

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 135020/FO/2022

**Date registered valid:** 11 April 2023

**Proposal:** Erection of a fenced enclosure, including gates, to bound existing waste storage compound in the existing car park area, and retention of extended plant compound, including air ventilation plant, with perimeter fencing, at the rear of the building.

**Address:** Synergy House, Guildhall Close, Manchester, M15 6SY

**Ward(s):** Hulme Ward

**Applicant:** Mr Andrew Brewster Equinix UK

**Agent (if any):** Mr Gary Sumpter W Sutherland Construction Ltd

**Case officer:** David Brettell  
Tel: 0161 234 4556  
Email: dave.brettell@manchester.gov.uk

**Recommendation:** **APPROVE**

**Date of recommendation:** 20.09.23

## Application details

**Type of application:** Full Application Consent

**Development type:** Minor Industry

**Date of site visit:**

### Standard consultations:

Printed: 22 May 2023      Expired: 12 June 2023

### Neighbour notifications

Printed: 22 May 2023      Expired: 12 June 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

**Listed building:** Not applicable

**Conservation area:**

**Tree Preservation Order:**

## Description of area

The proposal relates to two external areas within the site occupied by Synergy House, a modern 4 storey office building located within Manchester Science Park. Neighbouring and nearby uses are mainly commercial offices, with the exception of a primary school which adjoins the site to the rear. Within the school grounds alongside the Synergy House boundary is an extensive area of mature landscaping, including trees and bushes, which effectively screens the existing Synergy House plant area to the rear of the building, from the school. The site is defined by a secure 2m high green mesh security fence, which also extends along other boundaries of the Synergy House site, as well as securing the whole school site. This fencing type is also used throughout the Science Park area.

## Description of development

The proposal is for the erection of a gate to enclose an existing waste storage compound in the existing car park area, to improve the visual amenity of the car park, and to provide additional security.

The proposal also relates to an area of existing plant to the rear of the building, and seeks consent for a continuation of the existing 2m high green mesh fence, for a length of

approximately 8m. The fence has already been erected, and cannot be seen from anywhere, apart from a narrow passage along the rear of Synergy House. The area of plant contained by the fence is for air conditioning ventilation, and was erected prior to the submission of this planning application.

The air ventilation plant is included in this application, to seek retrospective consent. Environmental Health has considered the details of the plant, is satisfied with the proposal, and does not recommend the imposition of any planning conditions.

The proposals would not result in the loss of any car parking spaces, nor would they restrict the manoeuvring of vehicles, and Highway Services does not object to the proposals.

GMP has no objections.

In terms of planning policy, the proposals are in full accordance with Policy DM1, and accordingly, the application is recommended for approval.

## **Consultations & Notification Responses**

Environmental Health – No objections and do not recommend any conditions

Highway Services - No objections, no conditions.

GMP – no objections. the proposals would not have an impact on the approved pedestrian/vehicular access, parking, circulation or the external highway network.

Neighbours, no comments received

## **Issues**

There are two parts to his proposal, both included in the landscaped and hard surfaced external area of Synergy House.

Firstly, adjacent to the parking area to the side of the building is an existing external waste storage area, currently occupied by a skip. It is proposed to secure this area with gates, to provide security, and to screen the area. Details of the gates have been submitted, (they have already been manufactured) and are considered acceptable. Other sides of the compound area are screened by landscaping.

The second aspect of the proposal is to erect green mesh fencing to enclose an existing area of air conditioning plant. The fencing has already been erected, and is the same as all other fencing on the site, the neighbouring school, and throughout the wider area, thus giving a harmonious visual appearance. In addition, it is difficult to view the fencing, which has already been erected, as it is shielded on one side by Synergy House, and to the rear by the grounds of the adjacent school, which is densely screened by a mature, extensive area of landscaping. Existing plant areas bound either side of the area, further obscuring its view, and the fencing is required for reasons of safety.

In relation to Planning Policy, the proposals are considered to be in accordance with Core Strategy Policy DM1, and no conditions are recommended by Highway services or Environmental Health. Given that the fencing has already been erected, it is not considered appropriate to impose a condition requiring the approval of samples of materials, which would otherwise be the case.

The application is therefore recommended for approval, subject to an approved plans condition.

### **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:**

#### **Article 35 Declaration**

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. Issues have been raised and clarified , and the proposals are considered acceptable

### **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 fully in accordance with the following drawings and documents:

Proposed Elevation ref:10.003, received 23.09.23

Proposed Plans ref:10.006, received 23.09.2023

Waste Area Plan ref:10.002, received 23.09.2023

Proposed Site Plan ref:10.007, received 23.09.2023

Plant Noise Assessment ref:30646-PNA-Rev0 received 11.04.23

Storage Gate Detail, attached to email from agent, dated 11.09.2023

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy policies DM1 and SP1.

## **Appendix 1 – List of consultees & neighbours notified**

Highway Services  
Environmental Health  
Greater Manchester Police

Unit 1 To 3, Skelton House, Lloyd Street North, Manchester, M15 6SH  
Unit 12, Rutherford House, Pencroft Way, Manchester, M15 6GZ  
Unit 15A, Rutherford House, Pencroft Way, Manchester, M15 6SZ  
Unit 14, Rutherford House, Pencroft Way, Manchester, M15 6SZ  
Unit 15B, Rutherford House, Pencroft Way, Manchester, M15 6SZ  
First Floor, Rutherford House, Pencroft Way, Manchester, M15 6SZ  
Suite A And B, Synergy House, Guildhall Close, Manchester, M15 6SY  
Unit 1, Synergy House, Guildhall Close, Manchester, M15 6SY  
Unit 2, Synergy House, Guildhall Close, Manchester, M15 6SY  
Unit 3, Synergy House, Guildhall Close, Manchester, M15 6SY  
Unit 4, Synergy House, Guildhall Close, Manchester, M15 6SY  
Unit 5, Synergy House, Guildhall Close, Manchester, M15 6SY  
Unit 6, Synergy House, Guildhall Close, Manchester, M15 6SY  
Unit 11, Rutherford House, Pencroft Way, Manchester, M15 6SZ  
Unit 10, Rutherford House, Pencroft Way, Manchester, M15 6SZ  
Unit 8 And 9, Rutherford House, Pencroft Way, Manchester, M15 6SZ  
Unit 7, Rutherford House, Pencroft Way, Manchester, M15 6SZ  
Unit 6, Rutherford House, Pencroft Way, Manchester, M15 6SZ  
ROBERTSON COOPER LIMITED, Unit 5, Rutherford House, Pencroft Way, Manchester, M15 6SZ  
Unit 4, Rutherford House, Pencroft Way, Manchester, M15 6SZ  
Unit 3, Rutherford House, Pencroft Way, Manchester, M15 6SZ  
IPEC LIMITED, Unit 2, Rutherford House, Pencroft Way, Manchester, M15 6SZ  
PREMAITHA HEALTH LTD, Unit 1, Rutherford House, Pencroft Way, Manchester, M15 6SZ  
The Old Abbey Inn, 20 Pencroft Way, Manchester, M15 6SY  
Rutherford House, Pencroft Way, Manchester, M15 6SZ  
Ahmadiyya Muslim Association, Flat, 15 Greenheys Lane, Manchester, M15 6NQ  
Morning Star Hostel, 104 Denmark Road, Manchester, M15 6JS  
Ahmadiyya Muslim Association, Dar-W-Amaan Mosque, 15 Greenheys Lane, Manchester, M15 6NQ  
Holy Name RC Primary School, Denmark Road, Manchester, M15 6JS

## **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  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Middle) -  
Susceptible to Surf Water Flood (Middle) -  
Susceptible to Surf Water Flood (Middle) -  
Susceptible to Surf Water Flood (Middle) -

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