

Planning

Growth & Development

Delegated officer report for planning application

Application no.	137327/DEM/2023
Date registered valid:	22 June 2023
Proposal:	Prior approval for the demolition of the existing 2 storey commercial building
Address:	Simon House , Brownley Road, Manchester, M22 5RA
Ward(s):	Woodhouse Park Ward
Applicant:	Mr Tom Blundy Teledata UK Ltd
Agent (if any):	Miss Vivienne Goddard Union4 Planning Ltd
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	19 July 2023



Application details

Type of application: Proposed demolition

Development type: Notifications

Standard consultations:

Printed: 4 July 2023 Expired: 25 July 2023

Neighbour notifications

Printed: 4 July 2023 Expired: 25 July 2023

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/area

Simon House is a part single/part 2 storey building located to the north of the Wavell Road and Brownley Road junction. Currently vacant, the building was last used as a job centre, though consent to use it as an extension of the neighbouring data centre was approved in 2022.

To the north of the building lies Delta House, which is currently occupied by the applicant. To the south of the site, on the opposite side of Wavell Road there is a cleared site, while to the west of the site, also on the opposite side of Wavell Road, there is a bingo hall. To the east, on the opposite side of Brownley Road, there is a large area of open space and beyond that residential accommodation.

Listed building: no

Conservation area: no

Tree Preservation Order: no

Description of development

The applicant is seeking Prior Approval for the demolition of Simon House.

Consultations & Notification Responses

Local Residents/Businesses – No comments received.

Environmental Health – The proposed dust and noise measures are acceptable, though the hours of operation are outside of MCC guidelines.

Policies

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long-term strategic planning policies for Manchester's future development.

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. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of issues, in this instance the most relevant are considered as follows:-

- Effects on residential amenity, road safety and traffic generation.
- Effects relating to biodiversity, landscape, archaeological or built heritage.

Saved UDP Policy DC26, "Development and Noise" – Policy DC26.1 states that the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a) the effect of new development proposals which are likely to be generators of noise; and
- b) the implications of new development being exposed to existing noise sources which are effectively outside planning control.

Policy DC26.2 states that new noise-sensitive developments (including large-scale changes of use of existing land or buildings), such as housing, schools, hospitals or similar activities, will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the Council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.

Issues

Principle – The principle of the proposed demolition is considered acceptable. Notwithstanding this, consideration must be given to the environmental impact of the demolition work.

Impact of the Demolition Works – Demolition of the site will be undertaken by a specialist demolition contractor. All works will be completed in accordance with the requirements of the Construction, Design and Management Regulations 2015, BS 6187:2011: Code of Practice for Full and Partial Demolition.

On balance, it is felt that the impact will be temporary, of a localised nature and not give rise to any significant effects on the environments. All potential effects can be satisfactorily considered as part of the prior notification for demolition process. It is considered that this proposal would not

have any significant environmental impact.

Notwithstanding the above, given the concerns of Environmental Health, a condition restricting the hours of work to within MCC guidelines is suggested in this instance.

Ecological Impact – An ecological survey of Simon House has been undertaken. It determined that the building offered negligible roosting potential for bats and there was limited high quality foraging habitat in the immediate proximity of the site. However, it did recommend that caution be taken over trees that were to be felled, with appropriate investigation being undertaken where necessary. The report also confirmed that the building itself does not offer any suitable habitat for nesting birds, although some of the existing shrubbery could support nesting birds.

An informative about potential bat presence is suggested in this instance.

Pedestrian and Highway Safety – Given the contents of the management plan, the scale of the proposed demolition works and the availability of off-street parking and servicing areas, it is not considered that the demolition works would have a detrimental impact upon the current levels of pedestrian and highway safety enjoyed within the vicinity of the site.

Residential Amenity – The nearest residential accommodation is approximately 67-77 metres away from the site and as such it is not believed that the proposed demolition works would have an unduly detrimental impact upon existing amenity levels, especially given the contents of the Demolition Method Statement which would ensure any disturbance is kept to a minimum.

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

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The City Council is satisfied that the demolition works in this case are satisfactory and will not have a significant impact on the environment. This decision is based on the following documents stamped as received on 16 and 22 June 2023:

- a) Construction Method Statement
- b) Demolition Phase Plan
- c) Risk Assessment
- d) Site Photographs
- e) Ecological Scoping Assessment Report
- f) Protected Species Report

2) Demolition works shall be confined to the following hours:

- a) Monday - Friday: 7.30am - 6pm
- b) Saturday: 8.30am - 2pm
- c) Sunday / Bank holidays: No work

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase, pursuant to Policy DM1 in the Manchester Core Strategy

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Strategic Development Team
Greater Manchester Ecology Unit

First Floor, Alpha House, Rowlandsway, Manchester, M22 5RG
Unit 5, Alpha House, Rowlandsway, Manchester, M22 5RG
Delta House, Wavell Road, Manchester, M22 5QZ
Buzz Blngo, Rowlandsway, Manchester, M22 5RS
Sixth Floor, Alpha House, Rowlandsway, Manchester, M22 5RG
Alpha House, Rowlandsway, Manchester, M22 5RG
Ground Floor, Alpha House, Rowlandsway, Manchester, M22 5RG
Fifth Floor, Alpha House, Rowlandsway, Manchester, M22 5RG
Fourth Floor, Alpha House, Rowlandsway, Manchester, M22 5RG
Seventh Floor, Alpha House, Rowlandsway, Manchester, M22 5RG
Second Floor And Third Floor, Alpha House, Rowlandsway, Manchester, M22 5RG
Ground Floor, Delta House, Wavell Road, Manchester, M22 5QZ
Seventh Floor, Delta House, Wavell Road, Manchester, M22 5QZ
Sixth Floor, Delta House, Wavell Road, Manchester, M22 5QZ
Third Floor, Delta House, Wavell Road, Manchester, M22 5QZ
Second Floor, Delta House, Wavell Road, Manchester, M22 5QZ
First Floor, Delta House, Wavell Road, Manchester, M22 5QZ

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 15M
Area Team Boundary - Name: SOUTH AREA