

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135696/VO/2022

Date registered valid: 12 January 2023

Proposal: City Council Development Installation of roof-mounted PV panels and access gangway/guardrails, and installation of air source heat pumps and enclosure within the car park.

Address: Sports Development Centre , Denmark Road, Manchester, M15 6FG

Ward(s): Ardwick Ward

Applicant: Mr Ben Smith Manchester City Council

Agent (if any): Mr Rob Swiatek AA Projects

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 08/03/2023

Application details

Type of application: Regulation 3 Consent

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 20 February 2023 Expired: 13 March 2023

Neighbour notifications

Printed: 20 January 2023 Expired: 10 February 2023

Site notice

Posted: 23/01/2023 Expired: 13.02.2023

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: n/a

Tree Preservation Order: n/a

Description of area

The area relates to Whitworth Park in Manchester, just off Oxford Road and to the south of the universities and city centre. The character of the area comprises different uses, including residential, commercial, cultural, sports and educational. There are a number of listed buildings nearby, including the Grade-II listed Whitworth Gallery.

The site relates to the Denmark Road Sports Centre, a community multi-sports centre with facilities for football, netball, basketball and table tennis.

Description of development

The development relates to the installation of new photovoltaic cells to the roof of the centre with associated access gangway and guard rails and the installation of two new air-source heat pumps in the carpark with associated security fencing.

Consultations & Notification Responses

Publicity - a notice was displayed on site to inform passers-by of the proposed development. Letters were sent to surrounding occupiers informing them of the development. No representations were received as a result of this publicity.

Highways – acceptable, informative attached

Aerodrome Safeguarding – no objections

Environmental Health – acceptable provided recommended conditions

Issues

Policy

The main policies that relate to the proposal are policies DM1 (Development Management), SP1 (Spatial Principles), EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development) and EN7 (Energy Infrastructure opportunities) of the Manchester Core Strategy and Section 2 (Achieving sustainable development) and Section 14 (Meeting the challenge of climate change, flooding and coastal change) of the NPPF.

Issues

Principle of development

The installation of the new PV cells and ASHP is to create new low-carbon, decentralised energy generation for a council property to contribute toward the net-zero carbon target of the council. The ASHP will allow for the full removal of the existing gas boilers and thereby reduce emissions. Therefore, the principle of the development is considered acceptable pursuant to Policy EN4 and EN7 of the MCS and Sections 2 and 14 of the NPPF.

Visual amenity

There is considered to be some impact on visual amenity caused by the development, namely from the installation of the ASHPs and the associated fencing.

The fencing, which will screen the ASHPs themselves from view, is simple and utilitarian in appearance and would not appear out of place within the context of the other boundary treatment at the sports complex. The proposed would be of an appropriate height to screen the equipment and given its position to the rear of the car park would not feel overly large or dominant with the complex.

The PV cells, which will be mounted on the roof, over one metre from its edge, would not be visible from street level. The associated gangway and guard rail should be in keeping with the character of the centre. The PV panels would not have an unduly harmful impact on visual amenity.

The development is therefore considered to be acceptable pursuant to policies SP1 and DM1 of the CS.

Heritage

Whilst there are a number of listed buildings nearby, there are none in the immediate vicinity of the development and so there will be no impact on heritage assets caused by the development.

Travel

The development will result in the loss of 3no. car parking spaces, reducing on-site car parking provision. There would remain sufficient parking for the development. A swept path assessment was reviewed by Highway Services which demonstrates that the remaining spaces would be accessible and is considered acceptable.

Waste

The waste management arrangements for the centre will be unaffected by the works.

Accessibility

The development should have no impact on the continued use of the building by individuals with or without disabilities.

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

Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

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:

- Drawing - Proposed 19972-ALC-005 SITE LAYOUT PLAN
 - Drawing - Proposed 6600 REV 1 INDICATIVE PV
 - Drawing - Proposed 6780-M-DR-04 EXTERNAL PLANT
 - Design and access statement
 - Supporting Information – HEAT PUMP
- received by the city council as LPA on 08/12/2023

-Drawing - Proposed 19972-ALC-004 ROOF FIXED ACCESS
-Drawing - Proposed 19972-ALC-201 A ELEVATIONS 1-4
-Drawing - Proposed 19972-ALC-202 A FENCE ELEVATIONS
received by the city council as LPA on 12/01/2023

-Noise assessment or information
received by the city council as LPA on 20/12/2023

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 shall be selected and/or acoustically treated in accordance with NOISE IMPACT ASSESSMENT R2150-REP01-JW so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. 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 pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012) and Saved UDP Policy DC26.

4) No development shall take place until there has been submitted for approval in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before first use of the development. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

Informatives

1) The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicences@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Manchester Airport Group
Helipad Manager - MRI

27 Cecil Street, Manchester, M15 6GD
19 Cecil Street, Manchester, M15 6GD
23 Hawsworth Close, Manchester, M15 6GF
21 Hawsworth Close, Manchester, M15 6GF
19 Hawsworth Close, Manchester, M15 6GF
17 Hawsworth Close, Manchester, M15 6GF
15 Hawsworth Close, Manchester, M15 6GF
13 Hawsworth Close, Manchester, M15 6GF
11 Hawsworth Close, Manchester, M15 6GF
9 Hawsworth Close, Manchester, M15 6GF
7 Hawsworth Close, Manchester, M15 6GF
5 Hawsworth Close, Manchester, M15 6GF
3 Hawsworth Close, Manchester, M15 6GF
1 Hawsworth Close, Manchester, M15 6GF
25 Cecil Street, Manchester, M15 6GD
23 Cecil Street, Manchester, M15 6GD
21 Cecil Street, Manchester, M15 6GD
17 Cecil Street, Manchester, M15 6GD
15 Cecil Street, Manchester, M15 6GD
13 Cecil Street, Manchester, M15 6GD

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL