

Planning

Growth & Development

Delegated officer report for planning application

Application no.	134269/DEM/2022
Date registered valid:	19 December 2022
Proposal:	Prior approval for the demolition of the main boiler chimney and boiler complex
Address:	Wythenshawe Hospital , Floats Road, Manchester, Manchester, M23 9LT
Ward(s):	Baguley Ward
Applicant:	Mr Dan Farrell Manchester University NHS Foundation Trust
Agent (if any):	Mr Richard Ward Warburton Associates
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	31 March 2023

Application details

Type of application: Proposed demolition

Development type: Notifications

Standard consultations:

Printed: 6 January 2023 Expired: 27 January 2023

Neighbour notifications

Printed: 6 January 2023 Expired: 27 January 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

Main boiler chimney located with the Wythenshawe Hospital complex, which is located to the south of the Roundthorn Industrial Estate.

Listed building: No

Conservation area: No

Tree Preservation Order: No

Description of development

The applicant is seeking prior approval for the demolition of the main boiler chimney and boiler complex. Originally the applicant also sought permission for the demolition of the garages buildings but given the concerns of Greater Manchester Ecology Unit this element of the proposal was omitted.

Consultations & Notification Responses

Local Residents – no comments received.

Environmental Health – suggested the imposition of conditions limiting when the work could take place and also requiring the submission of a more detailed demolition management plan.

Greater Manchester Ecology Unit (GMEU) – GMEU have made the following comments:

Bats - A valid bat report has been provided. This assessed the chimney and boiler complex as having negligible bat roosting potential and the adjacent storage buildings as having low bat roosting potential. In line with best practice one dusk survey has been recommended. GMEU have no reason to doubt the findings of the report.

Current guidance states it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision (UK Government Guidance within the ODPM Government Circular 06/2005)

GMEU therefore recommend that a dusk survey is carried out on the storage buildings prior to determination. Given the survey season for dusk surveys will not commence until late April or early-May, GMEU recommend this part of the prior approval is withdrawn.

Bats are not a constraint for the demolition of the chimney. ie GMEU have no objection to prior approval being given for the demolition of the chimney.

Nesting Birds - GMEU recommend an informative along the following lines is applied to any approval.

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Prior approval does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

Issues

Principle – The chimney has been redundant for several years. The concrete structure is showing signs of fatigue and has reached the end of its safe working life, as such the principle of the demolition work 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.

Ecological Impact – Following the concerns of GMEU the applicant agreed to remove the demolition of the garages from the proposal. Given this omission and the fact the chimney and boiler complex are recognised as having negligible bat roosting potential it is not considered that the proposed demolition works would have a negative impact upon any existing ecological features.

Notwithstanding this an informative will be attached reminding the application of his legal requirements should nesting birds or bats be discovered.

Pedestrian and Highway Safety – The proposal will not 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 100 metres away and as such it is not believed that the proposed demolition works would have a detrimental impact upon existing amenity levels. Notwithstanding this, the concerns of Environmental Health are recognised and a condition requiring the submission of a more detailed demolition management plan is suggested in this instance. The management plan would ensure that any impact from noise and dust is minimised.

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:

- a) Drawings 5832/01 and 02, stamped as received on 5 July 2022
- b) Ecology Report, stamped as received on 19 December 2022

For the avoidance of doubt and notwithstanding the details contained within drawings 5832/01 and 02, this Prior Approval consent is for the demolition of the main boiler chimney and boiler complex and not the garage buildings.

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

3) Prior to the commencement of demolition, a demolition management plan outlining working practices shall be submitted to and approved in writing by the City Council as Local Planning authority, which for the avoidance of doubt shall include as a minimum:

- a) Measures to control noise and vibration;
- b) Dust suppression measures;
- c) Sheeting of construction vehicles.

The demolition shall only be carried out in accordance with the approved management plan.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

Informatives

1) The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Prior approval does not provide a defence against prosecution under this act. If a bird's nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

Whilst the building to be demolished has been assessed as negligible risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Ecology Unit

Research And Teaching Centre University Of Manchester, Wythenshawe Hospital, Floats Road, Manchester, M23 9WA

34 Stapleford Close, Manchester, M23 2SJ

30 Stapleford Close, Manchester, M23 2SJ

North West Lung Centre, Wythenshawe Hospital, Floats Road, Manchester, M23 9WA

Tower Residences, Wythenshawe Hospital, Floats Road, Manchester, M23 9WA

50 Stapleford Close, Manchester, M23 2SJ

40 Stapleford Close, Manchester, M23 2SJ

48 Stapleford Close, Manchester, M23 2SJ

46 Stapleford Close, Manchester, M23 2SJ

44 Stapleford Close, Manchester, M23 2SJ

Baguley Doctors Residences, Wythenshawe Hospital, Floats Road, Manchester, M23 9WA

42 Stapleford Close, Manchester, M23 2SJ

36 Stapleford Close, Manchester, M23 2SJ

28 Stapleford Close, Manchester, M23 2SJ

22 Stapleford Close, Manchester, M23 2SJ

38 Stapleford Close, Manchester, M23 2SJ

32 Stapleford Close, Manchester, M23 2SJ

26 Stapleford Close, Manchester, M23 2SJ

24 Stapleford Close, Manchester, M23 2SJ

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 45M

Area Team Boundary - Name: SOUTH AREA