

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130060/JO/2021

Date registered valid: 15 April 2021

Proposal: Removal of planning condition 8 (Plant) associated with planning permission 128605/FO/2020

Address: North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB

Ward(s): Crumpsall Ward

Applicant: Mr Damian O'Hanlon Northern Care Alliance NHS Group North Manchester General Hospital D, Manchester, M3 5RB

Agent (if any): Mr Gareth Blewitt, Day Architectural Ltd, 77 Deansgate, Manchester, M3 2BW

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 1 June 2021

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Other

Standard consultations:

Printed: 21 April 2021 Expired: 12 May 2021

Neighbour notifications

Printed: 21 April 2021 Expired: 12 May 2021

Site notice

Posted: 6 May 2021 Expired: 27 May 2021

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site comprises two separate elements, which are presently vacant and consist of vegetation, hard standing and soiled surfaces adjacent to:

- Crumpsall Vale – An intermediate care unit, which forms later addition to the hospital and is served by a new internal road.
- The Main Hospital Site, adjacent to the entrance of Block G and main hospital entrance.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The immediate area is characterised by various hospital buildings, areas of landscaping and surface level car park associated with the hospital. Beyond the hospital complex, the immediate area is principally residential in context, including Delaunays Road which bounds the site to the north-east

Description of development

Removal of planning condition 8 (external plant) associated with planning permission 128605/FO/2020, which allowed for Installation of 1 x 10.2 metre high and 1 x 5.7 metre high cylinder oxygen vessels together with three ambient vaporiser tanks with associated boundary treatment, amendments to road layout and other associated works together with the creation of compound and bin storage area with the associated equipment and associated boundary treatment

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Environmental Health – The condition can be removed. The applicant has confirmed that there will be no noise from the VIE compound during normal operation.

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Saved policy DC26 of the Unitary Development Plan;
- Policies DM1, SP1, EC1, EC2, EN4, EN6, EN8, EN9, EN14, EN16, EN17 and EN19 of the Manchester Core Strategy;
- The Manchester Green and Blue Infrastructure Strategy (G&BIS)
- National Planning Policy Framework;

Issues

Principle

The principle of the development has been established by the host planning permission referenced 128605/FO/2020. The only matter for consideration as part of the current application relates to the matters arising from the proposal removal of condition 8. This states:

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. 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. The approved scheme shall be completed before the apartments are occupied.

Upon completion of the development a verification report will be required 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 has been met. Any instances of nonconformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenity of existing and future occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

The applicant considers that the condition is not necessary. Information accompanying the application provided by the manufacturer of the external equipment identifies that there will be no noise from the VIE compound during normal operation. During first fill, commissioning/decommissioning, there will be some gas venting which generates noise, but during normal operation, there will no noise from VIE compound. There are also no moving parts within the compound.

Based on the anticipated lack of noise, the condition is considered to be unnecessary and would place an undue financial burden on the applicant meeting the requirements of the

condition. Further, as a comparison, the applicant states that there are currently a number of VIE sites at NMGH that were briefly inspected during a site visit, all with no acoustics generated.

Following feedback provided by Environmental Health who originally recommended the inclusion of the condition, they are now satisfied that the condition is no longer necessary. On this basis, the principle of the proposal is considered satisfactory.

Other Matters

The conditions originally attached to the host planning permission have been updated as part of the current application, following approval being granted for various condition discharge applications.

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 / 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.

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

- 1) The development must be begun not later than 28 January 2024.

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:

Drawings numbered 04-000/P4 and 04-0004/P3 received by the City Council as Local Planning Authority on 16 November 2020, drawing numbered C-2000/P01 received by the City Council

as Local Planning Authority on 9 January 2021 and drawings numbered 04-0006/P5, 04-0102/P5, 04-1003/P5 and 04-1102/P5 received by the City Council as Local Planning Authority on 21 January 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) No above ground development that is hereby approved shall commence unless and until samples and specifications of all other materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed materials.

Reason - To ensure that the appearance of the development is acceptable to the City Council as Local Planning authority, in the interests of the visual amenity, pursuant to policies SP1, EN3 and DM1 of the Core Strategy.

4) The development hereby approved shall only be implemented in accordance with the Construction Management Plan prepared by City Build and the accompanying Method Statement, received by the City Council as Local Planning Authority by e-mail from Day Architectural Ltd dated 19 March 2021, previously approved as part of discharge of condition application referenced CDN/21/0127.

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

5) Surface water drainage shall only be implemented in accordance with the information detailed on drawing referenced NMGH-AJP-V1-00-DR-C-0020/C03 and drainage calculations received by the City Council as Local Planning Authority on 15 April 2021 and revised drawings referenced NMGH-AJP-V1-00-DR-C-0010/C04, NMGH-AJP-V1-00-DR-C-0012/P01 and NMGH-AJP-V1-00-DR-C-0021/C05 and accompanying e-mail from AJP Ltd dated 25 May 2021, agreed as part of condition discharge application referenced CDN/21/0306.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN8, EN14 and EN17 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

6) All tree work should be carried out by a competent contractor in accordance with British Standard BS 5837 "Trees in relation to Construction".

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.

7) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shown on the approved drawings shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars 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.

8) The boundary treatment to the compound and bin store areas, shall only be implemented in accordance with the details shown on drawings numbered 04-0006/P5, 04-0102/P5, 04-1003/P5 and 04-1102/P5 received by the City Council as Local Planning Authority on 21 January 2021 and shall thereafter be retained.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, pursuant to policies SP1 and DM1 of the Core Strategy.

9) The development hereby approved shall only be implemented in accordance with the submitted landscaping and tree replacement scheme, detailed on drawing numbered M632/NMH/LAND/01, received by the City Council as Local Planning Authority on 11 February 2021, previously approved as part of discharge of condition application referenced CDN/21/0127.

The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To mitigate for the tree loss and to ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy

Informatives

1) No vegetation or tree clearance required to facilitate the development shall take place during the optimum period for bird nesting (March to August inclusive). All nesting birds their eggs and young are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended).

2) Whilst the tree to be removed has been assessed as unlikely to support roosting bats, the applicant is reminded that under the Conservation of Habitats and Species Regulations (Various Amendments) (England and Wales) Regulations 2018 it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Limbert Home, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Renal Clinic, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Outpatients A, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
North Manchester Health Care NHS Trust, Central Drive, Manchester, M8 5RL
Park House, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Anglia Crown, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 25, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 24, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 23, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 22, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 21, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 20, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 19, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 18, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
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Doctors New Residence 16, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 15, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 14, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 13, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 12, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 11, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 10, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 9, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 8, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 7, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 6, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 5, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB

Doctors New Residence 4, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 3, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 2, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB
Doctors New Residence 1, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB

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