

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138089/JO/2023

Date registered valid: 14 September 2023

Proposal: Variation of condition numbers 2 (specified plans), 4 (living wall details), 6 (method statement for ASHP support structure) from planning approval reference 136152/VO/2023 to allow an amendment to the support structure for the Air Source Heat Pumps and an increase in the finished height of the ASHP and living wall screening by 500mm

Address: Didsbury Library, 692 Wilmslow Road, Manchester, M20 2DN

Ward(s): Didsbury West Ward

Applicant: Mr Conal Spellacy Manchester City Council

Agent (if any): Mr Robert Swiatek AA Projects

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 26.10.2023

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Other

Date of site visit: 04.10.2023

Standard consultations:

Printed: 18 September 2023 Expired: 9 October 2023

Neighbour notifications

Printed: 18 September 2023 Expired: 9 October 2023

Site notice

Posted: 4 October 2023 Expired: 25 October 2023

Press advert

Published: 26 September 2023 Expired: 10 October 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: Blackburn Park Conservation Area 1979

Tree Preservation Order: No specific TPOs Trees in the area protected by virtue of being within the Conservation Area

Description of area

The application site is the Grade II Listed Didsbury Library and associated car parking area to the rear. There are a number of Grade II listed buildings adjacent the application site including the Emmanuel Church on Barlow Moor Road; the War Memorial to the front of the Library; 694 Wilmslow Road and number 6 Barlow Moor Road.

Didsbury Library was erected in 1915, founded by Fletcher Moss, designed by City Architect Henry Price and funded by American philanthropist Andrew Carnegie. The building occupies a prominent position off Wilmslow Road, with pedestrian access gained via the leading approach to the principal elevation and main entrance.

The library is constructed in the fifteenth century gothic style, with facades of red brick and Portland stone, which is well harmonised with the surroundings within and outside the curtilage of the library. Tracery windows and emblems of Science, Knowledge, Literature, Music and Arts and Crafts are distributed over the building in stone.

To the west of the building is the vehicular access via the tarmac surfaced drive off Barlow Moor Road, leading into the small car park, enclosed by local red brick boundary walls. Planting and shrubbery are prominent around the site and softens the setting of the building, with trees in some cases obscuring views of the building's elevations.

Description of development

The proposals are part of a wider City Council project to decarbonise its estate through the introduction of low and zero carbon infrastructure to provide heating and power and remove carbon based gas boilers and other equipment. Planning permission had previously been granted for the Installation of air source heat pumps within a "living wall" compound under planning permission reference 136152/VO/2023. Since granting approval the design of the supporting slab for the compound has been adjusted to avoid excavations in the vicinity of trees roots within the application site. As a result this variation seeks the approval of a 'big foot' system and an increase in the finished height of the ASHP and living wall screening by 500mm.

The proposed ASHP are to be located in the northwest corner of the existing car park, backed against the existing masonry wall. The new ASHP will be screened visually using a 2.9m high living wall screen to minimise the visual impact of the installation on the external surroundings of the library.

Trenching will be required from the ASHP location into the basement plantroom of the building. The ASHP will draw additional electrical load from the grid and this requires an improved incoming mains supply to the building. This will be installed by Electricity North West (ENW) and will be gained via trench from the south of the site on Barlow Moor Road to the service entry point in the basement window of the building.

The proposal is to screen the ASHP using a living wall, or 'green screen', consisting of low maintenance planting on a 2.9m high framework, to create a wall of plants.

The plants will be evergreen and low maintenance and be selected to increase biodiversity to this corner of the car park.

Consultations & Notification Responses

Neighbouring properties were notified of the proposals, a site notice was posted and an advertisement placed in the Manchester Evening News as a proposal affecting a listed building, no responses were received.

Policy

Relevant policies within the Development Plan for the consideration of the application proposals are:

Manchester Core Strategy

SP1 - Spatial Principles

DM1 - Development Management

EN3 - Heritage

EN4 - Reducing Co2 Emissions

EN6 - Target framework for Co2 reductions

Saved Unitary Development Plan

DC18'Conservation Areas'

DC19'Listed Buildings'

DC26'Noise'

National Planning Policy Framework

Paragraphs: 10 & 11 (presumption in favour of sustainable development); 154 (reduce greenhouse gas emissions); 155 (increase use and supply of renewable and low carbon energy and heat); 158 (approve applications for renewable and low carbon development if impacts are acceptable) 199-202 (conserving and enhancing the historic environment).

Issues

The principle for the provision of low and zero carbon energy infrastructure is generally considered acceptable subject to further consideration of impacts on residential and visual amenity; and impacts on the settings of, and to the Listed Building and the character and appearance of Blackburn Park Conservation Area in this instance. In this instance the principle has previously been established but this amended scheme requires further consideration of the impacts on trees and visual and residential amenity as a result of the increase in height of the compound structure.

Residential amenity - Impacts from the proposals primarily arises from the potential introduction of a new noise source in the area. The ASHP compound has been located adjacent the existing boundary wall to the Library and Emmanuel Church in the north western corner of the site. There are residential properties lying to the north of the boundary wall along Norgate Street and others located on Barlow Moor Road opposite the entrance to the Library car park.

Given the location of the proposed compound it is not anticipated that the proposals would give rise to harmful levels of noise, the existing boundary wall would afford some level of mitigation from the noise particularly to those closest properties on Norgate Street and the Church whilst it is in use. In line with the recommendation of MCC Environmental Health a condition is proposed for further details of the acoustic performance of the ASHP to be submitted for approval with a post completion verification requirement.

It is not anticipated that the proposals would give rise to other residential amenity impacts, the siting and height would not give rise to impacts of overshadowing or loss of light to neighbouring properties and the installation would be expected to require limited maintenance so overlooking or loss of privacy is not anticipated to arise.

Visual amenity - The amended compound enclosing the ASHP would be 8.1m in width, 2.7m in depth and 2.9m in height. The compound would be screened with a 'green living wall' feature. The compound would be taller than the neighbouring boundary wall by approximately 1.1m in height but would be set off this feature that separate the two grade II Listed Buildings of the Library car park and the Emmanuel Church. albeit the compound would still be visible within the setting of the Listed Library and from within the Blackburn Park Conservation Area. Views of the compound would be limited but it will appear as a new feature within the boundary and setting of the Library. The screening would allow the softening of the compound and ASHP equipment that would otherwise be visible both within the car park and from Barlow Moor Road. As such this feature screening would assist to reduce the visual impacts of the proposal.

As the compound is taller than the surrounding boundary wall there would be views of the green screening from within the grounds of the adjacent church and rear outdoor spaces of properties to the north together with first floor and rear dormer windows in the residential properties to the north. It is not considered that such views of the amended compound height would be so harmful as to warrant refusal of the proposals.

Details of the maintenance and management and planting of the "living wall" green are required to ensure this feature retains it's screening properties. As such an appropriately worded condition is still required to be attached to any approval of the proposals.

Impacts on Designated Heritage Assets - The proposals are located within the setting of the Didsbury Library Grade II Listed Building and are set in close proximity but set off the boundary walls between the Library and the Grade II Listed Emmanuel Church. The original planning application was accompanied by a commensurate Heritage Statement which identifies the archaeological, historic and aesthetic values of the building and significance.

As well as the Listed Buildings on and adjacent the site, the proposals also lie within the Blackburn Park Conservation Area. As such consideration on all designated heritage assets is considered below.

The proposed compound is located within an existing hard standing area that is located to the rear of the library accessed by vehicles from Barlow Moor Road. Areas of low levels planting and trees are located around the library and the vehicular entrance from Barlow Moor Road, with the boundary wall and tarmac dominating the appearance of the area where the proposed compound and ASHP equipment is to be located. Whilst appreciation of the boundary wall would be diminished as a result of the proposal, the wall has clearly undergone several periods of rebuilding and strengthening. The wall would still be retained and would be still form the physical separation between the listed buildings. In this instance the introduction of planting within the living wall screen around the compound would assist in reducing the visual impacts on the setting of the listed building and views from public viewpoints within the conservation area. It is considered that there would be less than substantial harm to the significance of a designated heritage assets in this area. In this instance the public benefits derived from the proposed decarbonisation project outweigh the visual harm of the introduction of this compound.

Trees - There are a number of trees in the vicinity of the proposals and the identified areas of trenching to introduce the infrastructure. The original application was supported by an arboricultural Report that assessed the impacts of the proposals on nearby trees and roots. Given the application proposals seek to use a support system that avoids excavation and the installation of a structural slab for the proposed ASHP condition 6 of the original approval is no longer required and can be removed.

Other Matters - The proposals would result in the loss of some hard surfacing used as car parking associated with the Library. Two disabled car parking spaces would be retained and reconfigured as part of the works. In this instance given the overall intention of the works to decarbonise the energy used within the library the loss of some area of hard surfacing is considered acceptable. The library is located within the District Centre and is in a highly accessible location close to pedestrian footways, dedicated cycle lanes, bus and Metrolink network.

The applicant has provided details of the living wall subject to a specific condition on the original approval. The submitted details are acceptable and the proposed conditions have been updated to reflect this.

Conclusion - The application proposals are to decarbonise the energy use of the Listed building and reduce the overall amount of energy used. The works have been identified as essential as part of the Manchester City Council Public Sector Decarbonisation Scheme (PSDS). In this instance the proposed works are considered to be acceptable and harm identified has been minimised by the proposed Living Wall which would be subject to specific conditions to ensure it's ongoing maintenance and management. The public benefit derived from the proposals is considered to outweigh the identified harm to the setting of the Listed Building caused by the siting of the equipment and compound.

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

The application has been dealt with in a positive and proactive manner, issues that have arisen during consideration of the application have been discussed with the applicant and conditions are proposed to be attached to the decision.

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 planning permission reference 136152/VO/2023, that date being 4th May 2023.

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:

19972-DL-010 Rev C 'Proposed External Works'; 19972-DL-204 Rev A 'Proposed Elevations 1-3 Option 2'; 19972-DL-205 Rev A 'Proposed Elevations 4-6' Option 2; BF16046-001.dwg; all as received by the City Council as local planning authority on the 14th September 2023

'Condition Discharge Information Pack Two' prepared by AAP projects and including the Living Wall details drawing references: 9010 Revision T1 'Didsbury Library Green Wall Frame Plan and detail' prepared by Clancy; and, 205_004 'plan and section/break-down' prepared by IWANTPLANTS

Design and Access Statement and; Heritage Statement prepared by AAP Projects all as received by the City Council as local planning authority on the 3rd February 2023

Arboricultural Statement prepared by Cheshire Woodlands as received on the 20th April 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) a) Externally mounted ancillary plant, equipment and servicing (which shall include the electricity sub station) 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 the first use of the hereby approved development 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.

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 Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

4) The 'Living Wall' as shown on the approved drawings shall be installed in accordance with the following approved drawings and documents: 'Condition Discharge Information Pack Two' prepared by AAP projects and the Living Wall details drawing references: 9010 Revision T1 'Didsbury Library Green Wall Frame Plan and detail' prepared by Clancy; and, 205_004 'plan and section/break-down' prepared by IWANTPLANTS as received via email by the City Council as local planning authority on the 24th October 2023. The development shall be undertaken and maintained and managed in accordance with the agreed details.

If within a period of 5 years from the date of the planting of the 'Living Wall' any planting is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, additional planting shall be planted at the same place.

Reason - In the interests of the visual amenity and special character of the area in which the site is located pursuant to policy SP1, EN3, and DM1 of the Core Strategy and saved Unitary Development Plan Policies DC18 and DC19.

5) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

6) No hard landscaping works or excavation for cables or any other service shall be carried out within the 'tree protection area' as identified within the approved Method Statement without the prior written consent of the City Council as local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policy DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Neighbourhood Team Leader (Arboriculture)
Heritage & Urban Design
Didsbury Civic Society

8 Backford Walk, Manchester, M20 1BT
7 Backford Walk, Manchester, M20 1BT
3 Backford Walk, Manchester, M20 1BT
18 Backford Walk, Manchester, M20 1BT
12 Backford Walk, Manchester, M20 1BT
1 Backford Walk, Manchester, M20 1BT
20 Rainford Avenue, Manchester, M20 1BR
18 Rainford Avenue, Manchester, M20 1BR
14 Rainford Avenue, Manchester, M20 1BR
11 Rainford Avenue, Manchester, M20 1BR
1 Hassall Avenue, Manchester, M20 1PG
9 Backford Walk, Manchester, M20 1BT
6 Backford Walk, Manchester, M20 1BT
5 Backford Walk, Manchester, M20 1BT
4 Backford Walk, Manchester, M20 1BT
20 Backford Walk, Manchester, M20 1BT
2 Backford Walk, Manchester, M20 1BT
16 Backford Walk, Manchester, M20 1BT
14 Backford Walk, Manchester, M20 1BT
11 Backford Walk, Manchester, M20 1BT
10 Backford Walk, Manchester, M20 1BT
9 Rainford Avenue, Manchester, M20 1BR
22 Rainford Avenue, Manchester, M20 1BR
21 Rainford Avenue, Manchester, M20 1BR
19 Rainford Avenue, Manchester, M20 1BR
17 Rainford Avenue, Manchester, M20 1BR
16 Rainford Avenue, Manchester, M20 1BR
12 Rainford Avenue, Manchester, M20 1BR
10 Rainford Avenue, Manchester, M20 1BR
22 Bromborough Avenue, Manchester, M20 1BP
20 Bromborough Avenue, Manchester, M20 1BP
18 Bromborough Avenue, Manchester, M20 1BP
16 Bromborough Avenue, Manchester, M20 1BP
14 Bromborough Avenue, Manchester, M20 1BP
2 Rudheath Avenue, Manchester, M20 1PE

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
Conservation Area - Blackburn Park Conservation Area 1979
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA