

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138713/JO/2023

Date registered valid: 1 December 2023

Proposal: Variation of conditions 3 (Permitted Uses) 4 (Opening Hours), 6 (Acoustics Plant) 8 (Acoustics Verification Plant) (Acoustic Verification) and 9 (External Areas Hours) attached to application ref no 137779/FO/2023

Address: Base , Greenheys Lane, Manchester Science Park, Manchester, M15 6LR

Ward(s): Hulme Ward

Applicant: Bruntwood SciTech Ltd

Agent (if any): Mr Ollie Eyre Deloitte LLP

Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 17-01-24

Application details

Type of application: Variation or Removal of Condition

Development type: Change of use

Date of site visit: N/A

Standard consultations:

Printed: 19 December 2023

Expired: 12 January 2024

Neighbour notifications

Printed: 6 December 2023 Expired: 27 December 2023

Site notice

No site notice has been produced

Press advert

Published: 12 December 2023

Expired: 26 December 2023

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

This application Site comprises the Base Building which is located on Greenheys Lane within Manchester Science Park. The building was approved under planning permission ref: 125018/FO/2019 in October 2019 and completed construction in July 2022.

The building is not within a conservation area and is not listed.

The building is a five-storey building comprising offices (Use Class E) and ancillary workshop and maker space and mechanical plant. It also has associated disabled car and cycle parking and landscaping. The Base building was developed with the aim to provide occupiers with high-quality space without the premium associated with City Centre letting costs. It was also specifically designed to enable the flexibility to accommodate larger occupants, should the interest be identified.

In 2023 consent was granted under application ref no 137779/FO/2023 for a change of use of makerspace units 3 and 4 at ground floor and makerspace units OM.04 and OM.03 and office space at mezzanine level at the Base Building from office use (Use Class E) to a flexible use comprising Use Class E (Office) and Use Class F.1a (Education).

Description of Area

Surrounding uses include a mosque, a school, the University of Manchester, residential properties and shops, and lab space and office space for science and tech uses within Manchester Science Park. The site lies within the Oxford Road Corridor, Manchester's "Knowledge Quarter" and innovation district.

Description of development

The original planning application included details of the proposed operation and necessary requirements of the space. However, some of the proposed requirements were not captured in the Decision Notice. It is therefore proposed to amend a number of conditions to reflect the original intention.

The proposed amendments that are the subject of this Application are summarised as follows, and set out in further detail below:

- Condition 3 (Permitted Uses): Clarity of the permitted uses to include Flexible Use Class E;
- Condition 4 (Opening Hours): Amendment to operational hours;
- Conditions 6 and 8 (Acoustic Verification): Amending to compliance conditions to acknowledge previously agreed details under applications ref no CDN/22/0144 and CDN/22/0753

- Condition 9 (External Areas Hours of Use): Permitting use of external terrace in line with the hours agreed as part of the original Base Planning Permission.

Consultations & Notification Responses

Publicity – The application was advertised as a Public Interest development and occupiers of adjacent premises were notified about the development. One objection has been received but this relates to matter unconnected with this application in terms of the time during which window cleaning of the building has taken place (7PM till 10PM) and the impact of this on adjacent properties.

Head of Environmental Protection – No objections

Issues

The proposed amendments are in keeping with the original vision and objectives established by the original Planning Permission, and will have no material effect on the use, siting, density and height of Planning Permission Ref: 137779/FO/2023. The proposed amendments will also have no material impact on the conclusions of technical reports approved via the Planning Permission.

In view of the above the proposed minor material amendments to the condition are supported.

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 pro-active manner to seek solutions to problems arising in relation to dealing with the planning application. No such issues have arisen on this 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 27-09-26

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:

(a) Site Location plan dwg 0237-BA-BAR-01-XX-DR-A-05-0501 stamped as received on 04-08-23;

(b) Dwgs JP100907-001-0B001-XX-DR-0104 and JP100907-001-B001-DR-A-0105 stamped as received on 04-08-23;

(c) Waste Management Strategy dated 11 September 2019 prepared by Curtins received by the City Council as local planning authority on 6 March 2023 and Waste Management Strategy note prepared by Curtins dated 19 August 2022 received by the City Council as local planning authority on 6 March 2023;

(d) Acoustic Design Note, 27 July 2023 - prepared by Stroma submitted with and discharged under application ref no CDN/22/0144);

(e) External Plant Noise Assessment, prepared by Stroma (submitted with and discharged under application ref no CDN/22/0144);and

(f) Operational Management Strategy by MIHA 31-07-23.

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 premises shall be used for a flexible use comprising Class E (Office) and Class F1(a) (Provision of Education) and for no other purpose within Classes E and Class F1(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any Statutory instrument revoking and re-enacting that Order.

Reason

In the interests of protecting the nature of use of the accommodation and the use of the surrounding complex pursuant to policies DM1, CC7 and SP1 of the Unitary Development Plan for the City of Manchester and in accordance with the description detailed in the application.

4) The uses hereby approved shall be open 24 hours a day 7 days a week with teaching activities restricted to the following hours:

Monday to Sunday 07:00 - 21:00

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

5) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

6) "The uses hereby approved shall be implemented in accordance with Technical Note - Acoustics, 8 March 2022 - prepared by Stroma (submitted with and discharged under application ref no CDN/22/0144) and the Technical Note - Acoustics, 13 October 2022 - prepared by Stroma (submitted with and discharged under application ref no CDN/22/0753)

A follow up Verification Report shall be submitted to Manchester City Council once the spaces have been occupied to confirm that acceptable criteria has been met. Any instances of non-conformity with the recommendations shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E and F as permitted by this consent)

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

7) The refuse storage and disposal shall be implemented in accordance with the following:

Waste Management Strategy dated 11 September 2019 prepared by Curtins received by the City Council as local planning authority on 6 March 2023 and Waste Management Strategy note prepared by Curtins dated 19 August 2022 received by the City Council as local planning authority on 6 March 2023;

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E and F as permitted by this consent)

Reason - To ensure adequate refuse arrangement are put in place for the residential element of the scheme pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

8) The uses hereby approved shall be implemented in accordance with External Plant Noise Assessment 25-01-2022, prepared by Stroma (submitted with and discharged under application ref no CDN/22/0144) and Building Services Noise Commissioning Measurements Report 13-10-2022 - prepared by Stroma (submitted and discharged under application ref no CDN/22/0753)

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E and F as permitted by this consent)

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

9) External terrace shall not be open outside of the following hours: 08.00 to 22.00 Monday to Sunday and the use of amplified sound or music is not permitted within that area at any time,

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

24D Greenheys Lane, Manchester, M15 6NQ
16 Bronte Street, Manchester, M15 6QL
Unit 2, 7A Greenheys Lane, Manchester, M15 6NQ
28D Greenheys Lane, Manchester, M15 6NQ
34D Greenheys Lane, Manchester, M15 6NQ
The Old Abbey Inn, 20 Pencroft Way, Manchester, M15 6SY
1B Bronte Street, Manchester, M15 6QL
36A Greenheys Lane, Manchester, M15 6NQ
34C Greenheys Lane, Manchester, M15 6NQ
Flat F, 4 Aquarius Street, Manchester, M15 6AQ
Flat B, 4 Aquarius Street, Manchester, M15 6AQ
Flat D, 4 Aquarius Street, Manchester, M15 6AQ
Unit 33, Greenheys Business Centre, Pencroft Way, Manchester, M15 6JJ
Unit 18, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 46, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 47, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 28, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 41, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 16, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 21, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 12A, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
3C Bronte Street, Manchester, M15 6QL
Unit 1, 7A Greenheys Lane, Manchester, M15 6NQ
4 Bronte Street, Manchester, M15 6QL
26D Greenheys Lane, Manchester, M15 6NQ
26B Greenheys Lane, Manchester, M15 6NQ
14 Aquarius Street, Manchester, M15 6AQ
Flat A, 8 Aquarius Street, Manchester, M15 6AQ
2C Aquarius Street, Manchester, M15 6AQ
26E Greenheys Lane, Manchester, M15 6NQ
26A Greenheys Lane, Manchester, M15 6NQ
36C Greenheys Lane, Manchester, M15 6NQ
ROBERTSON COOPER LIMITED, Unit 5, Rutherford House, Pencroft Way, Manchester, M15 6SZ
7 Greenheys Lane, Manchester, M15 6WP
Unit 14, Greenheys Business Centre, Pencroft Way, Manchester, M15 6JJ
Units 52 To 56, Greenheys Business Centre, Pencroft Way, Manchester, M15 6JJ
Unit 15, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Greenheys Business Centre, Pencroft Way, Manchester, M15 6JJ
Unit 42, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 51, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 19, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Units 1 And 2, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 23, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
1F Bronte Street, Manchester, M15 6QL
24B Greenheys Lane, Manchester, M15 6NQ
Flat C, 8 Aquarius Street, Manchester, M15 6AQ
36F Greenheys Lane, Manchester, M15 6NQ
28E Greenheys Lane, Manchester, M15 6NQ
7D Bronte Street, Manchester, M15 6QL

Unit 12, Rutherford House, Pencroft Way, Manchester, M15 6GZ
Unit 4, Rutherford House, Pencroft Way, Manchester, M15 6SZ
Unit 12, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 54, Greenheys Business Centre, Pencroft Way, Manchester, M15 6JJ
Units 7 To 8 And Part 9, Greenheys Business Centre, Pencroft Way, Manchester, M15 6JJ
Unit 24, Greenheys Business Centre, Pencroft Way, Manchester, M15 6JJ
Unit 5, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 22, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 11, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 57, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 34, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
3D Bronte Street, Manchester, M15 6QL
3A Bronte Street, Manchester, M15 6QL
42A Eyre Street, Manchester, M15 6HD
6 Bronte Street, Manchester, M15 6QL
38 Eyre Street, Manchester, M15 6HD
10 Aquarius Street, Manchester, M15 6AQ
Unit 10, Rutherford House, Pencroft Way, Manchester, M15 6SZ
Unit 8 And 9, Rutherford House, Pencroft Way, Manchester, M15 6SZ
Unit 15B, Rutherford House, Pencroft Way, Manchester, M15 6SZ
24A Greenheys Lane, Manchester, M15 6NQ
28A Greenheys Lane, Manchester, M15 6NQ
24C Greenheys Lane, Manchester, M15 6NQ
28B Greenheys Lane, Manchester, M15 6NQ
2A Aquarius Street, Manchester, M15 6AQ
7C Bronte Street, Manchester, M15 6QL
7F Bronte Street, Manchester, M15 6QL
Flat A, 6 Aquarius Street, Manchester, M15 6AQ
Flat B, 6 Aquarius Street, Manchester, M15 6AQ
Flat C, 6 Aquarius Street, Manchester, M15 6AQ
Rutherford House First Floor Unit 3, Manchester Science Park, Lloyd Street North, Manchester, M15 6SZ
Rutherford House, Pencroft Way, Manchester, M15 6SZ
IPEC LIMITED, Unit 2, Rutherford House, Pencroft Way, Manchester, M15 6SZ
Unit 3, Rutherford House, Pencroft Way, Manchester, M15 6SZ
Unit 32, Greenheys Business Centre, Pencroft Way, Manchester, M15 6JJ
Unit 27, Greenheys Business Centre, Pencroft Way, Manchester, M15 6JJ
Unit 31, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 39, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 3, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 59, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 25, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 50, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Units 60 To 64, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
3E Bronte Street, Manchester, M15 6QL
28F Greenheys Lane, Manchester, M15 6NQ
42B Eyre Street, Manchester, M15 6HD
40 Eyre Street, Manchester, M15 6HD
Unit 3, 7A Greenheys Lane, Manchester, M15 6NQ
12 Aquarius Street, Manchester, M15 6AQ
18 Bronte Street, Manchester, M15 6QL
34F Greenheys Lane, Manchester, M15 6NQ
34A Greenheys Lane, Manchester, M15 6NQ
Unit 7, Rutherford House, Pencroft Way, Manchester, M15 6SZ

3B Bronte Street, Manchester, M15 6QL
26F Greenheys Lane, Manchester, M15 6NQ
1A Bronte Street, Manchester, M15 6QL
24E Greenheys Lane, Manchester, M15 6NQ
5B Bronte Street, Manchester, M15 6QL
5A Bronte Street, Manchester, M15 6QL
Unit 14, Rutherford House, Pencroft Way, Manchester, M15 6SZ
Unit 11, Rutherford House, Pencroft Way, Manchester, M15 6SZ
Unit 6, Greenheys Business Centre, Pencroft Way, Manchester, M15 6JJ
Unit 9A, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 9B, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 48, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 35, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 45, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 10, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
1E Bronte Street, Manchester, M15 6QL
42D Eyre Street, Manchester, M15 6HD
3F Bronte Street, Manchester, M15 6QL
36E Greenheys Lane, Manchester, M15 6NQ
34B Greenheys Lane, Manchester, M15 6NQ
34E Greenheys Lane, Manchester, M15 6NQ
36D Greenheys Lane, Manchester, M15 6NQ
Flat A, 4 Aquarius Street, Manchester, M15 6AQ
7A Bronte Street, Manchester, M15 6QL
7B Bronte Street, Manchester, M15 6QL
Unit 15A, Rutherford House, Pencroft Way, Manchester, M15 6SZ
Unit 40, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Units 6-8 And Part 9, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 44, Greenheys Business Centre, Pencroft Way, Manchester, M15 6JJ
Unit 30, Greenheys Business Centre, Pencroft Way, Manchester, M15 6JJ
Unit 20, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 17, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 58, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
1D Bronte Street, Manchester, M15 6QL
28C Greenheys Lane, Manchester, M15 6NQ
10 Bronte Street, Manchester, M15 6QL
14 Bronte Street, Manchester, M15 6QL
3 Bronte Street, Manchester, M15 6QL
7A Greenheys Lane, Manchester, M15 6NQ
9 Greenheys Lane, Manchester, M15 6NQ
24F Greenheys Lane, Manchester, M15 6NQ
Flat D, 8 Aquarius Street, Manchester, M15 6AQ
Flat B, 8 Aquarius Street, Manchester, M15 6AQ
2B Aquarius Street, Manchester, M15 6AQ
13 Greenheys Lane, Manchester, M15 6NQ
26C Greenheys Lane, Manchester, M15 6NQ
Flat E, 4 Aquarius Street, Manchester, M15 6AQ
7E Bronte Street, Manchester, M15 6QL
PREMAITHA HEALTH LTD, Unit 1, Rutherford House, Pencroft Way, Manchester, M15 6SZ
Unit 6, Rutherford House, Pencroft Way, Manchester, M15 6SZ
Unit 36, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 37 And Unit 38, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 43, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 12B, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ

1C Bronte Street, Manchester, M15 6QL
12 Bronte Street, Manchester, M15 6QL
42C Eyre Street, Manchester, M15 6HD
8 Bronte Street, Manchester, M15 6QL
Ahmadiyya Muslim Association, Flat, 15 Greenheys Lane, Manchester, M15 6NQ
Ahmadiyya Muslim Association, Dar-W-Amaan Mosque, 15 Greenheys Lane, Manchester, M15 6NQ
5C Bronte Street, Manchester, M15 6QL
36B Greenheys Lane, Manchester, M15 6NQ
Flat C, 4 Aquarius Street, Manchester, M15 6AQ
First Floor, Rutherford House, Pencroft Way, Manchester, M15 6SZ
Unit 26, Greenheys Business Centre, Pencroft Way, Manchester, M15 6JJ
Unit 4, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 49, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 13, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ
Unit 29, Greenheys Business Centre, 10 Pencroft Way, Manchester, M15 6JJ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: CENTRAL