

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138748/FO/2023

Date registered valid: 5 December 2023

Proposal: Erection of a Cable Tray system to take cabling between consented air conditioning compound and Reynolds House

Address: Reynolds House, 4 Archway, Manchester, M15 5RL

Ward(s): Hulme Ward

Applicant: Mr Jonathan Such, Managing Agent for Ascendas Reit (Manchester) Limited

Agent (if any): Mr Richard Moffat, Lambert Smith Hampton

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 29 January 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: December 2023

Standard consultations:

Printed: 13 December 2023 Expired: 6 January 2024

Neighbour notifications

Printed: 13 December 2023 Expired: 6 January 2024

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

Reynolds House is an existing office development, located at the junction of Old Birley Street and Phoenix Way.

The area forms part of the Manchester Techno Park; that comprises of a number of three storey office buildings, located on the edge of Manchester City Centre. The site that the condenser units are proposed to be sited is a vacant rectangular grassed plot. It is surrounded on all sides by buildings.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is largely business and commercial in nature, with the proposal being located at Reynolds House, which is three/four storey building located within the area that forms the 'Manchester Technopark', off Phoenix Way in Hulme. The site is surrounded by similar size and use buildings, such as Turing House and Lovell House.

Description of development

The proposed cable tray system is to be installed both below and above ground to feed the cabling between the previously approved 13 air conditioning units that are to be located within the 2 metre high enclosure. The proposal site is set well back from Archway Road being sandwiched between the buildings and obscured from wider public view by the buildings themselves and site boundary walls.

The compound and therefore the proposed cabling is located on the grassed area to the north west of Reynolds House.

The air conditioning units were granted through application ref:137202/FO/2023 for the installation of 13no. air conditioning condensers within a 2 metre high paladin fence compound. This was a replica of the 2016 consent, however, the cable trays to take the cabling between the consented air conditioning compound and Reynold House were omitted from the 2023 application. This application currently under consideration seeks to remedy this and seeks consent for the installation of the cabling trays.

Consultations & Notification Responses

Local Residents were informed- no representations have been received.

Environmental Health- no objections to the proposal.

Issues

National Planning Policy Framework (NPPF) defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people, and their accountable Councils, can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making, this means that development proposals that accord with the development plan should be approved without delay unless:

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

The Manchester Core Strategy, Policy DM 1, Development Management - Follows the principles advocated in the aforementioned policies and informs that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The 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. The effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques in terms of Code for Sustainable Homes and BREEAM.

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'.

It is not considered that the proposal would have unacceptable impacts either individually or cumulatively when viewed in the context of recently approved scheme.

The Guide to Development in Manchester 2 - This Supplementary Planning Document seeks appropriate design, quality of public realm, facilities for; disabled users in accordance with the City Councils Design for Access 2 guidance, pedestrians, and cyclists. The promotion of a safer

environment, through Secure by Design principles, appropriate waste management measures, and environmental sustainability evidenced under BREEAM or other standards.

Places for Everyone Plan - The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation. The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8- week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023. Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on

the proposed Modifications before finalising the examination report. Given the stage the Plan has reached and level of public consultation and scrutiny it has received, the Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

Principle of development - The general principle of installing the cabling conduits to support the approved condenser units has been previously agreed through the unimplemented 2016 consent. However, the visual and residential impact of the installation of the cabling tray system has to be assessed.

The impact of the cabling tray- The sections of the cabling tray system that will be located above ground will be sited at high level at either 2.6m or 2.8m height. They will sit just above the previously approved compound fence. Given the location of the compound and the associated equipment it is not in an area that is readily visible from within the public realm, they are located in the same recessed area of the building as the condenser units. Reynolds House itself and the boundary wall around the curtilage of the site will obscure the view of the proposed site from the public domain, and as such it is not considered that the proposed trunking would have a detrimental impact upon the buildings themselves or the area within which it is located.

Residential Amenity.

The closest potentially affected noise sensitive premises are considered to be the residential apartment buildings on Old Birley Street and are screened from the units by Reynold House itself. The cabling is not a generator of noise, and Environmental Health officers have no concerns over the installation.

The proposed siting is therefore considered to be acceptable and there should be no implications for residential amenity.

Impact upon the previous consent- The previously approved consent ref:137202/FO/2023 has not been altered, with the cabling tray merely being an addition to the scheme.

Design and Materials

The design and the materials are typical of this type of installation and are considered acceptable.

Access

The application would have no implications for vehicular or pedestrian access to the site, neither of which will be affected by the location of the proposed development. The access points into

and out of the site would remain unchanged and can be utilised by emergency vehicles and services. There is adequate circulation around the site.

For these reasons, the proposed erection of the cable tray system is considered acceptable.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 in relation to dealing with the planning application. In this instance no additional negotiations were required, and the application has been determined in accordance with national and local policies and is considered acceptable.

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:

MD1393-G-M201 Rev T01- Cable Tray System New Condenser Compound.

Location Plan

Planning Statement

All Received 5th December 2023

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 development hereby approved shall be constructed using the materials specified on the approved drawings MD1393-G-M201 Rev T01- Cable Tray System New Condenser Compound.

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, as specified in policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

15 Ormsgill Street, Manchester, M15 5JE

12 Ormsgill Street, Manchester, M15 5JE

61 Old Birley Street, Manchester, M15 5RF

THE UNIVERSITY OF MANCHESTER, Second Floor, Reynolds House, 4 Archway,
Manchester, M15 5RL

Ground Floor, Reynolds House, 4 Archway, Manchester, M15 5RL

First Floor, Reynolds House, 4 Archway, Manchester, M15 5RL

10 Ormsgill Street, Manchester, M15 5JE

14 Ormsgill Street, Manchester, M15 5JE

13 Ormsgill Street, Manchester, M15 5JE

11 Ormsgill Street, Manchester, M15 5JE

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

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

Area Team Boundary - Name: SOUTH AREA