

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131155/LP/2021

Date registered valid: 27 July 2021

Proposal: Certificate of Lawful Proposed Development for the installation of three air source heat pumps in the basement

Address: Moss Side Leisure Centre, Moss Lane East, Manchester, M15 5NN

Ward(s): Hulme 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: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 12.08.2021

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

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

This application relates to the basement car park and plant room of Moss Side Leisure Centre.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The site is located on Hulme High Street and is adjoined principally by commercial uses. There are residential properties although these are some distance away across Moss Lane East and Quinney Crescent.

Description of development

Consent is sought to install 3 air source heat pumps in the basement. The pumps will discharge cold air into the car park. There are no external works.

Consultations & Notification Responses

Non necessary

Issues

Class 14 of schedule 2 of the GPDO has no provisions for the installation of air source heat pumps on non residential properties. The issue in determining if planning permission is required is the impact that the proposal would have on the building. In this case the installation is contained within the basement of the premises and does not affect its external appearance. It is therefore considered that planning permission is not required.

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 proposed installation of three Air Source Heat Pumps is wholly internal within the building. The proposed works do not therefore constitute development and planning permission is not therefore required.

Appendix 1 – List of consultees & neighbours notified

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH