

Application Number	Date of Appln	Committee Date	Ward
091794/FO/2009/S1	7th Dec 2009	8th Apr 2010	Hulme Ward

Proposal Installation of 16 roof mounted air-conditioning units together with steel maintenance walkway

Location Turing House, 5 Archway, Hulme, Manchester, M15 5RL,

Applicant Mirelda Properties Ltd, 3 Laytham Hall, Barns, Laytham, York, YO42 4PR

Agent Mr Chris Munro, Bell Munro Consulting Ltd, Turing House, Archway, Manchester Technopark, Manchester, M15 5RL

Description

The application site forms part of the former Birley Fields site and relates to an existing three storey office building (Turing House) situated on Manchester Techno Park, Archway, Hulme. The building is situated within large grounds, most of which is used for car parking and lies adjacent to other similar buildings also in use as business accommodation. To the south and west lie other large, four storey office buildings, whilst to the east, the site lies adjacent to the busy arterial route of Princess Road. Further to the north west of the site along Old Birley Street/Ormsgill Street lies 'Homes for Change' - a large, pioneering, live/work complex.

The proposed scheme relates to the installation of 16 roof mounted air conditioning units together with a steel maintenance walkway. The area of the roof in which the units are to be placed has an existing dwarf wall which will partially obscure the units from the ground. The plans demonstrate that only the fans for the air conditioning units will be placed on the roof with the associated condensers to be placed with the main building.

In terms of need for additional air conditioning units, it is understood that an information technology company (Melbourne Network Solutions Ltd) are expanding their business operations. The additional air conditioning units are required in order to maintain the necessary temperature for electrical equipment associated with the expansion.

Consultations

Local Residents 5 Letters of objection have been received. A summary of the comments is provided below.

- 1) Concerns regarding noise disturbance and the impact that more air conditioning equipment will have on the living conditions of residential occupiers.
- 2) It is not understood why so many air conditioning units are required.

Homes for Change Ltd - Members, especially those living in the flats to the south facing Ormsgill Street already suffer noise nuisance problems and there are concerns that the proposed units will make matters worse. Many members have noted that noise in the area is often exaggerated by the echo-effect from the

surrounding buildings. It is noted that no environmental impact assessment has been made and it is considered that one should be undertaken.

Environmental Health - External equipment acoustic insulation condition recommended.

Greater Manchester Police (Design for Security) - No comments to make.

South Manchester Regeneration - No objection.

Issues

Unitary Development Plan - There are no site-specific policies relating to the application site. However the following city-wide policies are relevant to this proposal:

Policy H2.2 states that the Council will not allow development that will have an unacceptable impact on residential areas. The matters that the Council will consider include the scale and appearance of the development and its impact in terms of noise, vibration, traffic generation, road safety and air pollution.

Policy DC26.1 refers to development and noise and considers both the effect of new development proposals which are likely to be generators of noise and the implications of new development which are being exposed to existing noise sources.

The Guide to Development in Manchester (SPG/SPD) - This document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design.

Regional Spatial Strategy - In terms of regional policy, it is not considered that any policy is of particular relevance in this case.

In addition to the above, Central Government provides national planning guidance in the form of Planning Policy Guidance Notes (PPGs) and more recently on some planning issues, Planning Policy Statements (PPSs).

PPS1 'Delivering Sustainable Development' underpins the planning system and sets out the overarching policies on the delivery of sustainable development. Emphasis is placed on the need for good design to ensure attractive, usable, durable and adaptable places.

PPS 24 'Planning and Noise' outlines the considerations to be taken into account in determining planning applications both for noise sensitive development and for those activities which generate noise. It explains the concept of noise exposure categories for residential development and recommends appropriate levels for exposure to different sources of noise.

Principle It is considered that the principle of the proposal is acceptable and would facilitate expansion of an existing business within the 'Technopark'. Due to the position of the air conditioning units, the nature of the surrounding context and the

importance of the retaining business within Manchester, the proposed plant equipment is believed to be satisfactory and will pose no significant harm to either the amenity of nearby occupiers or the character of the area.

Visual Amenity In light of the predominantly commercial context of the area which is characterised by large, modern office buildings, it not considered there would be any material impact upon the visual amenity. The air conditioning units are located on the roof of a three-storey building and are partially obscured by an existing dwarf wall that will partially block sight of the units from the ground. There are no residential properties nearby that will have a clear view of the units with the nearest dwellings with an unobstructed view of the proposed equipment located approximately 150 metres away and Crediton Close and Arnott Crescent which are located on the other side of Princess Road. As such, the visual impact of the development would be minimal.

Noise - Noise related concerns were raised by local residents during the notification process and in particular that the proposed use would exacerbate existing noise levels.

It is considered however that the proposed units will not give rise to any significant, detrimental levels of noise, particularly as only the fans for the air conditioning units will be placed on the roof, with the actual condensers being located within the main building, and only 8 of the 16 units are to be operational at any one time. Further, the building to which the application relates is approximately 120 metres away from the nearest noise sensitive properties within the 'Homes for Change' building being separated from Turing House by Lovell House – another 4 storey office building.

To support the application the applicant has submitted an acoustic study which demonstrates that no adverse noise impact would result. As well at providing necessary noise measurements, the report highlights that the ambient noise climate of the surrounding area is fairly high, particularly during the day due the proximity of the very busy A5103 (Princess Rd). Calculated equipment noise levels are considered to be well below existing background noise levels in each octave band and a British standard assessment previously undertaken concluded that there is a positive indication that noise complaints would be unlikely. It is therefore believed that the proposed rooftop equipment will have no noise impact upon residential amenity.

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 the right to a fair hearing and to this end the Committee 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 Unitary Development Plan, the Head of Planning 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. He believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

It is considered that the proposed development will have no significant, undue impact on visual amenity or give rise to unacceptable noise levels. As such, the application accords with Policies H2.2 and DC26.1 of the Unitary Development Plan and there are no material considerations of sufficient weight to indicate otherwise.

Conditions and/or Reasons

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 unless otherwise agreed in writing by the City Council as Local Planning Authority: J1391/01/Rev/B, J139/03, J139/04 and J139/05, stamped as received on 23rd November 2009.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

3) Before the development hereby approved commences, the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme 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 equipment.

Externally mounted ancillary plant, equipment and servicing shall be acoustically treated in accordance with a scheme designed so as to achieve a noise level of 5dB below the existing background (LA90) in each octave band at the nearest noise sensitive location.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 091794/FO/2009/S1 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester,

national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Environmental Health
South Manchester Regeneration
Manchester Science Park Ltd
Flat 208, 41 Old Birley Street, Manchester, M15 5RE
Flat 7, 41 Old Birley Street, Manchester, M15 5RE
Flat 5, 41 Old Birley Street, Manchester, M15 5RE
Flat 216, 41 Old Birley Street, Manchester, M15 5RE
Flat 303, 41 Old Birley Street, Manchester, M15 5RE
Flat 8, 41 Old Birley Street, Manchester, M15 5RE
Flat 409, 41 Old Birley Street, Manchester, M15 5RE
Flat 1, 41 Old Birley Street, Manchester, M15 5RE
Flat 221, 41 Old Birley Street, Manchester, M15 5RE
Flat 408, 41 Old Birley Street, Manchester, M15 5RE
Flat 102, 41 Old Birley Street, Manchester, M15 5RE
Flat 410, 41 Old Birley Street, Manchester, M15 5RE
Flat 9, 41 Old Birley Street, Manchester, M15 5RE
Flat 412, 41 Old Birley Street, Manchester, M15 5RE
Flat 406, 41 Old Birley Street, Manchester, M15 5RE
Venture Arts, 43 Old Birley Street, Manchester, M15 5RF
Venture Arts, 45 Old Birley Street, Manchester, M15 5RF
Openspace Co-op Ltd, Unit 1, 41 Old Birley Street, Manchester, M15 5RF
Flat 219, 41 Old Birley Street, Manchester, M15 5RE
Flat 202, 41 Old Birley Street, Manchester, M15 5RE
Flat 231, 41 Old Birley Street, Manchester, M15 5RE
Flat 207, 41 Old Birley Street, Manchester, M15 5RE
Flat 223, 41 Old Birley Street, Manchester, M15 5RE
Flat 2, 41 Old Birley Street, Manchester, M15 5RE
Flat 106, 41 Old Birley Street, Manchester, M15 5RE
Flat 309, 41 Old Birley Street, Manchester, M15 5RE
Flat 201, 41 Old Birley Street, Manchester, M15 5RE
Flat 229, 41 Old Birley Street, Manchester, M15 5RE
H A B, Unit 18, 41 Old Birley Street, Manchester, M15 5RF
Flat 224, 41 Old Birley Street, Manchester, M15 5RE
Flat 225, 41 Old Birley Street, Manchester, M15 5RE
Flat 304, 41 Old Birley Street, Manchester, M15 5RE
Flat 228, 41 Old Birley Street, Manchester, M15 5RE
Flat 6, 41 Old Birley Street, Manchester, M15 5RE
Flat 226, 41 Old Birley Street, Manchester, M15 5RE
Flat 104, 41 Old Birley Street, Manchester, M15 5RE
Flat 213, 41 Old Birley Street, Manchester, M15 5RE
Flat 306, 41 Old Birley Street, Manchester, M15 5RE
Flat 103, 41 Old Birley Street, Manchester, M15 5RE
Flat 227, 41 Old Birley Street, Manchester, M15 5RE
Flat 218, 41 Old Birley Street, Manchester, M15 5RE

Flat 214, 41 Old Birley Street, Manchester, M15 5RE
Flat 215, 41 Old Birley Street, Manchester, M15 5RE
53 Old Birley Street, Manchester, M15 5RF
51 Old Birley Street, Manchester, M15 5RF
Yellow Brick Cafe, 49 Old Birley Street, Manchester, M15 5RF
Hidden Beauty Model Agency, Unit 7e, 47 Old Birley Street, Manchester, M15 5RF
Flat 404, 41 Old Birley Street, Manchester, M15 5RE
Flat 220, 41 Old Birley Street, Manchester, M15 5RE
Flat 209, 41 Old Birley Street, Manchester, M15 5RE
Manchester Youth Theatre, Unit 14, 41 Old Birley Street, Manchester, M15 5RF
Flat 206, 41 Old Birley Street, Manchester, M15 5RE
Flat 301, 41 Old Birley Street, Manchester, M15 5RE
Homes For Change, Unit 25, 41 Old Birley Street, Manchester, M15 5RF
Flat 402, 41 Old Birley Street, Manchester, M15 5RE
Flat 203, 41 Old Birley Street, Manchester, M15 5RE
Flat 405, 41 Old Birley Street, Manchester, M15 5RE
Flat 407, 41 Old Birley Street, Manchester, M15 5RE
Flat 222, 41 Old Birley Street, Manchester, M15 5RE
Source Unknown, Unit 15, 41 Old Birley Street, Manchester, M15 5RF
Flat 501, 41 Old Birley Street, Manchester, M15 5RE
Flat 210, 41 Old Birley Street, Manchester, M15 5RE
Flat 217, 41 Old Birley Street, Manchester, M15 5RE
Ecra Publishing Ltd, Unit 21, 41 Old Birley Street, Manchester, M15 5RF
Ricardo Vilela, Unit 16, 41 Old Birley Street, Manchester, M15 5RF
Flat 204, 41 Old Birley Street, Manchester, M15 5RE
4 Ormsgill Street, Manchester, M15 5JE
Flat 308, 41 Old Birley Street, Manchester, M15 5RE
Women 4 The Future, Unit 13, 41 Old Birley Street, Manchester, M15 5RF
Flat 307, 41 Old Birley Street, Manchester, M15 5RE
Flat 403, 41 Old Birley Street, Manchester, M15 5RE
Charlie Baker Design, Unit 19, 41 Old Birley Street, Manchester, M15 5RF
Flat 401, 41 Old Birley Street, Manchester, M15 5RE
Homes For Change, Unit 26, 41 Old Birley Street, Manchester, M15 5RF
Flat 411, 41 Old Birley Street, Manchester, M15 5RE
Flat 212, 41 Old Birley Street, Manchester, M15 5RE
Unit 20, 41 Old Birley Street, Manchester, M15 5RF
Flat 3, 41 Old Birley Street, Manchester, M15 5RE
Flat 232, 41 Old Birley Street, Manchester, M15 5RE
Flat 211, 41 Old Birley Street, Manchester, M15 5RE
Flat 4, 41 Old Birley Street, Manchester, M15 5RE
Flat 101, 41 Old Birley Street, Manchester, M15 5RE
Ethical Consumer Information Systems, Unit 24, 41 Old Birley Street, Manchester, M15 5RF
Flat 105, 41 Old Birley Street, Manchester, M15 5RE
Flat 230, 41 Old Birley Street, Manchester, M15 5RE
Flat 305, 41 Old Birley Street, Manchester, M15 5RE
Flat 302, 41 Old Birley Street, Manchester, M15 5RE
Flat 205, 41 Old Birley Street, Manchester, M15 5RE
The Server Hotel, Reynolds House, 4 Archway, Manchester, M15 5RL
13 Ormsgill Street, Manchester, M15 5JE

12 Ormsgill Street, Manchester, M15 5JE
14 Ormsgill Street, Manchester, M15 5JE
10 Ormsgill Street, Manchester, M15 5JE
11 Ormsgill Street, Manchester, M15 5JE
15 Ormsgill Street, Manchester, M15 5JE
Michelin Services Ltd, Lovell House, Archway, Manchester, M15 5RN
3 Archway, Manchester, M15 5QJ
Melbourne Network Solutions Ltd, Turing House, Archway, Manchester, M15 5RL
City South Manchester Housing Trust, Turing House, Archway, Manchester, M15 5RL
Asda Petrol Station, Greenheys Lane West, Manchester, M15 5AQ

Representations were received from the following third parties:

Environmental Health
South Manchester Regeneration
13 Ormsgill Street, Manchester, M15 5JE
11 Ormsgill Street, Manchester, M15 5JE
Flat 309, 41 Old Birley Street, Manchester, M15 5RE

Relevant Contact Officer : Steven McCoombe
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