

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130013/FO/2021

Date registered valid: 12 April 2021

Proposal: Erection of 2no. external Maize Silos with associated access stairs/platforms/walkways

Address: Brewery , Denmark Road, Manchester, M15 6LD

Ward(s): Hulme Ward

Applicant: Mr A Charles Heineken UK Denmark Road, Manchester, M15 6LD

Agent (if any): Mrs S Wheatcroft Norder Design Associates Ltd Beech Lawn, Green Lane, Belper, DE56 1BY

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 08.06.2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 27.04.2021

Standard consultations:

Printed: 22 April 2021 Expired: 13 May 2021

Neighbour notifications

Printed: 22 April 2021 Expired: 13 May 2021

Site notice

Posted: 26 April 2021 Expired: 17 May 2021

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 application site is part of a large brewery complex adjacent Princess Road a major arterial road running north/south connecting with the City Centre which is located approximately 1.5 kilometres to the north. The complex comprises substantial industrial structures associated with the brewing processes and manufacturing of drinks on a large scale, the majority of the Princess Road frontage is made up of a substantial boundary wall/screen. The surrounding area comprises urban development in all directions with a mix of industrial, commercial, retail and residential land uses as follows:

- o North: Greenhays Lane bounds the site immediately to the north with residential properties north of the road.

- o East: East of the site are residential properties, two schools, Council Depot and a Police Station.

- o South: Moss Lane East bounds the site immediately to the south, beyond which are community buildings, residential properties together with an area of land that is scheduled for further development.

- o West: Immediately to the west of the site is Princess Road, with large scale retail (Asda) and business premises, beyond which lie extensive residential areas.

The development proposal is located to the west of the site adjacent to the Brewhouse towards the Princess Road boundary. This location provides easy access for the Maize Delivery truck to access the Silos and for the discharge pipework to enter the Mill Room. The slab is positioned

to be clear of the Cornbrook Culvert with pipework then able to traverse the Culvert and run along the Brewhouse building and into the Mill Room.

Flood mapping for Rivers has been obtained from the Environment Agency website and this shows that the proposed maize silos are located within a Flood Zone 3a area which is assessed as having a 1 in 100 or greater annual probability of river flooding (>1% chance of flooding in any given year). There are no allocated flood storage areas shown within the vicinity of the site area.

The proposed maize silos are considered to be classed as 'general industry' and would therefore be classed as a Less Vulnerable development.

Description of proposals

The applicant is seeking permission for the installation of 2no Maize Storage Silos with related gantries, the new installation is 14m high to the top walkway level with railings at 1.5m above this. The silo outer cladding skin will be finished in stainless steel.

Stairs, handrails, walkways and associated structure will be galvanised steel. All of these materials and colours will be to match/complement existing installations within the Brewery complex. A new pipebridge will also be constructed to link the pipework from the new facility to the main brewhouse complex for use in the brewing process. The maize is required for the brewing of the beer planned for the 4no. Dual purpose vessels (DPV's) currently being installed on the site (planning approval reference 127915/FO/2020).



Location of Maize Silos edged red to the westerns side of the Brewery Complex



Aerial view looking east towards application site edged red

Consultations & Notification Responses

A site notice was posted and nearby properties were notified of the proposals. No responses were received.

Environmental Health - Recommend conditions be attached to any approval relating to servicing noise and preparation of a Noise Management Plan (NMP) ; external equipment insulation; contaminated land watching brief; and servicing and delivery hours.

Flood Risk Management Team - Following receipt of further information from the applicant FRMT have confirmed the proposals are acceptable and have requested an informative relating to a watching brief to ensure no damage to a potential culvert in the vicinity of the works.

Environment Agency - Following the review of additional documentation (Email to EA & MCC - 20/05/2021 (14:18) - Norder Design Associates Limited; Planning Application Ref: 130013/FO/2021 - Heineken, Manchester - Maize Silos, Drawing - Proposed Maize Silo & Staircase Foundation G.A. Drawing No. 8679- NDA-XX-00-DR-S-2001 REV P2. Produced by Norder for Heineken 19.05.21). Further to reviewing the above documents, our contaminated land officer has also undertaken a phone call discussion (25/05/2021) with the applicant's geotechnical engineer/consultant in order to further understand and discuss the reasoning for challenging our previous conditional requirements regarding the protection of controlled waters.

The EA understand from correspondence that the current intention for the development proposed will be to utilise existing on-site foundation piles which were installed approximately 7-8 year ago as part of a tower crane base and that work is underway to ensure the suitability of these existent foundations for re-use. If it is discovered that the existing piles are unsuitable then the secondary intention of the applicant will be to install new piling appropriate to the intended end-use. In either instance it is anticipated that limited breaking ground will be required to facilitate the development, In virtue of the above and considering the size of development area in question c.120 Sq. metres , following discussion and review of the above, we have resolved to determine that our previous conditional requirements necessitating the submission of further ground investigation and remedial reporting prior to commencement of development is no longer necessary and that protection of controlled waters should be achievable through the inclusion of the conditions detailed below . In accordance with the above, as submitted, we have no objection in principle to the proposed development and request that conditions, relating to no piling and contaminated land watching brief be attached to any approval.

Policy

Manchester Core Strategy

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 and is the key Development Plan Document in the Local Development Framework (LDF). The Core Strategy is to be used as the framework that planning applications will be assessed against.

There are a number of relevant policies within the adopted Core Strategy relevant to the consideration of the current application in summary these are set out below with reference where applicable to why they are relevant in this instance.

Policy SP1 (Spatial Principles) - This policy sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. All development should have regard to the character, issues and strategy for each regeneration area as described in the North, East, Central and South Manchester and Wythenshawe Strategic Regeneration Frameworks and the Manchester City Centre Strategic Plan.

It also sets out the core development principles, including:

- Make a positive contribution to neighbourhoods of choice.
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy EC 1 (Employment and Economic Growth in Manchester) - indicates that a minimum of 200 ha of employment land will be developed between 2010 and 2027 for offices (B1a), research and development (B1b), light industrial (B1c), general industry (B2) and distribution and warehousing (B8).

Policy EC 2 (Existing Employment Space) - The Council will seek to retain and enhance existing employment space and sites. Alternative uses will only be supported on sites allocated accordingly, or if it can be demonstrated that:

- The existing use is un-viable in terms of business operations, building age and format;
- The existing use is incompatible with adjacent uses;
- The existing use is unsuitable for employment having had regard to the Manchester-Salford - Trafford SFRA; or
- On balance, proposals are able to offer greater benefits in terms of the Core Strategy's vision and spatial objectives than the existing use.

EN14 'Flood Risk' relates to directing development away from sites at the greatest risk of flooding, and towards sites with little or no risk of flooding.

EN16 relates to Air Quality that the Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport.

EN17 relates to water quality and ensuring development should avoid any adverse impact on water quality.

EN18 relates to development and Contaminated Land.

Policy DM1 (Development Management) this policy states all development should have regard to the following specific issues:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques.

As set out within the issues section of this report below, the application proposals are considered to be in general accordance with policy DM1 of the Core Strategy.

Unitary Development Plan (1995)

The majority of the previous UDP policies have been replaced by the Core Strategy, however there are still saved policies that remain extant. The relevant policies for this application are set out below.

Policy DC26.1 indicates 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 implications of new development being exposed to existing noise sources which are effectively outside planning control.

Policy DC26.4 states that where the Council believes that an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, it will in either case require the applicant to provide an assessment of the likely impact and of the measures he proposes to deal satisfactorily with it. Such measures might include the following:

- a. engineering solutions, including reduction of noise at source, improving sound insulation of sensitive buildings or screening by purpose-built barriers;
- b. layout solutions, including consideration of the distance between the source of the noise and the buildings or land affected by it; and screening by natural barriers or other buildings or non-critical rooms within a building; and
- c. administrative steps, including limiting the operating times of the noise source, restricting activities allowed on the site or specifying an acceptable noise limit. Any or all of these factors will be considered appropriate for inclusion in conditions on any planning permission.

Given the location of the proposals within an existing industrial site located some distance from residential properties it is not considered that the proposals would give rise to unacceptable impacts in terms of noise. As detailed in the response from Environmental Health the submitted noise assessment is acceptable subject to the submission and approval of a verification report that the details contained within it have been achieved.

The National Planning Policy Framework (2019)

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- An economic role, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- A social role, supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the communities needs and support its health, social and cultural well-being; and
- An environmental role, contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate

The NPPF states that where proposed development accords with an up-to-date Local Plan it should be approved.

Issues

Principle - The principle of improvements and investment in new equipment and facilities for an existing business on a long standing employment site is considered acceptable subject to consideration of impacts on visual amenity, residential amenity and impacts of noise.

Visual Amenity – The proposed silos are 14metres in height with an additional 1.5m high safety barriers atop. They have been positioned on the western side of the Complex located furthest away from residential receptors but close to the Princess Road frontage of the site. As such there would be views of the installations when travelling along Princess Road particularly in a southern direction from the City Centre. However, given the existence of other largescale Brewery infrastructures and buildings it is not considered that the installation of the silos would give rise to visual impacts that would warrant refusal of the proposals.



Views looking south east towards the application proposals siting

Residential Amenity - The proposals are located within an existing Brewery Complex which is operational and not restricted in terms of operational hours. Due to the permit regime in place for the complex noise issues are covered by licensing from the Environment Agency. Whilst the EA have been notified of this application they raise no noise impacts with the proposals. The nearest residential properties are located approximately 150 metres to the east of the site and are separated by existing buildings and brewery infrastructure. There is a hospital located approximately 70 metres to the west on the opposite side of Princess Road. Given these distances and relationships it is not considered that the proposals would give rise to unacceptable impacts on residential amenity.

The Councils EHO have recommended a number of conditions relating to a noise management plan for deliveries, noise insulation of external equipment and delivery hours. Whilst a NMP and noise insulation of external equipment are considered reasonable the complex does not operate with set delivery hours, it is a long standing use and given it is not anticipated that there would be an increase in internal traffic movements as a result of the development it is not considered reasonable to impose delivery hours for this proposal.

Air Quality - The application is supported by an Air Quality Assessment given the site is located within an AQMA.

In terms of the construction phase the AQA concludes that assuming good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by construction phase activities is predicted to be **not significant**.

In terms of the operational phase it is confirmed that the proposed development is anticipated to generate a maximum of 4 two-way vehicle movements per week on the local road network with no increase in traffic movements internally within the site. As such, it is concluded that potential air quality impacts associated with operational phase road vehicle exhaust emissions are predicted to be **not significant**

The transfer of maize from HGV to silo is controlled under negative pressure and all pipework will be fully sealed during imports. The control measures in place therefore minimise the release of fine dust emissions, such as PM10 or PM2.5, and associated impacts will be negligible under normal operation.

EH have reviewed the submitted AQA and raise no concerns in this regard.

Flood Risk – The application has been supported by a statement relating to the sites location within Flood Zone 3. The proposed maize silos are considered to be classed as ‘general industry’ and would therefore be classed as a Less Vulnerable development in accordance with Table 2 : Flood Risk Vulnerability Classification, of the PPG, associated with the NPPF. Table 3 : Flood Risk Vulnerability and Flood Zone Compatibility, of the PPG, associated with the NPPF shows that, an exceptions test is not required and the development is appropriate for a Less Vulnerable development within Flood Zone 3a. The Councils FRMT raise no objections to the proposals but request an informative for a watching brief due to the close proximity of a culvert to the proposed works.

In addition to Flood Risk the Environment Agency have considered potential impacts of the proposals on a Principal Aquifer and Groundwater Source Protection Zone. Following discussions and the submission of further information in relation to the proposed construction methods for the installation they are satisfied with the proposals subject to the inclusion of two conditions, one relating to no piling and the second relating to a contaminated land watching brief.

Conclusion- It is considered that the proposals are acceptable and do not give rise to significant impacts that would warrant refusal. Suitably worded conditions are proposed in this instance.

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 considered in a positive and proactive manner, any issues that have arisen during consideration of the proposals have been discussed with the applicants 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:

Site plan 1002 Rev P1

Proposed elevations 8679-NDA-XX-XX-DR-A-4501 Rev P1

Design and Access Statement prepared by Norder dated March 2021

AIR QUALITY SCREENING ASSESSMENT prepared by Ensaf ref AQ4306

Emcus Intrusive Report ref MJH/J1790/D2/1 Date: June 2019

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) Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reasons - To protect the underlying Principal Aquifer and Groundwater Source Protection Zone 1 designated area. To ensure that the proposed Piling does not harm groundwater resources in line with Core Strategy policy EN17 and paragraph 170 of the National Planning Policy Framework.

4) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety. Pursuant to policies DM1 and EN18 of the Core Strategy.

5) Prior to commencement of the use hereby approved a Noise Management Plan (NMP) shall be submitted to and approved in writing by the City Council as local planning authority. The NMP shall include an assessment of noise from all activities associated with the loading bay, service yard and loading dock area.

Reason - To safeguard the amenities of the occupiers of nearby residential properties pursuant to policy DM1 of the Core Strategy and saved UDP policy DC26.

6) a) 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.

b) Prior to the first use of the development hereby approved 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 site pursuant to policy DM1 of the Core Strategy and saved UDP policy DC26.

7) The materials to be used on the external elevations of the development hereby permitted shall match those as detailed within the submitted application forms and design and access statement.

Reason - In the interests of the visual amenity of the area in which the development is located pursuant to policy SP1 and DM1 of the Core Strategy.

Informatives

1) City Council records highlight that the Corn Brook Culvert is located within close proximity to the proposed development. The applicant should inform the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works to protect the asset. The applicant should ensure sufficient embedded design to safeguard the culvert from inappropriate loading. The asset should be protected and maintained during construction and operational phases to prevent risk of structural collapse and associated flood risk.

2) The requirement for Condition 3 is subject to confirmation in writing that the applicant/agent can utilise the existing piling. If any form of new piling is required then condition 3 will be required to be discharged to ensure the protection of controlled waters.

3) 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

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management
Environmental Health
Environment Agency

Bridgewater Wellness Clinic, Bridgewater Hospital, 120 Princess Road, Manchester, M15 5AT
Mcdonalds, ASDA, 100 Princess Road, Manchester, M15 5AS
ASDA, 100 Princess Road, Manchester, M15 5AS
Bridgewater Hospital, 120 Princess Road, Manchester, M15 5AT

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
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH