MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138108/FO/2023
Date registered valid:	31 October 2023
Proposal:	Replacement of the existing high level louvred attenuated panels to roof mounted M&E plant items.
Address:	Manchester Royal Infirmary, Oxford Road, Manchester, M13 9WL
Ward(s):	Ardwick Ward
Applicant:	Manchester Central University NHS Foundation Trust
Agent (if any):	Ms Lela Palin Bradbury Consulting
Case officer:	Jack Naven Tel: 0161 219 2095 Email: jack.naven@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**11th January 2024**

Application Details

Type of application: Full Application Consent

Development type: Minor Industry

Date of site visit: 13 November 2023

Standard consultations:
Printed: 10 November 2023 Expired: 1 December 2023

Neighbour notifications
Printed: 10 November 2023 Expired: 1 December 2023

Site notice
Posted: 13 November 2023 Expired: 4 December 2023

Press advert
Published: 14 November 2023 Expired: 28 November 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of Site Area

Listed building: Grade II

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to the FM Centre at the Manchester Royal Infirmary (MRI).

The Manchester Royal Infirmary is a large complex, which includes the Royal Manchester Children's Hospital, Manchester Royal Eye Hospital, Saint Mary's Hospital, as well as other educational and research facilities, which are all situated between a section of large between Oxford Road, Grafton Street, Upper Brook Street, and Hathersage Road. Oxford Road is one of the busiest bus routes in Europe. The MRI is a large NHS teaching hospital that is considered to be a major regional and national medical centre. It is the largest hospital run by Manchester University NHS Fountain Trust.

The FM Centre is situated on the Upper Brook Street side of the complex. North Road, a road that runs through the complex, boarders the FM Centre on the other side of the building.

Description of Development

The proposal seeks the replacement of the existing high level louvred attenuated panels to roof mounted M&E plant items.

On two of the elevations (marked on plans as C and D), the existing high-level louvres in place are being removed and replaced.

On two other elevations (marked as A and B), the existing high masonry parapet is being lowered by 300mm to facilitate the installation of new attenuated louvres, alongside the replacement of existing louvres.

Consultations & Notification Responses

Environmental Health - Recommended that an informative be added concerning Construction/Demolition Hours, and that a condition be added concerning external plant, equipment, and servicing.

Helipad Manager - No response to the consultation.

Publicity - Neighbour notification letters were sent to surrounding properties. A site notice and local press advert were also produced. At the time of writing this report, no representations have been received because of this publicity.

Policy

The following policy and guidance is considered relevant to the consideration of this application:
-Saved policy DC26 of the UDP;
-Policies DM1, SP1, CC9, EN4 and EN3 of the Core Strategy;
-The Guide to Development in Manchester (SPD);
-National Planning Policy Framework (NPPF)

Places For Everyone

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 on the Plan. The Examination of 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 is 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.

Policy JP-P1 (Sustainable Places), Policy JP-S1 (Sustainable Development), Policy JP-S2 (Carbon and Energy), Policy JP-P5 (Education, Skills and Knowledge), and Policy JP-P6 (Health).

Issues

Principle

The principle of replacing the existing high level louvred attenuated panels to roof mounted M&E plant items is considered to be acceptable. The building is an important building in the Manchester Royal Infirmary that requires a serious improvement to air flow capacity and so works to replace, upgrade, and expand the number of louvres is considered acceptable.

The main principles to consider in relation to this application are the impact of visual amenity and noise pollution.

Visual Amenity

In the cases where the louvres in place are being removed and replaced with new louvres of a similar size, it is not considered that the installation of these louvres would be considered to have a further negative impact on the visual amenity of the host building or the surrounding street scene and area.

For the elevations where the masonry wall is to be lowered to accommodate new louvres, this would not be ideal from a visual amenity perspective. However, the building in question already has a number of louvres and louvre panels visible from both high level and street level. The purpose of this building is clearly for medical use, and for the specific medical uses of this building, given the equipment and services housed inside it, a high level of louvres is considered necessary.

Whilst the building does border Upper Brook Street, a relatively main transport route to the City Centre, most of the building is enclosed within a large complex that houses many similar types of buildings, many of which contain similar louvres, and so it is not considered to have a significant visual impact of the other surrounding buildings within this isolated area that contains buildings for medical use.

As for the need for the additional louvres, calculations were undertaken at the design stage which have determined that these additional louvres were essential in order to achieve the 60% improvement to air flow capacity that is required to be reached with this building. Whilst it would have had less of a visual impact to have no new louvres works undertaken on the elevation facing Upper Brook Street, it was not considered to be feasible to achieve the required levels without creating an additional louvre on this elevation.

Noise Pollution

An acoustic report was submitted along with the application. Whilst this does address a lot of the issues relating to noise pollution, additional information is required with regard to the attenuation measures to be installed in order to bring the noise levels from the new equipment down. This matter can be dealt with by the way of a condition, which has been added to the applicable. A verification element has also been added to this condition in order to validate the noise levels post the installation of the proposal.

Conclusion

Given the above, it is considered that the proposal is in accordance with the above policies and should be approved.

<u>Other Legislative Requirements</u>

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 polices 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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Clarification was sought with the applicant over why the additional louvres were considered necessary. Once this was clarified, the application could be determined.

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:

Received by the Local Planning Authority on 15 September 2023:

- Location Plan 2022.098.001
- Proposed Building Plans 2022.098.005

- Proposed Elevation A and B 2022.098.006
-Proposed Elevation C and D 2022.098.007
- Proposed Louvres 70216-03
- Proposed Plans, Sections, and Elevations 72016-08
- Proposed Plans, Sections, and Elevations 72016-09
- Noise Impact Assessment

Received by the Local Planning Authority on 05 October 2023:

- Proposed Louvre Details - Sheet 1 0114-MAG-Z3-RF-D4-S-11-101
- Proposed Louvre Sections - Sheet 1 0114-MAG-Z3-RF-D4-S-11-301
- Proposed Louvre Sections - Sheet 2 0114-MAG-Z3-RF-D4-S-11-302
- Proposed Louvres General Arrangement 0114-MAG-Z3-RF-D4-S-11-501

Received by the Local Planning Authority on 31 October 2023:

- Proposed Section A 2022.098.009

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, and saved policies DC14 and DC18.1.

3) Prior to any external works, samples and specifications of all materials to be used on all external elevations shall be submitted and approved by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policy and EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

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 nonconformity 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 DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

Informatives

1) The acoustic report submitted with the application does not address part a condition of condition 3 (Noise). Additional information is required with regard to the attenuation measures to be installed in order to bring the noise levels from the new equipment down to the above levels.

Information for Developers guidance documents can be downloaded using the following link: http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Helipad Manager

19 Swinton Grove, Manchester, M13 0FU
Royal Manchester Eye Hospital, Oxford Road, Manchester, M13 9WL
Flat 4, 243 Upper Brook Street, Manchester, M13 0HL
Flat 3, 243 Upper Brook Street, Manchester, M13 0HL
Flat 2, 243 Upper Brook Street, Manchester, M13 0HL
Flat 1, 243 Upper Brook Street, Manchester, M13 0HL
Tesco Stores, 257 Upper Brook Street, Manchester, M13 0HL
Flat 5, 233 Upper Brook Street, Manchester, M13 0HL
Flat 4, 233 Upper Brook Street, Manchester, M13 0HL
Flat 3, 235 Upper Brook Street, Manchester, M13 0HL
Flat 3, 233 Upper Brook Street, Manchester, M13 0HL
Flat 5, 231 Upper Brook Street, Manchester, M13 0HL
Flat 3, 231 Upper Brook Street, Manchester, M13 0HL
245 Upper Brook Street, Manchester, M13 0HL
Flat 7, 231 Upper Brook Street, Manchester, M13 0HL
Flat 6, 231 Upper Brook Street, Manchester, M13 0HL
243 Upper Brook Street, Manchester, M13 0HL
233 Upper Brook Street, Manchester, M13 0HL
231 Upper Brook Street, Manchester, M13 0HL
Mancunian Service Station, 249 - 259 Upper Brook Street, Manchester, M13 0HL
Flat 2, 235 Upper Brook Street, Manchester, M13 0HL
Flat 1, 235 Upper Brook Street, Manchester, M13 0HL
Flat 2, 233 Upper Brook Street, Manchester, M13 0HL
Flat 1, 233 Upper Brook Street, Manchester, M13 0HL
Flat 4, 231 Upper Brook Street, Manchester, M13 0HL
Flat 2, 231 Upper Brook Street, Manchester, M13 0HL
Flat 1, 231 Upper Brook Street, Manchester, M13 0HL
247 Upper Brook Street, Manchester, M13 0HL
239 Upper Brook Street, Manchester, M13 0HL
237 Upper Brook Street, Manchester, M13 0HL
241 Upper Brook Street, Manchester, M13 0HL

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
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: CENTRAL