

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131568/FO/2021

Date registered valid: 6 September 2021

Proposal: Installation of a Ground Source Heat Pump system and associated works including 21 no. boreholes

Address: Hough End Leisure Centre, 480 Princess Road, Manchester, M20 1NA

Ward(s): Chorlton Park 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: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18 October 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 15.09.2021

Standard consultations:

Printed: 13 September 2021 Expired: 4 October 2021

Neighbour notifications

Printed: 13 September 2021 Expired: 4 October 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: Not applicable

Tree Preservation Order: Not applicable

Description of area

The Hough End Leisure Centre is located off Princess Road. The facilities provided by the centre are accommodated in a recently constructed building (2015). The building has a steel frame, double glazed windows, cladding and a flat roof. The Leisure Centre attracts visitors to a wide variety of facilities including 2 pools, a sauna and steam room, a large gym & studio as well as 2 squash courts and a foyer seating area. The building is open 7 days a week.

Description of development

The proposals relate to the installation of 21 boreholes associated with the installation of ground source heat pumps within the existing plant room of the Leisure Centre. There would be no above ground equipment and the requirement for planning permission arises from a number of the boreholes not being within the curtilage of the Leisure Centre but within the adjacent playing fields.

Consultations & Notification Responses

Nearby residents were notified of the proposals, no responses were received.

MCC Environmental Health - No comments or observations on the proposal.

Environment Agency - We have no objection in principle to the closed loop GHSP system proposed provided that the following conditions, detailed below, are included as part of any

subsequent planning approval and that the advice and commentary (detailed under letter section 'Groundwater and Contaminated Land Commentary' below) is taken into consideration prior to planning determination being made. A closed loop GHSP systems is unlikely to require an Environmental Permit from us. However, relevant guidance should still be followed to minimise the risks of groundwater pollution: <https://www.gov.uk/guidance/open-loop-heat-pump-systems-permits-consents-and-licences>.

The site is located upon a Principal Aquifer associated with the Wilmslow Sandstone Formation. The overlaying superficial coverage is designated a Secondary A Aquifer comprising Glaciofluvial deposits, the Shirdley Hill Sand Formation (NE section of the site), and Alluvium (NW section of the site around Chorlton Brook).

The Phase I Study (Ref, Doc Ref. CL-602-LKC 20 1488-01, November 2020) know to be associated with the wider leisure redevelopment indicates that the site area has been developed since at least 1848; presently occupied by a sports centre with associated car park. Historical maps show that previous potentially contaminative site features include four infilled ponds (1848 - 1933), a substation (that occupied the south-eastern site 1973 - 1992), made ground and Alexandra Park Airfield (that previously occupied the northwest of the site in 1918 - 1924).

Given the underlying site conditions and historic uses detailed above, the applicant and planning authority will need to consider the following matters bulleted below.

- Due to the site being located above the Sandstone Principal Aquifer and superficial Secondary, we would recommend that a non-hazardous liquid is selected for use within the closed loop systems to minimise risk of pollution to groundwater resources, should pipe failure occur.
- If there is remnant contamination, not addressed as part of the associated leisure centre re-development, there is a risk that drilling or excavation could introduce pollution of groundwater or pathway by which migration of contaminants could occur. Understanding of the contamination risk should be based on knowledge of the site's history, previous works on the site and any clean-up of contaminated soil or groundwater as detailed in NHBC and EA, 2008 R&D 66. If contamination (remnant or otherwise) is known and/or suspected (i.e. the GHSP proposal is not addressed with the wider re-development remedial strategy) then the applicant/agent should carry out further risk assessment and seek advice from the planning authority and EA as to any additional remedial action required.
- If unsuspected contamination is identified during construction of the GHSP / development then on-site works should be suspended and the planning authority and EA notified as soon as possible to seek further guidance on any subsequent action(s) required.
- It must be ensured that a drilling and grouting work plan / methodology statement is development to ensure materials are handled responsibly and to prevent migration of contaminants. The design and construction of boreholes should be carefully considered. The proposed drilling and grouting plan should demonstrate that there is not an unacceptable risk of pollution of groundwater. Where appropriate, the plan development should also demonstrate distinct aquifers remain hydraulically separate during and after borehole completion. Where there are low permeability (aquitard) sections separating the aquifer horizons these should be backfilled with a non-shrinking grout of known low hydraulic conductivity (10-9 m/s or less) or grouted the entire length for a closed loop system.

As a result the EA recommends a series of conditions to deal with ground contamination issues that may have an impact on ground water quality. Two of these conditions would be pre-commencement conditions whilst the others relate to verification and if un-identified contamination is discovered during the works. The details of these conditions have been shared with the applicant.

Issues

Introduction

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. In the case of Manchester City Council the adopted development plan consists of the Core Strategy (2012) and the saved policies of the Unitary Development Plan (1995). Due consideration in the determination of the application will also need to be afforded to national policies in the National Planning Policy Framework (NPPF) which represents a significant material consideration.

Core Strategy (2012)

The policies of the Core Strategy which are considered relevant to the scheme are outlined in the following section. The Manchester Core Strategy recognises that climate change and its impact on the environment both urban and natural is one of the most significant challenges facing Manchester. The Core Strategy advises that it is essential that the way in which Manchester develops over the plan period and beyond is set within the context of mitigating the impacts of climate change and adapting to its effects on the local environment. The document recognises that this challenge affects all areas of the City.

The Core Strategy makes several references to climate change which is a thread throughout the document and additionally sets out specific policies aimed at increasing local decentralised energy and reducing carbon emissions and the impacts of climate change:

Spatial Objective SO6: 'Environment' seeks to protect and enhance the natural and built environment of the city, ensure the sustainable use of natural resources, and secure a high standard of design in all development proposals.

Policy EN 4: 'Reducing CO2 Emissions by Enabling Low and Zero Carbon Development' notes that the Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO2 emissions, and rising fossil fuel prices, through a variety of actions including:

- Wherever possible new development and retrofit projects, including energy generation plant, must be located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies.
- 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.
- Where appropriate new development and retrofit projects will be required to connect to and/or make contributions to low or zero carbon energy schemes and/or to incorporate provision to enable future connection to any existing/potential decentralised energy schemes.

Policy EN 5: 'Strategic Areas for low and zero carbon decentralised energy infrastructure' advises that within Manchester it is considered that strategic areas will have a major role to play in achieving an increase in the level of decentralised, low and zero carbon energy supplies. Identified strategic priority areas include:

- The Regional Centre (which also includes the Oxford Road Corridor and Eastlands);
- District Centres and associated major development sites;
- Airport Strategic Sites;
- Strategic housing locations; and
- Strategic employment locations.

Policy DM1: 'Development Management' sets out various issues that development should have regard to, including: appropriate siting, layout, scale, form, massing, materials and detail; impact on the surrounding areas and effects on amenity.

Saved Policies of the Unitary Development Plan (UDP) for the city of Manchester (adopted 1995)

The UDP was superseded by the Core Strategy, however, a number of UDP policies have been 'saved'. An extant policy contained within the UDP which is relevant to the proposed scheme is: Policy DC26.1: 'Development and Noise' states that the Council will 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 the effect of new development proposals which are likely to be generators of noise.

Issues

The principle of reducing carbon emissions of a building through the installation of infrastructure to support renewable energy is considered to be acceptable. The proposals would meet the requirements of the General Permitted Development Order 2015 as amended Part 14 class L 'Ground source heat pumps on non-domestic premises' permits installation in respect of the following conditions—

- (a) the total area of excavation must not exceed 0.5 hectares (The excavation area proposed is 0.21 hectares);
- (b) the development must not result in the presence within the curtilage of more than 1 ground source heat pump (It is understood that there are no existing GSHPs on site); and
- (c) a pump is removed as soon as reasonably practicable when no longer needed and the land is, as far as reasonably practicable, restored to its condition before the development took place, or to such condition as may have been agreed in writing between the local planning authority and the developer (This would be possible should the GSHP no longer be required).

However, it is not considered that the bore holes to be installed to the west of the Leisure Centre meet the requirements of Part 14 Class L in that they would not be within the curtilage of a building, this area of land having a functional or direct link to the leisure centre. Therefore planning permission has been applied for in this instance.

Visual Amenity - The proposals would be below ground installations and would not generate the requirement for above ground works. It is considered that the proposals do not give rise to significant visual impacts.

Ground contamination - The response from the Environment Agency recommends a number of conditions relation to ground conditions to avoid pollution and contamination of ground water to a principal aquifer. In the absence of site investigation reports to support the application it is considered necessary to attach these conditions. It is noted that no license is required from the EA for the works and had the works been wholly within the curtilage of the Leisure Centre they would have met the requirements of permitted development not requiring planning permission as such and as part of a precautionary approach it is considered necessary for these conditions in this instance.

The EA also note that Red Lion Brook cuts across the northern section of the site flowing north-west into Chorlton Brook which in turn is culverted beneath Hough End Crescent and has an overflow to the west.

The inferred flow direction of groundwater is towards the Chorlton Brook (to the west/northwest) of the site based on groundwater contour data. For information, the EA has a groundwater level monitoring borehole situated close to the NE corner of the existing Leisure Centre and the development. There is a small risk that GSHC schemes adversely affecting the ecology of rivers or wetlands by changing the temperature of groundwater which feeds them. Further to the methodology statement condition above, it may also be advisable to include requirement for the applicant/agent to demonstrate that no adverse impact will occur. A temperature change of less

than 2°C (considering upstream dilution of the temperature change) within a river is considered to be acceptable.

The applicant has confirmed their acceptance of the pre-commencement conditions recommended by the EA.

Noise - The applicant's information indicates that the installation would be connected to the existing plant room of the Leisure Centre. Given the noise environment of the site adjacent and busy radial route and the distance separation from residential properties (the nearest being 65m to the east) it is not considered that the proposals would give rise to unacceptable noise impacts on the nearest residential occupiers.

Trees - The application is accompanied by an Arboricultural Impact Assessment prepared by Urban Green. The report identifies that there are 26 trees on site. It is noted that the submitted bore hole location avoids the removal of one tree that was identified in the tree report. Temporary protective fencing is noted to be required at several identified locations prior to construction activities commencing.

Carbon reduction - The scheme would help meet an identified need for reducing CO₂ emissions by enabling low and zero carbon development in the area. The installation is indicated as achieving 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.

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

The application has been determined in a positive and proactive manner. Issues that have arisen have been discussed with the applicant's agent.

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:

Drawing references: EP2012A-01 REV P02; 000595.

Document references UG1192 Hough End Leisure Centre, Arboricultural Impact Assessment prepared by Urban Green;

Hough End Leisure Centre, Manchester, Geology and Thermal Response Test - Report 13th August 2021 prepared by Enercret

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 erection of fencing and other measures for the protection of trees shall be undertaken in accordance with the approved Arboricultural Impact Assessment before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

4) No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall be undertaken in accordance with the agreed details.

Reason - To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework and pursuant to policy EN17 of the Core Strategy.

5) No development shall take place until a detailed method statement for borehole drilling and associated grouting works has been submitted to and approved in writing by the local planning authority. The scheme shall include:

- Details of the measures and working practices which will be implemented in order to prevent and minimise the environmental impacts of the works to controlled waters considering both the pollution introduction and pollution migration.
- A map identifying the location of boreholes and their positioning relative to development infrastructure.

Thereafter the development shall be carried out in accordance with the approved scheme. Any subsequent amendments to the approved scheme shall be agreed in writing with the local planning authority.

Reason - To ensure that the development does not contribute to unacceptable levels of water pollution from previously unidentified or remnant contamination sources within the development site. This is in line with paragraph 174 of the National Planning Policy Framework and pursuant to policy EN17 of the Core Strategy.

6) Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason - To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework and pursuant to policy EN17 of the Core Strategy.

7) If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason - To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the National Planning Policy Framework and pursuant to policy EN17 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Friends Of Hough End Hall
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Corporate Property
Parks & Events
Environment Agency

165 Whitchurch Road, Manchester, M20 1FY
Hough End Leisure Centre, 480 Princess Road, Manchester, M20 1NA
587 Princess Road, Manchester, M20 1HD
581 Princess Road, Manchester, M20 1HD
575 Princess Road, Manchester, M20 1HD
569 Princess Road, Manchester, M20 1HA
563 Princess Road, Manchester, M20 1HA
557 Princess Road, Manchester, M20 1HA
549 Princess Road, Manchester, M20 1HA
585 Princess Road, Manchester, M20 1HD
583 Princess Road, Manchester, M20 1HD
579 Princess Road, Manchester, M20 1HD
577 Princess Road, Manchester, M20 1HD
573 Princess Road, Manchester, M20 1HD
571 Princess Road, Manchester, M20 1HD
567 Princess Road, Manchester, M20 1HA
565 Princess Road, Manchester, M20 1HA
561 Princess Road, Manchester, M20 1HA
559 Princess Road, Manchester, M20 1HA
555 Princess Road, Manchester, M20 1HA
553 Princess Road, Manchester, M20 1HA
551 Princess Road, Manchester, M20 1HA
547 Princess Road, Manchester, M20 1HA
545 Princess Road, Manchester, M20 1HA
152 Whitchurch Road, Manchester, M20 1FZ
169 Whitchurch Road, Manchester, M20 1FY
167 Whitchurch Road, Manchester, M20 1FY

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 Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH