

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135334/FO/2022
Date registered valid: 10 March 2023
Proposal: Installation of external condenser for air conditioning and associated works
Address: Flat 12, Sandhurst House, 2 Walkershall Way, Manchester, M20 2HW
Ward(s): Didsbury East Ward

Applicant: Mr R Saleh
Agent (if any): Joe Mayoh, Abode Architecture
Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE
Date of recommendation: 21.09.2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 05 May 2023

Standard consultations:

Printed: 27 April 2023 Expired: 18 May 2023

Neighbour notifications

Printed: 27 April 2023 Expired: 18 May 2023

Site notice

Posted: 05 May 2023 Expired: 26 May 2023

Press advert

Published: 9 May 2023 Expired: 30 May 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II Star

Conservation area: Didsbury St James Conservation Area 1970

Tree Preservation Order: Not applicable

The application site relates to a grade II* listed building known as Sandhurst House and was formerly part of the Manchester Metropolitan University campus on Wilmslow Road in Didsbury. By virtue of its location, age and construction, this building makes an important contribution to the heritage significance of the listed buildings.

Description of area

The site is located within Didsbury Conservation Area, which contains the greatest concentration of listed buildings in Manchester, outside of the city centre.

Description of development

Planning permission is sought for the installation of an external condenser for air conditioning and associated works within the application site.

The proposed air conditioning unit would be for domestic use and be placed within the terraced area on the upper floor and will be obscured by the existing parapet walls.

The proposed unit would be a Mitsubishi outdoor until SRC63ZR-W unit that have a maximum height of 0.82m, a maximum width of 0.89m.

Planning History

135335/LO/2022 Listed building consent for the installation of external condenser for air conditioning and associated internal works. APPLICATION APPROVED 17.03.2023

108541/OO/2015/S2 Outline application for development comprising: the erection of 42 no. dwellinghouses, erection of four storey building with basement car parking to form 7 no. apartments following demolition of existing buildings; change of use of the former Main Administrative building to form 32 dwellings (10 no. townhouses and 22no. apartments) and including the erection of a two storey extension to internal courtyard, elevation alterations, creation of underground car park together with associated landscaping and boundary treatments, following the demolition of existing buildings within the courtyard; change of use of The Chapel building to form 10 no. apartments including the erection of a single storey extension, elevational alterations, creation of underground car park, and associated amenity space; change of use of The Lodge building to form a dwellinghouse, erection of two storey side and rear extensions following demolition of attached electricity sub station; change of use of 801 Wilmslow Road to form single dwellinghouse; change of use of 803 Wilmslow Road to form single dwellinghouse following demolition of existing two storey outrigger ; alterations to boundary walls; and provision of associated parking, landscaping, boundary treatments and other infrastructure works with all matters to be considered for the site of the former Manchester Metropolitan University Campus: and; Outline application for the erection of a School building (with a maximum 3,161 sqm of gross internal floorspace) and associated facilities on the site of the Broomhurst Halls of Residence following the demolition of existing buildings on site, with access from Wilmslow Road and all other matters reserved. APPLICATION APPROVED 24.11.2015

Consultations & Notification Responses

Local residents were notified and 4 objection letters were received. The objection letters are summarised below:

- Ongoing intrusive noise and vibrations into the surrounding apartments are a serious concern with adequate provision has been made to minimise or totally alleviate nuisance and disruption to nearby occupiers from the ongoing use of the proposed system.
- What levels of sound and vibration from the proposed unit can be transmitted through adjoining walls and ceilings? Concerns around possible vibration and excessive noise into habitable rooms.
- Invasive noise and vibration could cause significant issues to neighbouring occupiers' daily lives.
- Limited communication and information regarding the placement and routing of pipes and interior units and the possible connection with adjoining neighbouring properties.
- How suitable is the system in a grade 2 listed building with multiple residential dwellings potentially being affected? Surely the renovation would have made provision for this system if it was deemed appropriate?
- The main condenser is located within the application site and is rather powerful and loud, how noticeable will the proposal be on the garden/open space below through open windows.
- Concerns were raised surrounding the level of noise disturbance through the installation work and timescales and working hours.

Environmental Health- Had no objections to the proposal and recommended a noise/external plant condition be attached to any approval.

Policy

The Manchester Core Strategy- Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on the 11th of July 2012:

- Policy SP1- Spatial Principles
- Policy CC9- Design and Heritage
- Policy EN1- Design Principles and Strategic Character Areas
- Policy EN3- Heritage
- Policy DM1- Development Management

Saved Unitary Development Plan for Manchester- The following saved UDP Policies are of relevance to this application:

- Policy DC18- Conservation Area
- Policy DC26- Development and Noise

National Planning Policy Framework (NPPF)

- Chapter 12- Achieving Well-Designed Places
- Chapter 16- Conserving and Enhancing the Historic Environment

Issues

Principle

The proposal would see the installation of an air conditioning unit to serve residential apartments. As the development would not see any fundamental change in the use of the application site and how it is considered that air conditioning units are not uncommon additions to residential dwellings, it is considered that an air condition are not uncommon additions to residential dwellings, it is considered the proposal is acceptable in principle and accords with Core Strategy Policies SP1 and DM1, subject to matters discussed below.

Residential Amenity

The neighbouring area, as previously stated within this report, is predominately residential. The submission included specification and information sheets regarding the potential noise of the proposal. However, Environmental Health have deemed this insufficient to discharge the noise condition and therefore still requires an approved scheme and verification report that would confirm the proposal has been implemented in line with the approved details. Subject to such a condition it is considered that the proposal is acceptable in regard to its impact upon neighbouring amenity in accordance with Core Strategy Policies SP1 and DM1, and the National Planning Policy Framework.

Design and Visual Amenity

As stated previously within this report, the proposed condenser is required to ensure fresh airflow into the separate accommodation units. The proposal is situated within the terraced area on the upper floor overlooking Walkershall Way. Taking into account how the proposed air condition unit would have a maximum height of 0.82 metres, it will be obscured by the parapet walls and have been positioned to be as visually recessive as possible and thus will be screened from view at street level, only being visible from within the terraced area. Further, it should be noted that all pipework will be lined within the new voids and will not penetrate through the existing structure and will be assessed against the noise condition attached to retain noise levels for neighbouring residential flats. On this basis it is considered the proposal would have a negligible impact on the streetscene in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

Impact upon Heritage Asset

Section 72(1) of the Listed Building and Conservation Areas Act relates to conservation areas and states 'in undertaking its role as a planning authority the Council should in respect to conservation areas play special attention to the desirability of preserving or enhancing the character or appearance of that area.'

Didsbury St James Conservation Area is located 5.5 miles south of the city centre, was designated in 1970. It is centred on the historical core of Didsbury, at the junction of Wilmslow Road and Stenner Lane and covers an extensive area. Sandhurst House sits at the heart of the conservation area and is a grade II star listed building in its own right.

Built development within the Conservation Area preserves the significance of the area by screening back of house infrastructure i.e. air conditioning units, extraction flues and bin stores, so as to prevent it from detracting from the appearance of the streetscene. As noted above, the proposed air conditioning unit would be screened from public views along Walkershall Way and Sandhurst House's residential flats and would thus preserve the appearance and setting off the Conservation Area and would cause less than substantial harm to the designated heritage asset that is the listed building. On this basis the proposal would have an acceptable impact on the heritage asset in accordance with policies SP1, EN3 and DM1 of the Core Strategy and saved Policy DC18 of the UDP and the National Planning Policy Framework.

Objection Comments

Several objection comments centre around the possible vibration and noise to the surrounding residential properties from the proposed condenser and associated pipework, however Environmental Health have included a noise/external plant pre-commencement condition that must be agreed and discharged before work can commence that includes noise specific levels. In this instance it is deemed acceptable for the noise condition to be applied to the approval to suffice the objectors' comments.

Conclusion

In light of the above it has been found that the proposed development would have an acceptable impact on neighbouring amenity, visual amenity and the Didsbury St James Conservation Area in accordance with policies SP1, CC9, EN3 and DM1 of the Core Strategy and saved Policy DC18 and DC26 of the UDP and the National Planning Policy Framework. As such the application is recommended for approval.

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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance, this has included ongoing advice that has resolved the issues associated with the proposal.

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

- 1) The development must be begun not later than three years beginning with the date of 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:

Drawing- Floor Plans ref. 483MAN-102A

Drawing- Location Plan ref. 483MAN-100

Document- Design and Access Statement

Document- Risk Assessment and Method Statement

Document- Application Form

All stamped as received by the City Council as local planning authority on 10 March 2023

Document- A/C specifications

Stamped as received by the City Council as local planning authority on 01 November 2022

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 extension hereby permitted shall be implemented in accordance with the approved details set out in the documents and drawings as specified in Condition 2 of this approval.

Reason- To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and 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.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Didsbury Civic Society

1 Walkershall Way, Manchester, M20 2EP
12 Bloomesbury Avenue, Manchester, M20 2BN
14 Bloomesbury Avenue, Manchester, M20 2BN
16 Bloomesbury Avenue, Manchester, M20 2BN
18 Bloomesbury Avenue, Manchester, M20 2BN
20 Bloomesbury Avenue, Manchester, M20 2BN
22 Bloomesbury Avenue, Manchester, M20 2BN
24 Bloomesbury Avenue, Manchester, M20 2BN
26 Bloomesbury Avenue, Manchester, M20 2BN
28 Bloomesbury Avenue, Manchester, M20 2BN
40 Bloomesbury Avenue, Manchester, M20 2BN
42 Bloomesbury Avenue, Manchester, M20 2BN
44 Bloomesbury Avenue, Manchester, M20 2BN
Flat 1, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 2, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 3, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 4, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 5, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 6, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 7, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 8, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 9, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 10, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 11, Sandhurst House, 2 Walkershall Way, Manchester, M20 2HW
Flat 10, Sandhurst House, 2 Walkershall Way, Manchester, M20 2HW
Flat 9, Sandhurst House, 2 Walkershall Way, Manchester, M20 2HW
Flat 8, Sandhurst House, 2 Walkershall Way, Manchester, M20 2HW
Flat 7, Sandhurst House, 2 Walkershall Way, Manchester, M20 2HW
Flat 6, Sandhurst House, 2 Walkershall Way, Manchester, M20 2HW
Flat 5, Sandhurst House, 2 Walkershall Way, Manchester, M20 2HW
Flat 4, Sandhurst House, 2 Walkershall Way, Manchester, M20 2HW
Flat 3, Sandhurst House, 2 Walkershall Way, Manchester, M20 2HW
Flat 2, Sandhurst House, 2 Walkershall Way, Manchester, M20 2HW
Flat 1, Sandhurst House, 2 Walkershall Way, Manchester, M20 2HW
Flat 8, Beeches Court, 48 Bloomesbury Avenue, Manchester, M20 2NF
Flat 7, Beeches Court, 48 Bloomesbury Avenue, Manchester, M20 2NF
Flat 6, Beeches Court, 48 Bloomesbury Avenue, Manchester, M20 2NF
Flat 5, Beeches Court, 48 Bloomesbury Avenue, Manchester, M20 2NF
Flat 4, Beeches Court, 48 Bloomesbury Avenue, Manchester, M20 2NF
Flat 3, Beeches Court, 48 Bloomesbury Avenue, Manchester, M20 2NF
Flat 2, Beeches Court, 48 Bloomesbury Avenue, Manchester, M20 2NF
Flat 1, Beeches Court, 48 Bloomesbury Avenue, Manchester, M20 2NF
46 Bloomesbury Avenue, Manchester, M20 2BN
38 Bloomesbury Avenue, Manchester, M20 2BN
36 Bloomesbury Avenue, Manchester, M20 2BN
34 Bloomesbury Avenue, Manchester, M20 2BN
32 Bloomesbury Avenue, Manchester, M20 2BN
30 Bloomesbury Avenue, Manchester, M20 2BN
10 Bloomesbury Avenue, Manchester, M20 2BN

8 Bloomesbury Avenue, Manchester, M20 2BN
6 Bloomesbury Avenue, Manchester, M20 2BN
4 Bloomesbury Avenue, Manchester, M20 2BN
17 Bloomesbury Avenue, Manchester, M20 2BN
15 Bloomesbury Avenue, Manchester, M20 2BN
13 Bloomesbury Avenue, Manchester, M20 2BN
9 Bloomesbury Avenue, Manchester, M20 2BN
7 Bloomesbury Avenue, Manchester, M20 2BN
5 Bloomesbury Avenue, Manchester, M20 2BN
3 Bloomesbury Avenue, Manchester, M20 2BN
1 Bloomesbury Avenue, Manchester, M20 2BN
11 Bloomesbury Avenue, Manchester, M20 2BN
Didsbury Methodist Church, Sandhurst Road, Manchester, M20 5LR

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 - Didsbury St James Conservation Area 1970
Area Team Boundary - Name: SOUTH AREA