

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130511/FO/2021

Date registered valid: 21 May 2021

Proposal: Retention of four temporary steel containers (stacked 2 on 2) for a temporary period of five years for ongoing use as an Atmospheric Testing Station.

Address: Firs Experimental Gardens , Whitworth Lane, Fallowfield, Manchester, M14 6WS

Ward(s): Rusholme Ward

Applicant: Mr Gregory Farmer University of Manchester DSU, 4th Floor Beyer Building, Oxford Road, Manchester, M13 9PL

Agent (if any): Mr G Farmer University of Manchester Design Services Unit, 4th Floor Beyer Building, Manchester, M13 9PL

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 7 July 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 7 June 2021 Expired: 28 June 2021

Neighbour notifications

Printed: 7 June 2021 Expired: 28 June 2021

Site notice

Posted: 15 June 2021 Expired: 6 July 2021

Press advert

Published: 15 June 2021 Expired: 6 July 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site is an area of hardstanding within the grounds of The Firs Botanical Gardens. The Botanical gardens, known as the Firs Experimental Gardens, provide both facilities for studies on plant biology and also a resource for education of students and the wider public.

The site is open to the public by arrangement with the manager and is visited through the year by groups ranging from primary school children to amateur botany societies. The site possesses an extensive collection of plants, including a growing collection of rare ferns and some magnificent succulents. A class room is available, with projector facilities, and staff have prepared various activities suitable for different age groups.

The site is made up of a number of buildings, including a number of large greenhouses where the experiments take place. The buildings are set in a landscaped garden surrounding by tall brick boundary walls.

Planning History

121847/NMC/2018 - Application for Non-Material Amendment following approval of planning permission 120003/FO/2018 to allow the relocation of the four steel containers (stacked 2 on 2) by 1m forward to avoid tree roots and damage from excavation
Firs Experimental Gardens - University Of Manchester Whitworth Lane
Approved 12.12.2018

120003/FO/2018 - Installation of four steel containers (stacked 2 on 2) for a temporary period of three years to be used as an Atmospheric Testing Station.
Firs Experimental Gardens - University Of Manchester , Whitworth Lane, Fallowfield,
Approved 20.07.2018.

Listed building: Application site is adjacent to Chancellors Hotel - Grade II listed
Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The Botanical Gardens form part of the University estate in Fallowfield, including the Armitage Sports campus and Owens Park hall of residence. The site is also located adjacent to the Chancellors Hotel site (The Lodge and the Main Hotel), where the buildings are Grade II Listed Buildings.

Description of development

Consent is sought to retain the existing four steel containers stacked two by two in the botanical gardens, towards the North West corner of the site near the entrance off Whitworth Lane for a further period of period of five years for ongoing use as an Atmospheric Testing Station.

The containers house atmospheric testing equipment to analyse the air quality via roof top sensors and monitoring equipment inside the containers.

This site was previously chosen jointly by the University and Transport for Greater Manchester to undertake air pollution research. The site is managed as part of the University's existing estate.

The containers act as remote units with weekly personnel visits to check on the functioning of the sensors and monitoring equipment. The station is comprised of four shipping containers stacked two by two, with first floor and roof access via an external steel staircase. At ground floor level the staircase is enclosed with mesh fencing to house three air conditioning compressors. At roof level there is a steel guardrail around the perimeter to enable safe access to the sensors.

The station occupies a space of 7m x 7.2m and is sited on a concrete hardstanding. The station is 5.2m to the top of the steel containers, 6.1 m to the top of the guardrail, and 7.4m to the top of the sensors.

Consultations & Notification Responses

This application has been advertised in the press , and on site on 15th June 2021.

Local Residents -No letters of representation have been received.

Environmental Health- have no objections or comments to make regarding the above planning application.

Issues

Policy Context

Manchester Core Strategy 2012 - 2027 (adopted July 2012)
Policies SP1, EN3 and DM1

Saved Policies within the Unitary Development Plan for the City of Manchester (1995)

Policies DC19 and DC26

Issues

Principle

Consent is sought to retain the steel containers forming an Atmospheric Testing Station at an existing experimental facility for the University at the Botanical Gardens for a further 5 years. As outlined above, the site was chosen jointly by the University and TfGM to undertake significant air pollution research. The principle of the proposal for a period of 2 years was established as part of planning permission ref: 120003/FO/2018, and the retention of the facility for a further 5 years is considered to be acceptable.

Consideration was given to the proposals siting, appearance and the proposal's impact upon the adjacent listed buildings and the existing levels of amenity in 2018. No changes to the Atmospheric Testing Station are proposed in connection with this application, and there have been no changes to this area of the University of Manchester's campus.

Retention of containers forming the Atmospheric Testing Station

The application site forms part of the Botanical Gardens experimental facility that is located on the corner of Whitworth Lane and Gunnery Lane. The facility consists of a number of single storey buildings with the most dominant being the experimental greenhouses. The gardens and the older buildings will have formed part of the wider Firs estate which has now been subdivided to provide the Chancellors Hotel buildings and grounds and the Botanical Gardens site. The buildings are therefore set in mature landscaped gardens with a tall brick wall bounding the site. Beyond the application site, the area is characterised by the Owens Park halls of residence campus and the Armitage Sports campus.

This application relates to the retention of 4 containers stacked into 2 double units on an existing area of hardstanding and shrub landscaping close to the site entrance and adjacent to the single storey office/reception building. Despite being close to the entrance, the containers are screened to the surrounding area by the substantial boundary walls and mature landscaping, which includes a large number of mature trees. The containers are green in colour which assists with blending into the wider landscape. The main view of the containers is from the vehicular entrance itself and from within the site. As such, it is considered that the retention of the containers for a further 5 year period would not give rise to visual impacts to the character or setting of the nearby listed buildings. It is not possible to see the containers from these buildings. Nor would there be any detrimental visual impact on the surrounding residential student accommodation.

Permission is only sought for a temporary period of 5 years and therefore, any potential impact would only be short term. An appropriately worded condition is included to ensure that the land will be reinstated within one calendar month of the removal of the containers to include landscaping. Therefore, given that the use is temporary and that all the structures will be removed from site by July 2026, it is considered that the proposal would not have a negative impact on the area in the medium to long term and is in accordance with Policies SP1, EN3, DM1, DC19 and DC26.

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre-application advice was sought prior to the submission of the application and no concerns were raised. Officers worked in a positive and proactive manner throughout the application and the scheme is considered to be acceptable and in accordance with the Development Plan.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The permission hereby granted is for a limited period only, expiring on 31st July 2026 and the buildings, works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued. The land shall be reinstated within one calendar month in accordance with a scheme previously approved, which shall include landscaping, and timetable of implementation to be submitted to and approved in writing by the City Council local planning authority before this permission expires.

Reason - In the interests of the visual amenity of the site, area and nearby listed buildings, pursuant to Policies SP1, EN3 and DM1 of the Manchester Core Strategy (2012).

2) The development hereby approved is related to the drawings and documents specified below:

Application form

Plan ref: 03 (Elevations); Plan ref: 02 (Site Plan); Plan ref: 01 (Location plan); and Heritage Statement received on 21st May 2021.

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).

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Chancellors Hotel And Conference Centre, 77 Moseley Road, Manchester, M14 6NN

The Lodge, Whitworth Lane, Manchester, M14 6HE

Flat 3, The Firs Villa, Whitworth Lane, Manchester, M14 6HE

Flat 2, The Firs Villa, Whitworth Lane, Manchester, M14 6HE

The Firs Villa, Whitworth Lane, Manchester, M14 6HE

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

Area Team Boundary - Name: NORTH2