

Planning

Growth & Development

Delegated officer report for planning application

Application no.	132976/FO/2022
Date registered valid:	11 March 2022
Proposal:	Insertion of new windows to existing facade following internal re modelling and external works compound to facilitate Animal Care curriculum and replacement roof mounted mechanical plant
Address:	Wythenshawe Campus, Brownley Road, Manchester, M22 9UH
Ward(s):	Sharston Ward
Applicant:	Mr Niall Wright, The Manchester College, Harpurhey Campus, Rochdale Road, Manchester, M9 4AF
Agent (if any):	Mr Michael Kavanagh, Ellis Williams Architects, Chester Road, Preston Brook, WA7 3BA
Case officer:	Constance Phillips Tel: 0161 234 5792 Email: constance.phillips@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	22 September 2022



Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 27 April 2022

Standard consultations: Printed: 15 March 2022 Expired: 5 April 2022

Neighbour notifications: Printed: 15 March 2022 Expired: 5 April 2022

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: Not applicable

Tree Preservation Order: Not applicable

The application relates to a modern part two, part four storey college campus, built in the late 2000's, which occupies a long, narrow plot on the corner of Hollyhedge and Brownley Roads in Sharston.

Description of area

This area of Wythenshawe is mixed in nature, with lots of residential properties, mainly arranged in semi-detached pairs on cul-de-sacs, small commercial parades and purpose built retirement and assisted living blocks. The college lies between Benchill metrolink stop and a primary school.

Description of development

Manchester College are preparing to offer an Animal Care course and are therefore seeking permission to reconfigure block F, install new windows, install new fencing and animal enclosures along with associated hard and soft landscaping. The design and access statement refers to other works to other parts of the campus but most of the works are internal and don't require permission.

Consultations & Notification Responses

Local residents, as per appendix 1 – No comments received.

Environmental Health – The original noise assessment did not adequately cover the noise from renewed roof apparatus nor the animal enclosures and several revised reports were submitted until EnvH were happy that, pending verification, the proposals would not harm residential amenity.

First response (April):

- *I have reviewed the Planning Noise Assessment by AEC, dated 23 November 2021 and the details of the proposed plant items were not known at the time of report writing and so it has not been demonstrated how this condition will be met.*
- *The details of the predicted noise levels from the animal enclosures were not known at the time of report writing and so it has not been demonstrated how this condition will be met. The report does go on to propose a possible acoustic barrier near the residential boundary and there is also the possibility of moving noisier animals away from the residential areas but without knowing the potential noise impacts and actual proposed mitigation, we cannot agree the scheme.*

Second response (June):

- *Details of the proposed plant items have been given (or similar) and shown to meet the criteria during the daytime period. No baseline noise measurements have been taken for the night-time period so the it has not been demonstrated that the criteria will be achieved if the plant is operational during the night-time period. There is also a validation element to the condition.*
- *Noise measurements have been taken from animal enclosures at the Northenden Campus and then the noise levels predicted at the NSR's to show they would be of an acceptable level (32dBA at the façade and 25dBA in the gardens with the garden fencing taken into account) without any further mitigation.*

Final response (August):

- *Details of the proposed plant items have been given (or similar) and shown to meet the criteria during the daytime period. A baseline noise survey has been conducted for the night-time period and it is predicted that maybe only 1 of the VRF units will be running during this time (frost protection) and the predicted levels will achieve -4dB below the background, which we will accept. Part a) of the condition is acceptable.*
- *Noise measurements have been taken from animal enclosures at the Northenden Campus and then the noise levels predicted at the NSR's to show they would be of an acceptable level (32dBA at the façade and 25dBA in the gardens with the garden fencing taken into account) without any further mitigation.*

Neighbourhood Team Leader (Arboriculture) – *I can confirm that the trees listed for removal are listed as retention category C and offer a relatively low contribution to the overall site aesthetics and therefore we would have no objection to the proposals for this site.*

Policies

The following policies are considered relevant in the consideration of this application.

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

- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles
- Policy EN1 - Design Principles

The National Planning Policy Framework (NPPF 2012, amended in 2021)

- Chapter 8 – Promoting Healthy and Safe Communities:
- Chapter 12 – Achieving Well-Designed Places:

For reasons to be outlined below, it is considered the proposal accords with the principles of these policy documents.

Principle – The principle of installing new windows, animal enclosures, fencing and landscaping to provide improved facilities for a college is acceptable, however consideration must be given to the proposals siting, scale and appearance and impact upon existing levels of residential and visual amenity.

Siting, scale and appearance – The area of the site involved with the creation of the Animal Care facilities includes block F and the land surrounding it, from the south-east area adjacent to the metrolink stop to the south-west point adjacent to the end of Woodend Road. The external works compound would include fencing and animal enclosures. There would be two types of fencing, the first being 1.8m high acoustic timber fencing surrounding the enclosures themselves to contain the noise from animals. The second involves new 2.4m high weld mesh fencing around the perimeter of this section of the site, including along the boundary with the public highway/metrolink station and along the boundaries with No's 19, 21, 23, 31 and 33 Carrick Gardens. This type of fencing is standard for the perimeter of schools and college grounds for safety and security. Within block F itself the college are reconfiguring the layout to allow for internal animal enclosures and classrooms, with new PPC aluminium windows for the south-east elevation, facing Brownley Road, with 7no at ground floor and 7 at first floor, to match existing. Other alterations include the addition of 'rabbit holes' to the bottom of the ground floor south-west elevation and replacement plant within the concealed roof of block F, including air handing units, ducting and extractors, which cannot be seen from the ground. Overall the siting, scale and appearance of the proposed works is deemed acceptable and due to its location and the nature of the site, it is not considered that the works would form prominent features within the streetscene of Brownley Road nor cause harm to the visual amenity of the site.

Landscaping – The proposal involves both hard and soft landscaping, with the latter to soften the appearance of the new fencing and enclosures but also to replace that which is lost by the installation of new hardstanding. An area to the south and west of block F will have new concrete laid to support the enclosures, which involves the removal of two category C trees. The Animal Care waste compound is to be sited by the rear gates which involves the removal of a third cat C tree. A ground of 3no black alder (14-16cm girth) trees are to be planted near the waste area and adjacent to the enclosures 2no eucalyptus (3.5m high) and 1no scots pine (2.5m high) are to be planted. The scheme also includes a long row of privet hedging, an area of basket willow and an area of bramble to be planted within the grounds, with the remaining existing trees protected by root protection zones. The arboricultural team were consulted and confirmed that the tree works were acceptable and two conditions have been attached to protect retained trees and ensure works are in accordance with British standards.

Noise and residential amenity – Although no objections were received, the main concern with the proposals is the breakout of noise and its impact upon residents of Carrick Gardens. Noise would emanate from both the rooftop external plant and the outdoor animal enclosures, the latter of which is sited 6.2m from the nearest residential garden and 10.8m from a dwellinghouse. Several versions of the acoustic/noise impact report were passed between the agent, officer and Environmental Health until the EnvH officer confirmed the information was accurate and proposed measures acceptable. Noise conditions have been attached, which require the external plant to be selected and acoustically treated in accordance with the submitted report and which require the animal enclosures to be acoustically treated to limit the

breakout of noise. The measures included acoustic fencing and both conditions require verification reports to be submitted prior to use/occupation, with suggestions to move noisier animals behind the corner of block F, away from Carrick Gardens, if the noise levels are not achieved.

Conclusion – No comments or objections have been received, the proposal complies with policies DM1, SP1, EN1 and the NPPF, particularly chapter 8, in which it is states that local planning authorities should give great weight to the need to create, expand or alter places of education. Additionally it is not considered to significantly harm the residential or visual amenity of the area, therefore the development may commence in accordance with the following conditions.

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 polices 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 with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Issues have arisen during the consideration of this application and the officer negotiated with the applicant/agent to reach a satisfactory resolution.

Condition(s) to be attached to decision for approval

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:

- '19001 P3'
- '10400 P2'
- '10402 P2'
- '10600 P1'
- '10501 P1'
- '10601 P1'

Stamped as received by the City Council as Local Planning Authority on the 18th February 2022 and:

- M57 001 A1'
- Tree constraints plan

Stamped as received by the City Council as Local Planning Authority on the 7th March 2022, and:

- Design and Access Statement

Stamped as received by the City Council as Local Planning Authority on the 11th March 2022, and:

- AEC Noise Assessment 'P4095/R1/WJK'

Stamped as received by the City Council as Local Planning Authority on the 3rd August 2022.

Reason - To ensure the development is carried out in accordance with the approved plans, pursuant to Policies SP1 and DM1 of the Core Strategy.

3) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with the submitted scheme (AEC Noise Assessment 'P4095/R1/WJK', received 03.08.22) 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.

Reason - In the interests of residential amenity and in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

4) 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 an measures required to ensure compliance with the agreed noise criteria.

Reason - In the interests of residential amenity and in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

5) The premises and site, shall be acoustically insulated and treated to limit the break out of noise in accordance with the submitted scheme of acoustic treatment (AEC Noise Assessment 'P4095/R1/WJK', received 03.08.22). 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.

Reason - In the interests of residential amenity and in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

6) Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and

requirements in the approved acoustic consultant's report. 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 - In the interests of residential amenity and in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

7) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

8) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

9) The hard and soft landscaping scheme approved by the City Council as local planning authority, shown on drawing '19001 P3' (received 18th February 2022) shall be implemented not later than 12 months from the date of commencement of works.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Neighbourhood Team Leader (Arboriculture)

23 Carrick Gardens, Manchester, M22 9XF

21 Carrick Gardens, Manchester, M22 9XF
Benchill Court, Benchill Court Road, Manchester, M22 4GJ
5 Carrick Gardens, Manchester, M22 9XF
166A Hollyhedge Road, Manchester, M22 9UE
31 Carrick Gardens, Manchester, M22 9XF
29 Carrick Gardens, Manchester, M22 9XF
54 Carrick Gardens, Manchester, M22 9XF
33 Carrick Gardens, Manchester, M22 9XF
Benchill Court, Hollyhedge Road, Manchester, M22 9UF
Brownley Green Health Centre, Brownley Road, Manchester, M22 9UH
Benchill Medical Practice, Brownley Green Health Centre, Brownley Road, Manchester, M22 9UH
Brownley Green Dental Practice, Brownley Green Health Centre, Brownley Road, Manchester, M22 9UH
RK Medical Practice, Brownley Green Health Centre, Brownley Road, Manchester, M22 9UH
Flat 1, 13 Woodend Road, Manchester, M22 9XD
Flat 38, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 27, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
24 Brownley Court Road, Manchester, M22 8UG
12 Brownley Court Road, Manchester, M22 8UG
8 Brownley Court Road, Manchester, M22 8UG
Flat 35, Benchill Court, Benchill Court Road, Manchester, M22 4QL
1 Carrick Gardens, Manchester, M22 9XF
Flat 55, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 15, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
6 Brownley Court Road, Manchester, M22 8UG
2 Brownley Court Road, Manchester, M22 8UG
Flat 57, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 30, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
Flat 14, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
15 Carrick Gardens, Manchester, M22 9XF
Flat 42, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 39, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 33, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 28, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
Flat 22, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
Flat 3, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
3 Carrick Gardens, Manchester, M22 9XF
Flat 58, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 47, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 29, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
Flat 20, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
Flat 9, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
22 Brownley Court Road, Manchester, M22 8UG
Flat 17, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
Flat 8, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
168 Hollyhedge Road, Manchester, M22 9UE
9 Carrick Gardens, Manchester, M22 9XF
7 Carrick Gardens, Manchester, M22 9XF
44 Woodend Road, Manchester, M22 9XE
Flat 2, 13 Woodend Road, Manchester, M22 9XD
16 Brownley Court Road, Manchester, M22 8UG
Flat 32, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 24, Benchill Court, Benchill Court Road, Manchester, M22 4GJ

Flat 54, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 50, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 25, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
Flat 18, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
Flat 12, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
Flat 52, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 37, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 19, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
170 Hollyhedge Road, Manchester, M22 9UE
162 Hollyhedge Road, Manchester, M22 9UE
13 Carrick Gardens, Manchester, M22 9XF
46 Woodend Road, Manchester, M22 9XE
Flat 3, 13 Woodend Road, Manchester, M22 9XD
4 Brownley Court Road, Manchester, M22 8UG
Flat 4, 13 Woodend Road, Manchester, M22 9XD
10 Brownley Court Road, Manchester, M22 8UG
Flat 40, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 49, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 1, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
Flat 44, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 34, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 7, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
20 Brownley Court Road, Manchester, M22 8UG
18 Brownley Court Road, Manchester, M22 8UG
14 Brownley Court Road, Manchester, M22 8UG
Flat 53, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 43, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 5, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
166 Hollyhedge Road, Manchester, M22 9UE
19 Carrick Gardens, Manchester, M22 9XF
42 Woodend Road, Manchester, M22 9XE
40 Woodend Road, Manchester, M22 9XE
Flat 48, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 45, Benchill Court, Benchill Court Road, Manchester, M22 4QL
Flat 23, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
Flat 13, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
Flat 10, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
Flat 4, Benchill Court, Benchill Court Road, Manchester, M22 4GJ
164 Hollyhedge Road, Manchester, M22 9UE
172 - 174 Hollyhedge Road, Manchester, M22 9UE
17 Carrick Gardens, Manchester, M22 9XF
11 Carrick Gardens, Manchester, M22 9XF

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
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH