

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135912/FO/2023

Date registered valid: 6 January 2023

Proposal: Replacement of Boiler House south facade and partial replacement of west facade

Address: Brewery , Denmark Road, Manchester, M15 6LD

Ward(s): Moss Side Ward

Applicant: Mr A Cantu Garza, Heineken UK

Agent (if any): Mrs Sue Wheatcroft, Norder Design Associates Ltd

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

Recommendation: Approve

Date of recommendation: 03.03.2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 24.01.2023

Standard consultations:

Printed: 19 January 2023 Expired: 9 February 2023

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 24 January 2023 Expired: 14 February 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: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site is part of a large brewery complex adjacent Princess Road a major arterial road running north/south connecting with the City Centre which is located approximately 1.5 kilometres to the north. The complex comprises substantial industrial structures associated with the brewing processes and manufacturing of drinks on a large scale, the majority of the Princess Road frontage is made up of a substantial boundary wall/screen. The nearest residential properties to the current proposals are located approximately 46 metres to the east of the Brewery complex.

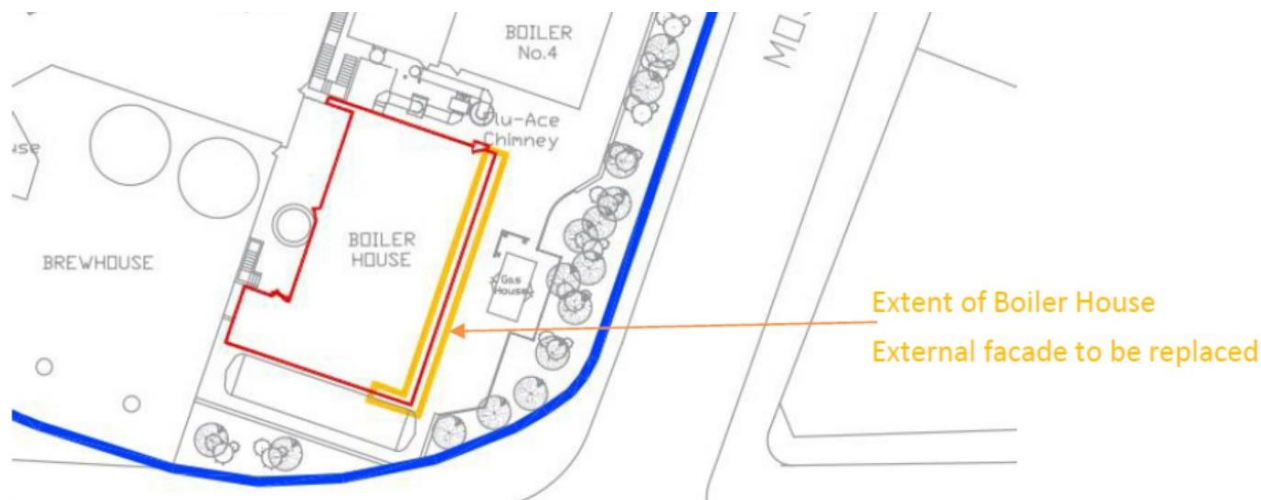
The surrounding area comprises urban development in all directions with a mix of industrial, commercial, retail and residential land uses.

The site has been used for Brewing and Packaging over a long period of time and has been subject to progressive extension over this period

The site has been subject to a number of recent planning applications to improve the brewing facilities and associated activities taking place at the site.

Description of development

The development proposal is located in the southwestern end of the main Brewery buildings group and related external areas, towards the Moss Lane East /Princess Road boundary. The proposals are to replace the existing external façade to the Boiler House with a series of louvered doors and louvered panels which would be green in colour and replacement of existing external metal cladding around.



Area of façade to be replaced

The Boiler House is currently used to contain 3no. existing steam boilers which provide hot water at regulated temperatures for various stages of the brewing process. The existing Boiler House ventilation is being upgraded and replaced to comply with the current regulations. The proposed solution is to omit the current Boiler House mechanical ventilation system and replace with a natural ventilation system consisting of high and low level louvres.

The applicants supporting information indicates that the omission of the mechanical ventilation would provide an acoustic advantage by removing existing equipment at high level which have been identified as contributing to the site wide noise emissions. The entire south facing façade and part of the west facing Boiler House façade (as identified in the drawing above) would be replaced with new insulated wall cladding and acoustic rated louvres.

The works would include removal of the current glass fronted façade. Access doors would still be required, therefore the new louvred door sizes will remain the same sizes as the existing doors.



Existing and proposed south elevation

Consultations & Notification Responses

In this instance a site notice was posted, no responses or comments were received.

MCC Flood Risk Management – The site is identified within a flood risk zone (Zone 2). Given the scope of works in this instance it is recommended that an informative is added to any permission.

MCC Environmental Health – Recommend a condition is attached to any approval for the approval and testing of acoustic insulation scheme together with post development verification.

Policy

Manchester Core Strategy

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 and is the key Development Plan Document in the Local Development Framework (LDF). The Core Strategy is to be used as the framework that planning applications will be assessed against.

There are a number of relevant policies within the adopted Core Strategy relevant to the consideration of the current application in summary these are set out below with reference where applicable to why they are relevant in this instance.

Policy SP1 (Spatial Principles) - This policy sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. All development should have regard to the character, issues and strategy for each regeneration area as described in the North, East, Central and South Manchester and Wythenshawe Strategic Regeneration Frameworks and the Manchester City Centre Strategic Plan.

It also sets out the core development principles, including:

- Make a positive contribution to neighbourhoods of choice.
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy EC 1 (Employment and Economic Growth in Manchester) - indicates that a minimum of 200 ha of employment land will be developed between 2010 and 2027 for offices (B1a), research and development (B1b), light industrial (B1c), general industry (B2) and distribution and warehousing (B8).

Policy EC 2 (Existing Employment Space) - The Council will seek to retain and enhance existing employment space and sites. Alternative uses will only be supported on sites allocated accordingly, or if it can be demonstrated that:

- The existing use is un-viable in terms of business operations, building age and format;
- The existing use is incompatible with adjacent uses;
- The existing use is unsuitable for employment having had regard to the Manchester-Salford - Trafford SFRA; or
- On balance, proposals are able to offer greater benefits in terms of the Core Strategy's vision and spatial objectives than the existing use.

Policy DM1 (Development Management) this policy states all development should have regard to the following specific issues:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.

- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques.

As set out within the issues section of this report below, the application proposals are considered to be in general accordance with policy DM1 of the Core Strategy.

Unitary Development Plan (1995)

The majority of the previous UDP policies have been replaced by the Core Strategy, however there are still saved policies that remain extant. The relevant policies for this application are set out below.

Policy DC26.1 indicates that the Council will use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider the implications of new development being exposed to existing noise sources which are effectively outside planning control.

Policy DC26.4 states that where the Council believes that an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, it will in either case require the applicant to provide an assessment of the likely impact and of the measures he proposes to deal satisfactorily with it. Such measures might include the following:

- a. engineering solutions, including reduction of noise at source, improving sound insulation of sensitive buildings or screening by purpose-built barriers;
- b. layout solutions, including consideration of the distance between the source of the noise and the buildings or land affected by it; and screening by natural barriers or other buildings or non-critical rooms within a building; and
- c. administrative steps, including limiting the operating times of the noise source, restricting activities allowed on the site or specifying an acceptable noise limit. Any or all of these factors will be considered appropriate for inclusion in conditions on any planning permission.

The proposals are related to structures required to maintain existing plant at the site and are not considered to give rise to impacts in terms of noise and disturbance given the location of the proposals within an existing industrial site located some distance from residential properties.

The National Planning Policy Framework (2021)

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- An economic role, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time

to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

- A social role, supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the communities needs and support its health, social and cultural well-being; and

- An environmental role, contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate The NPPF states that where proposed development accords with an up-to-date Local Plan it should be approved.

Issues

Principle - The principle of improvements and investment in upgraded equipment and facilities for an existing business on a long standing employment site is considered acceptable subject to consideration of impacts on visual amenity, residential amenity and impacts of noise.

Visual Amenity – The proposed replacement of glazing with louvered doors and panels is considered acceptable. The proposals would be seen in the context of larger scale buildings and equipment to the north and are set behind existing boundary treatment and fencing. The majority of replacement cladding would reflect the finish of this part of the Brewery whilst the inclusion of green finished louvres would reflect other upgrades to cladding undertaken on other elements of the Brewery to the north.

Residential Amenity -The proposed development is located towards the south western end of the complex with the nearest residential properties to the south west approximately 130 metres on the opposite corner of the Moss Lane East/Princess Road junction.

There may be some limited views of the proposal from residential properties to the south west, however given the distance from residential properties, intervening trees, buildings and highway together with its limited use for maintenance purposes it is not considered that the proposal would give rise to unacceptable impacts on residential amenity.

Noise - The Heineken brewery and its operation is subject to a licencing regime by the Environment Agency this includes noise emanating from the site. The proposals relates to the installation of replacement cladding and removal of equipment that generates noise. As recommended by MCC Environmental Health and agreed by the applicants agent a condition is proposed for the approval of the acoustic insulation scheme with a post completion verification process . As such given the location of the proposals, and the proposed condition, it is not considered that the proposals would give rise to noise impacts that would be significant given the industrial use of the site and its location alongside Princess Road.

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 determined in a positive and proactive manner, in this instance conditions have been proposed and a decision has been issued within statutory timescales.

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:

8654 - NDA-XX-XX-DR-A-5502 Rev P2 'Proposed Boiler House Elevations and Material Specifications' ; 8654 - NDA-XX-XX-DR-A-4501 Rev P2 'Existing and Proposed Boiler House Plans'; 8654 - NDA-XX-XX-DR-A-5503 Rev P2 'Existing and Proposed Contextual Elevations'; 'Design and Access Statement' 8654-NDA-ZZ-XX-RP-A-8302 all as received by the City Council on the 6th January 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) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

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, as specified in policies SP1 and DM1 of the Core Strategy.

3) The development that is hereby approved shall be undertaken in accordance with the materials and specifications as set out on approved drawing reference 8654 - NDA-XX-XX-DR-A-5502 Rev P2 as received by the City Council on the 6th January 2023.

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, as specified in policies SP1 and DM1 of the Core Strategy.

4) a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority together with a timescale for its implementation and submission of a verification report.

b) A verification report to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report shall be submitted in accordance with the previously agreed timescale's. The report shall also undertake post completion testing to confirm that acceptable 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 safeguard the amenities of the occupiers of the building and occupiers of nearby properties pursuant to policy DM1 of the Core Strategy and saved UDP policy DC 26.

Informatives

1)

- The proposed development is within Flood Zone 2, floor levels should be set no lower than existing floor levels of the existing Boiler House.

- The site is within Flood Zone 2 and an Environment Agency Flood Warning Area. The applicant is encouraged to consider signing up for Environment Agency Flood Warnings - <https://www.gov.uk/sign-up-for-flood-warnings>

- The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system. We recommend considering green SuDS components to mitigate for any loss of permeable area.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
MCC Flood Risk Management

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
Flood Zones Type 2 (low to medium risk) -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA