

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137788/FO/2023

Date registered valid: 7 August 2023

Proposal: Installation of 2no. 29.5m high, heat store tanks and associated services as part of a new heat recovery system

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

Ward(s): Hulme Ward

Applicant: Alberto Cantu Garza

Agent (if any): Sue Wheatcroft, Norder Design Associates Ltd

Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 29 November 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 29 August 2023

Standard consultations: Printed: 17 August 2023 Expired: 7 September 2023

Neighbour notifications: Printed: 13 September 2023 Expired: 4 October 2023

Site notice: Posted: 29 August 2023 Expired: 19 September 2023

Press advert: No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application is part of a large brewery complex situated adjacent to Princess Road, a major arterial road running north-south, which connects to Manchester city centre (located approximately 1.5 kilometres to the north). The complex is comprised of 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 nearest residential properties are located to the east of the brewery complex.



Figure 1. Heineken Brewery, as seen from Google Earth.

Description of development

The applicant is seeking permission for the installation of 2no. 29.5m high, heat store tanks and associated services as part of a new heat recovery system.

“The first change being proposed at the facility is the installation of a low carbon heat network to recover heat from process water on site and redistribute this to non-direct steam areas, therefore reducing the need for steam generation (from the existing boilers) and decarbonising the production process. The heat pump network will be made up of three two-stage heat pumps (i.e., heat is recovered at two temperatures), each with two compressors, a 300m³ heat store vessel, backup steam system with condensate coolers heat buffer tank 75m³, electrical substation consisting of a MV Switchgear, two 2MVA transformers and a LV Panel, a pipework network for redistribution of hot water and return of warm water, and replacement of existing Heat Exchanger to use hot water instead of steam”.

Consultations & Notification Responses

One local resident submitted comments in response to the application. These are summarised as follows:

- No concerns with the development itself.
- Concerns with the demolition and construction of the project, the hours of operation, what equipment will be used.
- Vibration and noise associated with demolition and construction works are likely to affect local businesses.

Environmental Health made no objection to the proposal, requesting that conditions relating to demolition / construction works and external plant / equipment / servicing be attached to the decision notice.

Following the submission of a Flood Risk Assessment, Flood Risk Management withdrew their objection to the proposal, requesting that an informative condition be attached to the decision notice.

Environmental Agency confirmed that the submitted Flood Risk Assessment was satisfactory as well as indicating that the proposed development site presents a low risk of contamination, and providing comments relating to waste on-site, waste to be taken off-site and storage of materials / chemicals / oils likely to cause pollution, with no conditions requested to be attached to the decision notice.

Policies

The Manchester Core Strategy Development Plan Document (2012-2027)

The 'Core Strategy was adopted by the City Council on the 11th July 2012.

- Policy DM1: Development management
- Policy SP1: Spatial principles
- Policy EN4: Reducing CO2 emissions by enabling low and zero carbon development

The National Planning Policy Framework (NPPF, 2021)

- Chapter 2: Achieving sustainable development
- Chapter 8: Promoting healthy and safe communities
- Chapter 12: Achieving well-designed places

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April, 2007)

- Chapter 4: Environmental standards

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.

For reasons to be outlined below, it is considered that the proposal accords with the principles of these policy documents.

Issues

Principle – the principle of installing 2no. 29.5m high heat store tanks and associated services as part of a new heat recovery system in order to improve the facilities of the Brewery complex as well as reducing its carbon footprint is generally acceptable, however consideration must be given to the proposal's impact upon visual and residential amenity, noise levels, and its risk of flooding.

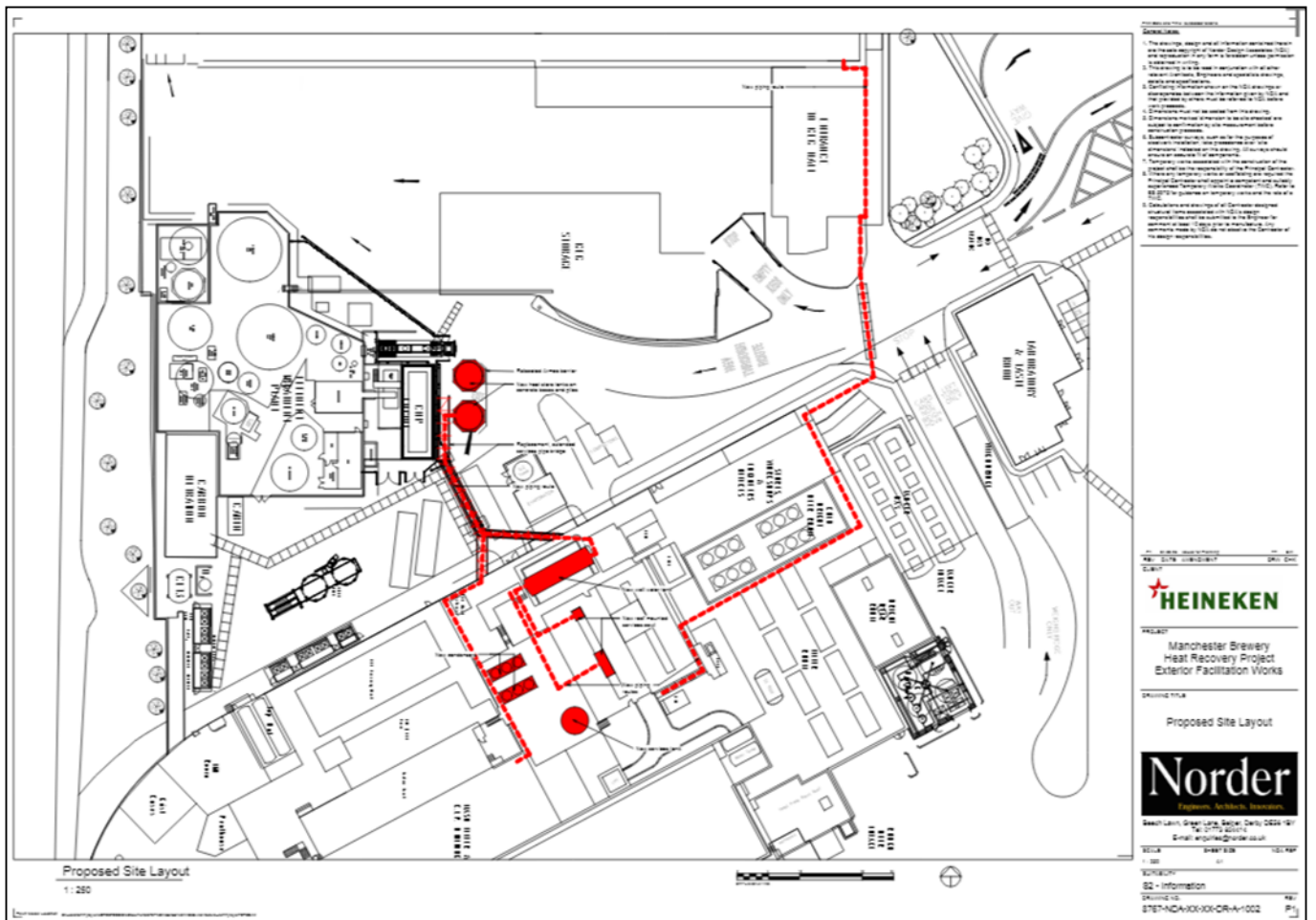


Figure 2. Submitted proposed site layout.

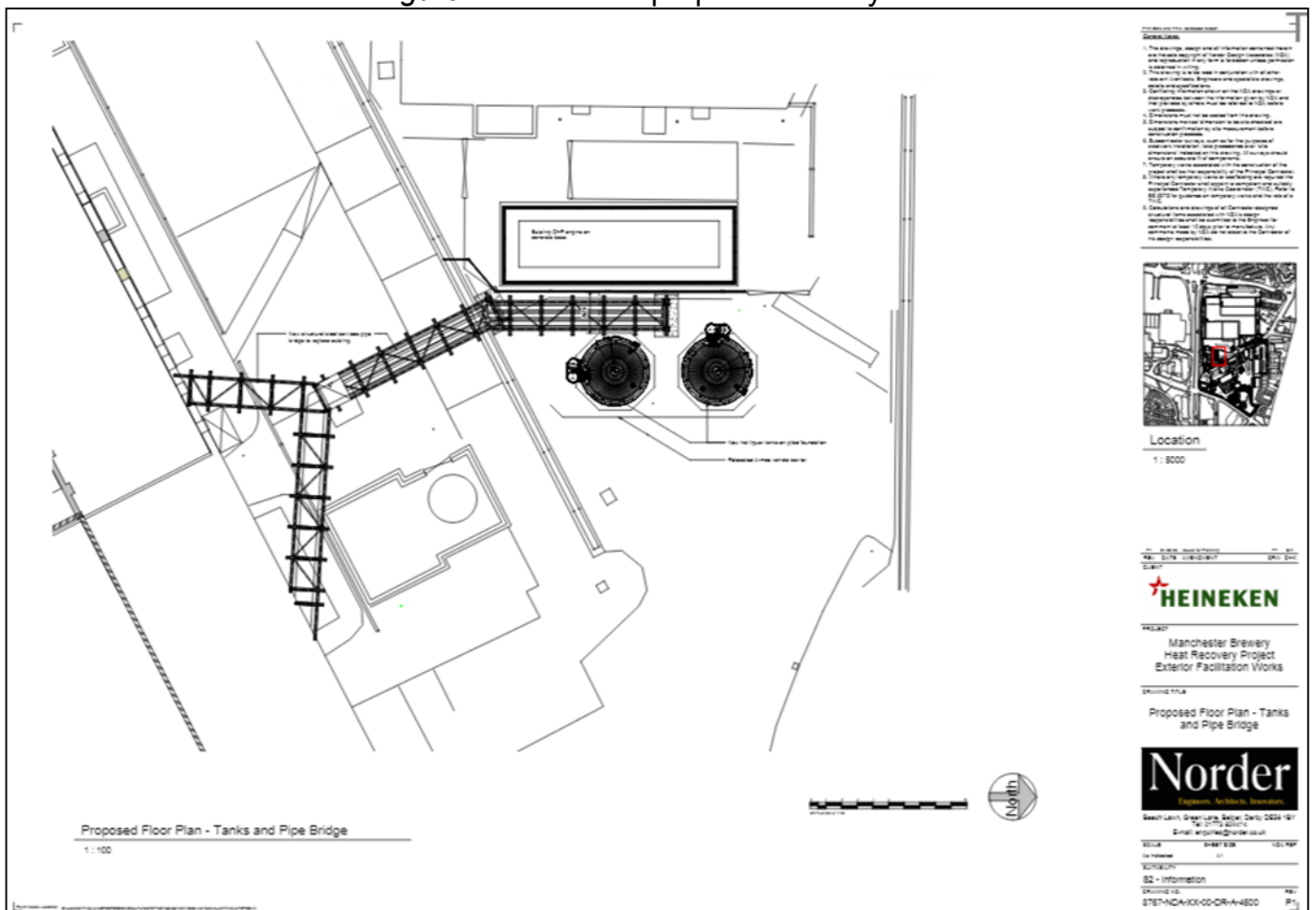


Figure 3. Submitted proposed floor plan – tanks and pipe bridge.

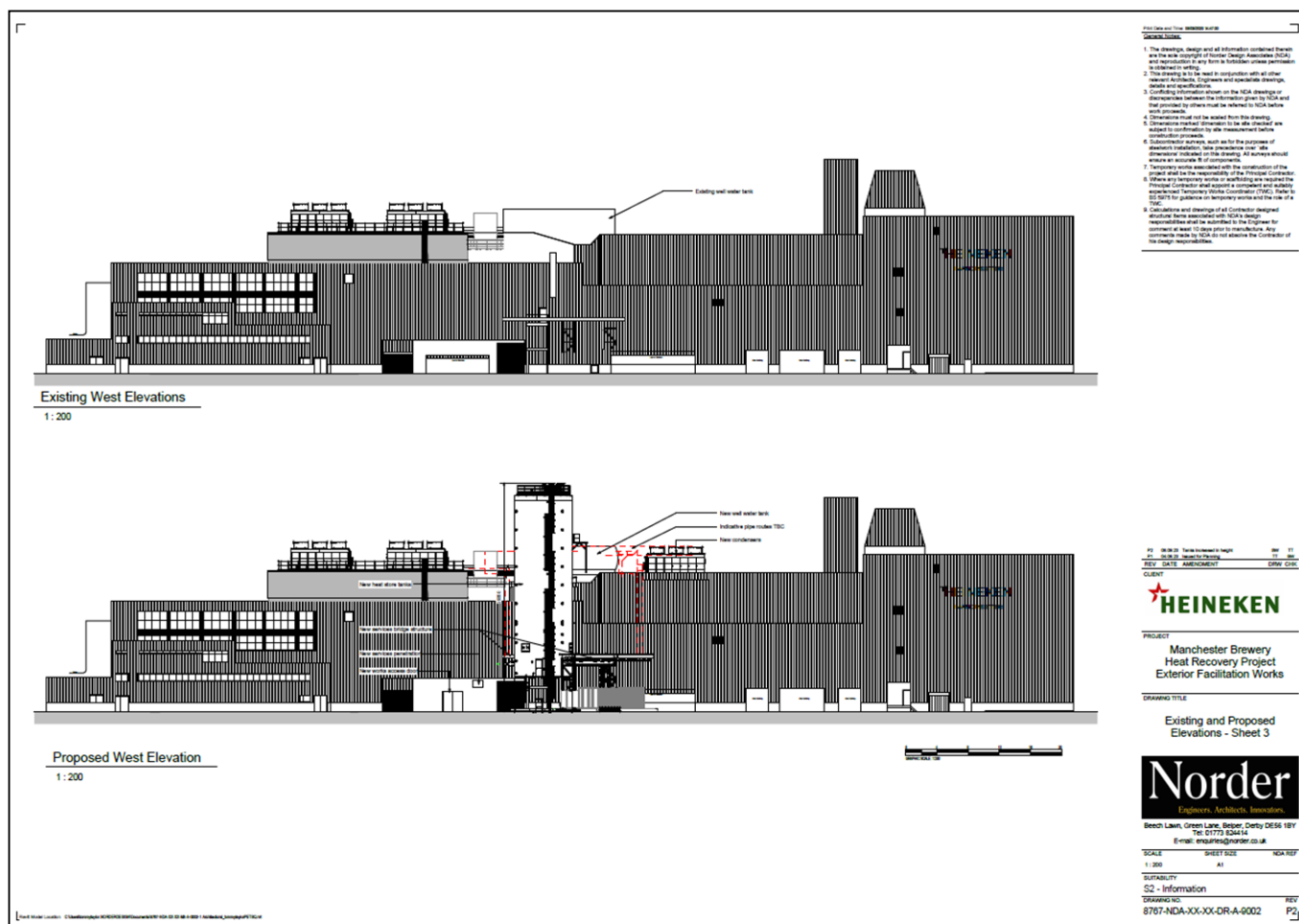


Figure 4. Submitted existing and proposed west elevation.

Appearance and visual amenity – the proposed 29.5m high heat store tanks would feature aluminium profile plate cladding (colour: Ral 9007), whilst the condenser units on the roof and pipe bride would each be made up of galvanised steel.

The proposed structures would be in-keeping with the Brewery's pre-established industrial / manufacturing character as the complex already features a number of visible large, tall vessels, flue pipes and buildings. The proposal would be set a considerable distance away from the highway and public footpath and given the site's industrial context, it is not considered that the proposed structures would give rise to unacceptable impacts on the visual amenity or general character of the area, despite elements of them being visible. The colour of the structures to be installed would be of a similar appearance to those already existing within the complex and are therefore considered acceptable. Moreover, it is considered that any visual harm caused as a result of the proposal would be offset by the positive benefits that the development would incur, including reducing the carbon emissions of the site.

The proposal is therefore considered acceptable as it accords with policies SP1 and DM1 of the Core Strategy.

Residential amenity – the proposed heat store tanks would be sited approximately 160m away from residential properties sited to the east of the application site and approximately 215m away from the residential properties sited to the southwest of the application site. It is understood that these properties are separated from the proposed structures by the main brewery buildings.

Due to the considerable height of the heat tanks, it is acknowledged that some elements of the proposal are likely to be visible to residents occupying these properties, however the proposal's considerable distance should ensure that issues associated with overshadowing, loss of light,

and loss of outlook are avoided. Thus, given the separation distances together with the site's industrial context, it is not considered that the proposal would give rise to unacceptable impacts upon residential amenity, in accordance with policies SP1 and DM1 of the Core Strategy.

Sustainability and carbon emission reduction – the proposal will generate and lead to an increased reliance on green / renewable energy for use by the application property, which is considered to accord with policy EN5 of the Core Strategy and chapter 2 of the NPPF, by reducing the building's carbon footprint and emissions.

Noise – Environmental Health made no objection to the proposal, requesting that a condition relating to external plant / equipment / servicing be attached to the decision notice. This should ensure that the development does not detrimentally affect residential amenity, in terms of generating harmful levels of noise disturbance, pursuant to policy DC26 of the UDP.

Flood risk – both the Flood Risk Management team and the Environmental Agency confirmed the acceptability of the submitted Flood Risk Assessment.

Contaminated land – the Design and Access statement indicates that the proposed works are to be on an area of existing hardstanding that will accommodate the proposed slabs for the new heat store tanks and does not require disturbance of the ground. Additionally, other proposed works such as the demolition and replacement of the existing pipe bridges and well water tank are to be undertaken above ground level and therefore do not directly pose a risk to controlled waters.

The Environmental Agency indicated that the proposed development site presents a low risk of contamination that could be mobilised during construction to pollute controlled waters. No conditions were requested.

Conclusion - given the above issues, it is considered that the proposal is acceptable in terms of its principle, appearance, and impact upon existing levels of visual and residential amenity, and sustainability as it broadly complies with policies SP1, DM1 and EN4 of the Core Strategy, chapters 2, 8 and 12 of the NPPF and chapter 4 of the Guide to Development in Manchester.

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 based on seeking solutions to problems arising in relation to dealing with the planning application. Minor issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

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 permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the documents labelled:

-‘Application for Planning Permission’, stamped as received by the City Council as Local Planning Authority on the 7th August 2023.

-‘Proposed Floor Plan – Tanks and Pipe Bridge’, stamped as received by the City Council as Local Planning Authority on the 7th August 2023.

-‘Proposed Floor Plan – Existing Services Deck’, stamped as received by the City Council as Local Planning Authority on the 7th August 2023.
-‘Proposed Site Layout’, stamped as received by the City Council as Local Planning Authority on the 7th August 2023.
-‘Existing and Proposed Elevations – Sheet 1’, stamped as received by the City Council as Local Planning Authority on the 8th September 2023.
-‘Existing and Proposed Elevations – Sheet 2’, stamped as received by the City Council as Local Planning Authority on the 7th August 2023.
-‘Existing and Proposed Elevations – Sheet 3’, stamped as received by the City Council as Local Planning Authority on the 8th September 2023.
-‘Design and Access Statement’, stamped as received by the City Council as Local Planning Authority on the 8th September 2023.
-‘Flood Risk Assessment’, stamped as received by the City Council as Local Planning Authority on the 6th November 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 materials to be used on the external surfaces of the development hereby permitted shall match those specified on the submitted application form and approved documents.

Reason - To ensure the appearance of the site to be developed is not adversely affected by the materials to be used in the construction of the development, pursuant to policy DM1 of the Manchester Core Strategy.

4) 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.

The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as Local Planning Authority.

b) 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.

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 DC26 of the UDP.

Informatives

1) 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 nearby residents, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

2) MCC records highlight that the underground Corn Brook culvert is located within close proximity to the site (approximately onsite), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

Appendix 1 – List of consultees & neighbours notified

Environment Agency
Environmental Health
MCC Flood Risk Management

9 Lagos Close, Manchester, M14 4GW
68 St Bees Close, Manchester, M14 4GG
Mcdonalds, ASDA, 100 Princess Road, Manchester, M15 5AS
Bridgewater Wellness Clinic, Bridgewater Hopsital, 120 Princess Road, Manchester, M15 5AT
34 St Bees Close, Manchester, M14 4GG
Dtz Management Centre, Greenheys Lane, Manchester, M15 5AS
Morning Star Hostel, 104 Denmark Road, Manchester, M15 6JS
ASDA, 100 Princess Road, Manchester, M15 5AS
Greenheys Police Station, Charles Halle Road, Manchester, M15 6NP
17 Lagos Close, Manchester, M14 4GW
11 Lagos Close, Manchester, M14 4GW
18 Delvino Walk, Manchester, M14 4GT
12 Delvino Walk, Manchester, M14 4GT
6 Delvino Walk, Manchester, M14 4GT
3 Seaton Way, Manchester, M14 4GF
80 St Bees Close, Manchester, M14 4GG
74 St Bees Close, Manchester, M14 4GG
64 St Bees Close, Manchester, M14 4GG
52 St Bees Close, Manchester, M14 4GG
48 St Bees Close, Manchester, M14 4GG
42 St Bees Close, Manchester, M14 4GG
36 St Bees Close, Manchester, M14 4GG
26 St Bees Close, Manchester, M14 4GG
20 St Bees Close, Manchester, M14 4GG
28 St Bees Close, Manchester, M14 4GG
Greenheys Police Sub Station, Greenheys Lane, Manchester, M15 6NQ
Bridgewater Hopsital, 120 Princess Road, Manchester, M15 5AT
25 Lagos Close, Manchester, M14 4GW
40 St Bees Close, Manchester, M14 4GG
38 St Bees Close, Manchester, M14 4GG
32 St Bees Close, Manchester, M14 4GG
30 St Bees Close, Manchester, M14 4GG
24 St Bees Close, Manchester, M14 4GG
22 St Bees Close, Manchester, M14 4GG
18 St Bees Close, Manchester, M14 4GG
78 St Bees Close, Manchester, M14 4GG
76 St Bees Close, Manchester, M14 4GG
72 St Bees Close, Manchester, M14 4GG
70 St Bees Close, Manchester, M14 4GG
66 St Bees Close, Manchester, M14 4GG
62 St Bees Close, Manchester, M14 4GG
60 St Bees Close, Manchester, M14 4GG
58 St Bees Close, Manchester, M14 4GG
56 St Bees Close, Manchester, M14 4GG
54 St Bees Close, Manchester, M14 4GG
50 St Bees Close, Manchester, M14 4GG
46 St Bees Close, Manchester, M14 4GG
44 St Bees Close, Manchester, M14 4GG

15 Lagos Close, Manchester, M14 4GW
13 Lagos Close, Manchester, M14 4GW
24 Delvino Walk, Manchester, M14 4GT
22 Delvino Walk, Manchester, M14 4GT
20 Delvino Walk, Manchester, M14 4GT
16 Delvino Walk, Manchester, M14 4GT
14 Delvino Walk, Manchester, M14 4GT
10 Delvino Walk, Manchester, M14 4GT
8 Delvino Walk, Manchester, M14 4GT
4 Delvino Walk, Manchester, M14 4GT
2 Delvino Walk, Manchester, M14 4GT
7 Seaton Way, Manchester, M14 4GF
5 Seaton Way, Manchester, M14 4GF
1 Seaton Way, Manchester, M14 4GF

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
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) -
Area Team Boundary - Name: SOUTH AREA