

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136971/FO/2023
Date registered valid: 2 June 2023
Proposal: Proposed externally mounted air conditioning units
Address: Flat 29, Blantyre House, 4 Slate Wharf, Manchester, M15 4SZ
Ward(s): Deansgate Ward

Applicant: Mr Aidan Hannon
Agent (if any): Mr Kelly Solid Void
Case officer: Michael Pearson
Tel: 0161 219 2735
Email: michael.pearson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 15/09/2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 9 June 2023 Expired: 30 June 2023

Neighbour notifications

Printed: 9 June 2023 Expired: 30 June 2023

Site notice

Posted: 9 June 2023 Expired: 30 June 2023

Press advert

Published: 13 June 2023 Expired: 27 June 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application relates to Flat 29, Blantyre House which is accessed off of Slate Wharf and fronts out onto Blantyre Street. The application property is a part four part five storey property dating from the late 1990s completed in red brick and slate tiles. Flat 29 itself is a 3no bedroomed residential flat (Class C3) set over the property's fourth and fifth floors that benefits from a balcony fronting out onto Blantyre Street.

Listed building: Not applicable

Conservation area: Castlefield Conservation Area 1979

Tree Preservation Order: Not applicable

Description of area

The neighbouring area forms part of the Castlefield Conservation Area that is recognisable for its former warehouses and canals. Neighbouring development consists of residential apartment blocks to the north and south with associated surface car parks. A property in use as a drinking establishment (Sui Generis) is located to the east at no6 Slate Wharf. Blantyre Street is a one-way road lined by mature trees that is characterised by residential development along its southern half, with several outlying commercial units along its northern end.

Description of development

The application seeks consent for the installation of 2no air conditioning units on the application site's balcony.

The proposed air conditioning units would be for domestic use and be placed adjacent to each other to the east of the balcony door. The proposed units would be Daikin 5MXM-A9 units that have a maximum height of 0.83m, a maximum width of 1m and maximum depth of 0.4m. The air condition units would be set back 1.6m from the edge of the application property's balcony.

Planning History

135035/FO/2022 - Installation of 3no. aluminium, conservation style, roof lights and 1no. aluminium, sun tunnel – November 2022.

051534/FO/CITY3/97 - Residential development comprising 47no. one and two bedroom flats with associated car parking – Approved April 1997.

Consultations & Notification Responses

Environmental Health – No objection subject to a condition that would require the submission of a verification report that would demonstrate compliance with acceptable noise levels at neighbouring receptor points.

Publicity – None received.

Policy

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy CC9 – Design and Heritage
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN3 – Heritage
- Policy DM1 – Development Management

Saved Unitary Development Plan for Manchester - The following saved UDP Policies are of relevance to this application:

- Policy DC18 – Conservation Areas
- Policy DC26 – Development and Noise

National Planning Policy Framework (NPPF)

- Chapter 12 – Achieving Well-Designed Places
- Chapter 16 – Conserving and Enhancing the Historic Environment

Other legislative requirements

Planning (Listed Buildings and Conservation Areas) Act 1990

Issues

Principle of Development

The proposal would see the installation of air conditioning units to serve a residential apartment. As the development would not see any fundamental change in the use of the application site and how it is considered that air conditioning units are not uncommon additions to residential dwellings, it is considered the proposal is acceptable in principle and accords with Core Strategy Policies SP1 and DM1, subject to the matters discussed below.

Residential Amenity

The neighbouring area, as previously stated within this report, is predominantly residential. The submission has been accompanied by a noise impact assessment that states that neighbouring

properties would be exposed to acceptable noise levels provided the balcony brick wall is retained on site. Environmental Health do not object to the findings of the assessment but did request in the event of an approval that a condition be attached that would require the submission of a verification report that would confirm the proposal has been implemented in line with the approved details. Subject to such a condition it is considered that the proposal is acceptable in regard to its impact upon neighbouring amenity in accordance with Core Strategy Policies SP1 and DM1, and the National Planning Policy Framework.

Design & Visual Amenity

As stated previously within this report, the application property benefits from a balcony that fronts out onto Blantyre Street. The balcony's boundary is a 1.1m high brick wall that partially screens the balcony from views along Blantyre Street. Taking into account how the proposed air conditioning units would have a maximum height of 0.83m they would sit below the balcony's brick wall and thus be screened from view at street level, only being visible from apartments situated at a higher elevation to the south at City Gate One. On this basis it is considered the proposal would have a negligible impact on the street scene in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

Impact upon Heritage Asset

Section 72(1) of the Listed Buildings and Conservation Areas Act relates to conservation areas and states "In undertaking its role as a planning authority the Council should in respect to conservation areas pay special attention to the desirability of preserving or enhancing the character or appearance of that area."

The south-western portion of the Castlefield Conservation Area, that the site sits within, is significant for its canals, and former mill and warehouse buildings. Built development within the Conservation Area preserves the significance of the area by screening back of house infrastructure, i.e. air conditioning units, extraction flues and bin stores, so as to prevent it from detracting from the appearance of the street scene. As noted above, the proposed air conditioning units would be screened from public views along Blantyre Street and would thus preserve the appearance and setting of the Conservation Area. On this basis the proposal would have an acceptable impact on the heritage asset in accordance with policies SP1, CC9, EN3 and DM1 of the Manchester Core Strategy (2012), saved policy DC18 of the Unitary Development Plan for the City of Manchester (1995), the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Conclusion

In light of the above it has been found that the proposed development would have an acceptable impact on neighbouring amenity, visual amenity and the Castlefield Conservation Area in accordance with Core Strategy Policies SP1, CC9, EN1, EN3 and DM1, Saved Unitary Development Plan Policies DC18 and DC26, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990. As such, the application is recommended for approval.

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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance, this has included ongoing advice that has resolved the issues associated with the proposal.

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:

- o BHC-SVA-ZZ-ZZ-DR-A-2000 REV - : Ex Site and Location Plans (Dated August 2023; Received 15/05/2023)
- o BHC-SVA-ZZ-ZZ-DR-A-2001 REV B: Pro Site Plan (Dated 11/09/2023; Received 11/09/2023)
- o BHC-SVA-ZZ-ZZ-DR-A-2005 REB C: Existing & Proposed Plans (Dated 11/09/2023; Received 11/09/2023)
- o BHC-SVA-ZZ-ZZ-DR-A-2006 REV C: Existing & Proposed Roof Plans (Dated 11/09/2023; Received 11/09/2023)
- o BHC-SVA-ZZ-ZZ-DR-A-2011 REV C: Proposed Elevations (Dated 13/07/2023; Received 12/09/2023)

- o BHC-SVA-ZZ-ZZ-DR-A-2012 REV D: Existing and Proposed Sections (Dated 11/09/2023; Received 11/09/2023)
- o BHC-SVA-ZZ-ZZ-DR-A-2013 REV B: Internal Balcony Elevations (Dated 11/09/2023; Received 11/09/2023)
- o Noise Impact Assessment (Prepared by Nova Acoustics; Dated 31/08/2023; Received 05/09/2023)

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) No materials shall be used on the external elevations of the proposed development other than those referred to on the approved plans / supporting documentation.

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.

4) Prior to the operation of the scheme 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 (Prepared by Nova Acoustics; Dated 31/08/2023; Received 05/09/2023). 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 safeguard the amenity of neighbouring properties and to prevent a general increase in pre-existing background noise levels around the site in accordance with Core Strategy Policies SP1 and DM1, and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Flat 30, Blantyre House, 4 Slate Wharf, Manchester, M15 4SZ
Apartment 14, 1 Blantyre Street, Manchester, M15 4JT
Apartment 13, 1 Blantyre Street, Manchester, M15 4JT
8 Blantyre Street, Manchester, M15 4LG
The Wharf, 6 Slate Wharf, Manchester, M15 4ST
Flat 26, Blantyre House, 4 Slate Wharf, Manchester, M15 4SZ
Flat 24, Blantyre House, 4 Slate Wharf, Manchester, M15 4SZ
Flat 21, Blantyre House, 4 Slate Wharf, Manchester, M15 4SZ
Flat 19, Blantyre House, 4 Slate Wharf, Manchester, M15 4SZ
Flat At, The Wharf, 6 Slate Wharf, Manchester, M15 4ST
Apartment 109, 1 Blantyre Street, Manchester, M15 4JU
Apartment 59, 1 Blantyre Street, Manchester, M15 4JU
Apartment 47, 1 Blantyre Street, Manchester, M15 4JT
Apartment 46, 1 Blantyre Street, Manchester, M15 4JT
Apartment 45, 1 Blantyre Street, Manchester, M15 4JT
Apartment 33, 1 Blantyre Street, Manchester, M15 4JT
Apartment 28, 1 Blantyre Street, Manchester, M15 4JT
Apartment 69, 1 Blantyre Street, Manchester, M15 4JU
Apartment 76, 1 Blantyre Street, Manchester, M15 4JU
Apartment 93, 1 Blantyre Street, Manchester, M15 4JU
Apartment 103, 1 Blantyre Street, Manchester, M15 4JU
Apartment 105, 1 Blantyre Street, Manchester, M15 4JU
Apartment 19, 1 Blantyre Street, Manchester, M15 4JT
Flat 28, Blantyre House, 4 Slate Wharf, Manchester, M15 4SZ
Apartment 55, 1 Blantyre Street, Manchester, M15 4JT
Apartment 70, 1 Blantyre Street, Manchester, M15 4JU
Apartment 78, 1 Blantyre Street, Manchester, M15 4JU
Apartment 88, 1 Blantyre Street, Manchester, M15 4JU
Apartment 101, 1 Blantyre Street, Manchester, M15 4JU
Apartment 106, 1 Blantyre Street, Manchester, M15 4JU
Apartment 61, 1 Blantyre Street, Manchester, M15 4JU
Apartment 53, 1 Blantyre Street, Manchester, M15 4JT
Apartment 71, 1 Blantyre Street, Manchester, M15 4JU
Apartment 74, 1 Blantyre Street, Manchester, M15 4JU
Apartment 85, 1 Blantyre Street, Manchester, M15 4JU
Apartment 95, 1 Blantyre Street, Manchester, M15 4JU
Apartment 102, 1 Blantyre Street, Manchester, M15 4JU
Apartment 108, 1 Blantyre Street, Manchester, M15 4JU
Apartment 18, 1 Blantyre Street, Manchester, M15 4JT
Apartment 12, 1 Blantyre Street, Manchester, M15 4JT
Apartment 5, 1 Blantyre Street, Manchester, M15 4JT
Flat 25, Blantyre House, 4 Slate Wharf, Manchester, M15 4SZ
Apartment 51, 1 Blantyre Street, Manchester, M15 4JT
Apartment 40, 1 Blantyre Street, Manchester, M15 4JT
Apartment 38, 1 Blantyre Street, Manchester, M15 4JT
Apartment 31, 1 Blantyre Street, Manchester, M15 4JT
Apartment 24, 1 Blantyre Street, Manchester, M15 4JT
Apartment 23, 1 Blantyre Street, Manchester, M15 4JT
Apartment 77, 1 Blantyre Street, Manchester, M15 4JU
Apartment 79, 1 Blantyre Street, Manchester, M15 4JU

Apartment 11, 1 Blantyre Street, Manchester, M15 4JT
Apartment 8, 1 Blantyre Street, Manchester, M15 4JT
Flat 23, Blantyre House, 4 Slate Wharf, Manchester, M15 4SZ
Flat 22, Blantyre House, 4 Slate Wharf, Manchester, M15 4SZ
Apartment 62, 1 Blantyre Street, Manchester, M15 4JU
Apartment 73, 1 Blantyre Street, Manchester, M15 4JU
Apartment 80, 1 Blantyre Street, Manchester, M15 4JU
Apartment 94, 1 Blantyre Street, Manchester, M15 4JU
Apartment 104, 1 Blantyre Street, Manchester, M15 4JU
Apartment 48, 1 Blantyre Street, Manchester, M15 4JT
Apartment 36, 1 Blantyre Street, Manchester, M15 4JT
Apartment 66, 1 Blantyre Street, Manchester, M15 4JU
Apartment 21, 1 Blantyre Street, Manchester, M15 4JT
Apartment 1, 1 Blantyre Street, Manchester, M15 4JT
Flat 18, Blantyre House, 4 Slate Wharf, Manchester, M15 4SZ
Apartment 52, 1 Blantyre Street, Manchester, M15 4JT
Apartment 37, 1 Blantyre Street, Manchester, M15 4JT
Apartment 96, 1 Blantyre Street, Manchester, M15 4JU
Apartment 99, 1 Blantyre Street, Manchester, M15 4JU
Apartment 49, 1 Blantyre Street, Manchester, M15 4JT
Apartment 44, 1 Blantyre Street, Manchester, M15 4JT
Apartment 43, 1 Blantyre Street, Manchester, M15 4JT
Apartment 41, 1 Blantyre Street, Manchester, M15 4JT
Apartment 42, 1 Blantyre Street, Manchester, M15 4JT
Apartment 39, 1 Blantyre Street, Manchester, M15 4JT
Apartment 75, 1 Blantyre Street, Manchester, M15 4JU
Apartment 67, 1 Blantyre Street, Manchester, M15 4JU
Apartment 83, 1 Blantyre Street, Manchester, M15 4JU
Apartment 35, 1 Blantyre Street, Manchester, M15 4JT
Apartment 34, 1 Blantyre Street, Manchester, M15 4JT
Flat 20, Blantyre House, 4 Slate Wharf, Manchester, M15 4SZ
Flat 27, Blantyre House, 4 Slate Wharf, Manchester, M15 4SZ
Apartment 65, 1 Blantyre Street, Manchester, M15 4JU
Apartment 57, 1 Blantyre Street, Manchester, M15 4JU
Apartment 60, 1 Blantyre Street, Manchester, M15 4JU
Apartment 17, 1 Blantyre Street, Manchester, M15 4JT
Apartment 86, 1 Blantyre Street, Manchester, M15 4JU
Apartment 91, 1 Blantyre Street, Manchester, M15 4JU
Apartment 64, 1 Blantyre Street, Manchester, M15 4JU
Apartment 22, 1 Blantyre Street, Manchester, M15 4JT
Apartment 20, 1 Blantyre Street, Manchester, M15 4JT
Apartment 58, 1 Blantyre Street, Manchester, M15 4JU
Apartment 50, 1 Blantyre Street, Manchester, M15 4JT
Apartment 82, 1 Blantyre Street, Manchester, M15 4JU
Apartment 84, 1 Blantyre Street, Manchester, M15 4JU
Apartment 90, 1 Blantyre Street, Manchester, M15 4JU
Apartment 92, 1 Blantyre Street, Manchester, M15 4JU
Apartment 100, 1 Blantyre Street, Manchester, M15 4JU
Apartment 16, 1 Blantyre Street, Manchester, M15 4JT
Apartment 15, 1 Blantyre Street, Manchester, M15 4JT
Apartment 4, 1 Blantyre Street, Manchester, M15 4JT
Apartment 2, 1 Blantyre Street, Manchester, M15 4JT
Apartment 29, 1 Blantyre Street, Manchester, M15 4JT
Apartment 27, 1 Blantyre Street, Manchester, M15 4JT

Apartment 98, 1 Blantyre Street, Manchester, M15 4JU
Apartment 110, 1 Blantyre Street, Manchester, M15 4JU
Apartment 111, 1 Blantyre Street, Manchester, M15 4JU
Apartment 9, 1 Blantyre Street, Manchester, M15 4JT
Apartment 3, 1 Blantyre Street, Manchester, M15 4JT
Apartment 63, 1 Blantyre Street, Manchester, M15 4JU
Apartment 54, 1 Blantyre Street, Manchester, M15 4JT
Apartment 30, 1 Blantyre Street, Manchester, M15 4JT
Apartment 26, 1 Blantyre Street, Manchester, M15 4JT
Apartment 56, 1 Blantyre Street, Manchester, M15 4JT
Apartment 68, 1 Blantyre Street, Manchester, M15 4JU
Apartment 72, 1 Blantyre Street, Manchester, M15 4JU
Apartment 81, 1 Blantyre Street, Manchester, M15 4JU
Apartment 32, 1 Blantyre Street, Manchester, M15 4JT
Apartment 25, 1 Blantyre Street, Manchester, M15 4JT
Apartment 89, 1 Blantyre Street, Manchester, M15 4JU
Apartment 97, 1 Blantyre Street, Manchester, M15 4JU
Apartment 6, 1 Blantyre Street, Manchester, M15 4JT
Apartment 87, 1 Blantyre Street, Manchester, M15 4JU
Apartment 107, 1 Blantyre Street, Manchester, M15 4JU
Apartment 10, 1 Blantyre Street, Manchester, M15 4JT
Apartment 7, 1 Blantyre Street, Manchester, M15 4JT

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
Conservation Area - Castlefield Conservation Area 1979
Area Team Boundary - Name: CENTRAL