

DELEGATED REPORT

Report by Helen Pressley	Date of report: 20/05/2024	Ref: 70502/FUL
Registration: 22/02/2024	LDFC: 05/04/2024	Expiry Date: 18/04/2024
Site Visit: 13/03/2024	Site Notice: 13/03/2024	Press Date: 29/02/2024
Objections: 0	Con Area: N/A	Adv Type: ARW
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Installation of a generator compound containing 2 no. generators and 2 no. fuel tanks with surrounding fence

Location: Fairfield General Hospital, Rochdale Old Road, Bury, BL9 7TD

Description

The application relates to Fairfield General Hospital, Rochdale Road. The hospital site is bounded by largely residential properties, with the River Roch and Broad Oak Wood to the South and Rochdale Road to the South. The site is accessed from Rochdale Old Road, via Rough Hill Lane which is the main access to the site, and that leads to Jericho Road that enables access to the wider site.

The planning permission relates to an area of land within the car park to the south west of the main building. The area of land is currently utilised as an area of soft landscaping rather than parking spaces. Permission is sought for the installation of 2no. generators (12.19m x 2.43m x 3.79m) and 2 no. fuel tanks (4.48m x 3.8m x 2.75m) located within a compound the boundary of which will be depicted by mesh fencing ranging in height from 2.89m to 3m.

Works in relation to the above application had commenced on site at the time of the Case Officer's site visit.

Relevant Planning History

44321 - Demolition of existing nursery and erection of new prefabricated modular building to form nursery - Approve with Conditions 19/05/2005

46815 - Construction of external fenced compound and installation of stand-by generator with 24 hour fuel tank - Approve with Conditions 27/09/2006

51546 - Erection of smoke particulate emissions control filtration unit for the coal fired energy plant - Approve with Conditions 04/09/2009

54442 - Two single storey extensions at ground floor level; internal remodelling to the existing Accident and Emergency Department. - Approve with Conditions 25/10/2011

62511 - Construction of a car park and associated access, footpaths, boundary treatments, lighting columns and landscaping. - Approve with Conditions 06/06/2018

65385 - Link bridge at first floor level to connect Wards 24 and 25 to the main hospital street corridor - Approve with Conditions 30/06/2020

65466 - Extension at level 03 built on the existing flat roof to the South. - Approve with Conditions 24/06/2020

DELEGATED REPORT

66197 - Installation of a VIE Compound containing a liquid oxygen vessel and two ambient vaporisers in order to supply medical oxygen to the hospital, perimeter security fencing and works to site and access - Approve with Conditions 12/02/2021

66815 - Erection of a facility for cold water booster tanks containing 2no. 125m3 water tanks, booster units and associated external works. - Approve with Conditions 21/09/2021

69513 - Erection of a new single storey ED modular unit extension - Approve with Conditions 07/12/2023

69880 - Prior approval for proposed demolition of existing two storey residential accommodation blocks, nos. 54, 55, 56 and 57 - Prior Approval Required and Granted 04/08/2023

Publicity

Letters sent to 72 neighbouring properties 27/02/2024

Site notice 13/03/2024

No representations received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objections

Environmental Health - Pollution Control - No comment

Public Rights of Way Officer - No response

The Coal Authority - No objections. Statutory informative requested.

Planning Policy - No objections raised

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

CF1	Proposals for New and Improved Community Facilities
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
JP-P6	Health
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-S2	Carbon and Energy
JP-S5	Clean Air
NPPF	National Planning Policy Framework

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Principle

UDP Policy CF1/1 - Location of New Community Facilities generally looks favourably on proposals for additional or improved community facilities where these do not conflict with amenity or the local environment. PfE policy JP-P6 confirms that improvements to health facilities will be supported, responding to the changing needs and demands of both existing and new residents including through enabling the continued enhancement and successful operation of our hospitals.

The proposal would provide a new generator to support the functionality of the hospital site, in the event of a power failure from the grid. The proposal would therefore provide support for health care facilities for the benefit of the local community. It is therefore considered that the proposal would support the policy considerations for improvements to health care facilities, and small businesses and would therefore comply with UDP Policy CF1/1 and JP-P6.

Layout and Design

UDP Policies EN1/1 and EN1/2 seek to ensure that development proposals would not have a detrimental effect on the visual amenity and character of a particular area.

The proposal would be sited within the existing hospital compound, centrally within an existing car park and as such would be viewed internally within the context of the existing hospital uses and buildings.

The proposed compound would be partially visible at a distance from Broadoaks. There is existing soft landscaping along the south west boundary with Broadoaks. Due to the distances and intervening landscaping and the backdrop of the main hospital building it is considered that the proposal would not have a detrimental impact on the outlook of the residential properties that bound the site.

In this instance therefore it is considered that the proposed development would not detract from the character of the site, adjacent buildings or street scene and as such complies with UDP Policies EN1/1 and EN1/2.

Amenity

UDP Policy EN1/2 - Townscape and Built Design seeks to ensure that the proposals for development are considered in relation to their relationship to the surrounding area, and the use of lighting. This is further supported by UDP Policy EN7/2 - Noise Pollution that restricts development that would lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users.

The proposed generators will only be operational in the event of a power failure from the grid. The planning statement considers that in this event it is unlikely to run at 100%. The proposed generators will be tested once a month under a low capacity and will only be tested at 100% capacity once per year for 90 minutes during the day-time for testing.

The proposed compound would be located approximately 56metres from the nearest residential receptor and no objections have been raised to the proposal from the environmental health team. Given the considerations set out above it is considered that the proposal would be acceptable in terms of residential amenity.

Access and Parking

Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport. In terms of parking standards Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements. Supplementary Planning Document 11 provides parking standards for developments.

No works are proposed to the existing access, or internal road layout. The proposal would not lead to an increase in traffic or users at the existing site.

The parking bays adjacent to the site would be suspended during construction but these would be made good following construction and made available for use again. The proposal would therefore not include the loss of any parking.

It is therefore considered that the proposal complies with the policy considerations set out above.

Carbon, Energy and Air Quality

Policy JP-S2 sets out the steps required to achieve net zero carbon emissions. Policy JP-S5 supports improvement in air quality.

The submitted air quality, carbon and energy technical note reviewed the main sources of air pollution, local aired quality monitoring data and local background pollutant concentrations. Sensitive human receptors were also reviewed and it was identified that the closest receptors would be within the Fairfield Hospital site.

DELEGATED REPORT

Based on the minimal run time the report concludes that it is not anticipated that there will be any significant adverse effects on the nearby sensitive receptors. It is however recommended that BAT compliant generators are considered to reduce the overall emissions, and exhaust stacks could be added to the generators to aid dispersion and reduce concentrations at receptor locations. These recommendations can be added as conditions. As the works have already commenced on site the scheme for the exhaust stacks will be conditioned to be submitted within 6 months of the date of the decision.

The report also highlights that it is anticipated that a MCP permit for emissions to air will be required as the thermal input of the generators will exceed 1MWth but will not exceed 50MWth. This can be attached as an informative.

Overall, it is not considered that the addition of two backup standby generators tested only once per year and used for emergency purposes only would cause adverse air quality impacts, and the aim of meeting of a carbon neutral Greater Manchester no later than 2038.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 This decision relates to drawings numbered 040099 P02, 040100 P02, 040101 P02, 040110 P03, 040111 P03, 041111 P03, 041112 P01 and supporting documents: Planning Statement including Non-designated Heritage Asset Statement Air Quality, Carbon & Energy Technical Note 292852-00 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 2 Notwithstanding the details included within the approved drawings the installed generators shall not exceed the EA Best Available Technique (BAT) guidelines for standby generators (2000mg/Nm³). A scheme for the construction of exhaust stacks above the generators shall also be submitted to, and approved in writing by the Local Planning Authority within 6 months of the date of the decision.
Reason. In order to improve the dispersion of emissions and reduce the overall impacts and concentrations at receptor locations pursuant to Places for Everyone Joint Development Plan Policy JP-S5 - Clean Air.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	20/05/2024	DM	20/05/24