

Planning

Growth & Development

Delegated officer report for planning application

Application no. 125699/VO/2019

Date registered valid: 9 March 2020

Proposal: CITY COUNCIL DEVELOPMENT Installation of a flue to serve internally located Combined Heat and Power Unit, crane lift into the Plant room of the CHP, new louvered doors with additional louvers to be installed, new steelwork to support heat rejection radiator at 2.7m above ground level.

Address: The Forum Centre, Forum Square, Manchester, M22 5RX

Ward(s): Woodhouse Park Ward

Applicant: Mr Phillip Owen, Manchester City Council, The Forum Centre, Forum Square, Manchester, M22 5RX

Agent (if any): Mr Dipak Shah, Ameresco Limited, 11 - 13 Crosswall, London, EC3N 2JY

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

Recommendation: APPROVE

Date of recommendation: 01.05.2020

Application details

Type of application: Regulation 3 Consent

Development type: Minor Other

Date of site visit: 20th January 2020

Standard consultations:

Printed: 10 March 2020 Expired: 31 March 2020

Neighbour notifications

Printed: 14 January 2020 Expired: 4 February 2020

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

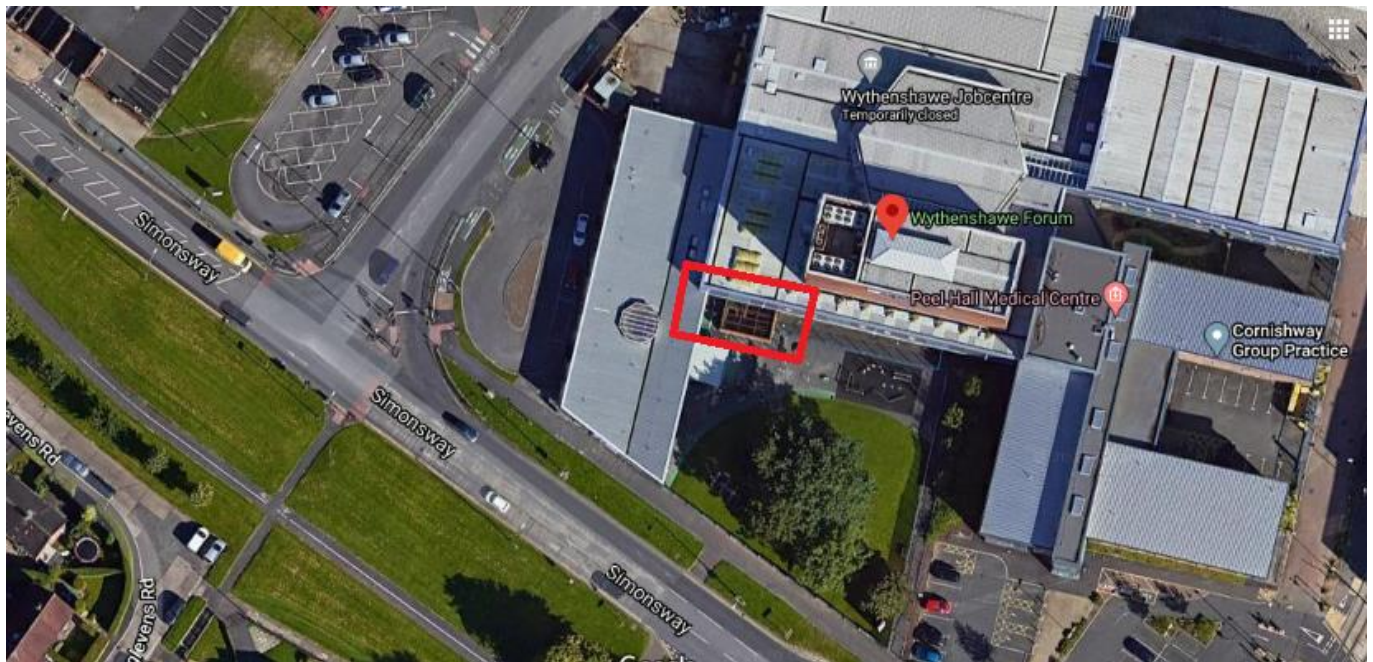
Description of site / building / area

The application property relates to part of the Wythenshawe Forum building located within Wythenshawe Town Centre between Simonsway, Poundswick Lane and the newly completed Metrolink and Bus stations.

The Forum comprises a number of facilities and services for the residents of Wythenshawe including a gym, library, theatre, pharmacy and travel agents. These facilities are accessed via an internal plaza area with the uses arranged around the edge, visitors and users of facilities can enter the forum via an access located on the western side of the building and the Forum car park and cycle parking facilities and to the east which provides access to the rest of the Town Centre, bus and Metrolink station serving the centre

Description of development

The application proposals relate to the installation of an external flue on the south western side of the Forum to serve a new internally sited combined heat and power unit. There are associated works including additional louvered doors.



Area of works highlighted red

Consultations & Notification Responses

Neighbouring properties were notified of the proposals, no responses were received.

Environmental Health - Recommend a condition relating to noise insulation of equipment.

Issues

The Development Plan

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Manchester Core Strategy Development Plan Document (July 2012)

The Manchester Core Strategy was adopted on the 11 July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan. The relevant policies within the Core Strategy are as follows:

Policy SP1 'Spatial Principles' One of the key spatial principles is the emphasis on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.

In addition, new development will maximise the potential of the City's transport infrastructure, in particular promoting walking, cycling and the use of the public transport.

Furthermore, improved 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 C1 defines Wythenshawe Town Centre as one of the main centres in the Wythenshawe area.

C7 'Wythenshawe District Centres' states that the serves as a hub for delivery of services to its community and further opportunities will be taken to develop this role.

Policy DM1 'Development Management' 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.
- 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.

For the reasons given below, it is considered that the proposal is consistent with the policies contained within the Core Strategy.

The Unitary Development Plan for the City of Manchester (1995)

Although the Manchester Core Strategy is now adopted, some of the Unitary Development Plan policies will remain extant until they are superseded by policies in a future Development Plan Document.

The policies contained within the UDP which are of relevance to this proposal are as follows:

DC26, Development and Noise, states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise.

For the reasons given below, it is considered that the proposal is consistent with the policies contained within the UDP.

Issues

Principle

The principle of the installation of a flue as part of works to improve the energy consumption of a municipal building is considered acceptable. However, further consideration is required to assess impacts on residential and visual amenity of the proposals.

Residential Amenity

The proposed flue is not located in close proximity to residential properties with the closest found to the south on the opposite side of Simonsway approximately 75 metres away.

Environmental Health have recommended that a condition relating to ensuring that noise from the flue does not give rise to unacceptable impacts has been recommended. Given this and the distance from residential properties it is not considered that the flue would give rise to impacts on residential amenity.

Visual Amenity

The flue will be sited externally to the building but has been sited to reduce its visual impact. The Forum is set back from Simonsway at this point which will assist in assimilating the flue in to the wider area and the buildings context. It is considered that the flue seen in the context of the Forum building which contains a variety of material finishes and architectural details is acceptable and would not give rise to unacceptable impacts on the visual amenity of the area. A condition is proposed that the final finish of the flue is submitted for approval.

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. No issues have arisen during the consideration of this application which has been determined within statutory timescales.

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:

19107 LAY101; 19107 LAY102; 19107 LAY103; 19107 LAY104

Technical specification patruus 140 EG | as80-0

All received by the City Council as local planning authority on the 9th March 2020.

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 building and 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 first use of the installed equipment.

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 policy DC26 of the Unitary Development Plan.

4) The details of the finishes including colouration of the hereby approved flue shall be submitted and approved in writing by the City Council as local planning authority. The installation of the flue shall be carried out in accordance with the approved details.

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

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Forum Health, Simonsway, Manchester, M22 5RX

7 Rusland Walk, Manchester, M22 1AB

1 Rusland Walk, Manchester, M22 1AB

5 Rusland Walk, Manchester, M22 1AB

3 Rusland Walk, Manchester, M22 1AB

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 15M

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH