19 July 2021 and the Construction Management Plan by Ameresco, stamped as received on the 10 Sept 2021.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The construction management plan arrangements shall be carried out in accordance with the construction management plan produced by Ameresco, stamped as received on the 10 September 2021 and the email received from Paul Butler Associates Ltd dated 9 September 2021.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

4) a) The Heat pump and 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. For clarification the borefield hereby approved may be commenced prior to the approval of the acoustic scheme for the Heat pump.

b) Prior to commissioning of the plant 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 property and to safeguard the amenities of the

occupiers of the nearby residential accommodation, pursuant to policies DM1, EN1 of Manchester's Local Development Framework Core Strategy Development Plan Document and Saved Policies DC1 and DC26.1 of the Unitary Development Plan.

5) The development hereby approved, including the car park to be resurfaced following completion of the borehole drilling works and the car par spaces/orientation will be restored to its original condition. The standard parking bay dimensions shall be a minimum of 2.4m x 4.8m, including a 6 metre aisle width to allow vehicles to safely manoeuvre within the car park to be formally demarcated.

Reason - To ensure sufficient car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

Informatives

1) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

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

2) In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and contact Environment On Call on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

3) Clear information and signage will be required to inform all users of the retail shopping centre car park location and access points.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Pharmacy At ASDA, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DJ
Unit 31, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
153 Moston Lane, Manchester, M9 4HR
151 Moston Lane, Manchester, M9 4HR
KFC Restaurant, 10 Moston Lane, Manchester, M9 4DS
Harpurhey Police Station, Wembury Street North, Manchester, M9 4HY
Harpurhey Police Station, Moston Lane, Manchester, M9 4HU
Harpurhey Sure Start Children Centre, Upper Conran Street, Manchester, M9 4DA
ASDA, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DJ
Unit 39, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
Unit 35, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
Unit 33, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
Unit 31A, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
Unit 29, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
Unit 27, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
Forster Dean Ltd, Unit 25, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
Unit 23, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
Unit 21, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
9 Lee Road, Manchester, M9 4DH
10 Lee Road, Manchester, M9 4DH
School Bungalow, Holy Trinity C Of E Primary School, Capstan Street, Manchester, M9 4DU
Holy Trinity CE Primary School, Capstan Street, Manchester, M9 4DU
2 Capstan Street, Manchester, M9 4DU
Lidl UK, Upper Conran Street, Manchester, M9 4DA
10 Bookham Walk, Manchester, M9 4GE
4 Farndale Walk, Manchester, M9 4JF
155 Moston Lane, Manchester, M9 4HR
12 Bookham Walk, Manchester, M9 4GE
8 Bookham Walk, Manchester, M9 4GE
6 Bookham Walk, Manchester, M9 4GE
4 Bookham Walk, Manchester, M9 4GE
2 Bookham Walk, Manchester, M9 4GE
4 Hanslope Walk, Manchester, M9 4GD
2 Hanslope Walk, Manchester, M9 4GD
5 Hanslope Walk, Manchester, M9 4GD
3 Hanslope Walk, Manchester, M9 4GD
1 Hanslope Walk, Manchester, M9 4GD
5 Tiptree Walk, Manchester, M9 4GA
3 Tiptree Walk, Manchester, M9 4GA
1 Tiptree Walk, Manchester, M9 4GA
2 Farndale Walk, Manchester, M9 4JF

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
Area Team Boundary - Name: NORTH1