

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133025/FO/2022

Date registered valid: 16 March 2022

Proposal: Installation of two storey portable buildings for a period of 3 years for use as temporary classrooms within the existing car park area of Ward Hall

Address: Xaverian College , Lower Park Road, Manchester, Manchester, M14 5RB

Ward(s): Rusholme Ward

Applicant: Mr Simon Channell Pozzoni Architecture Ltd 2 Woodville Road, Manchester, WA14 2FH

Agent (if any): Miss Catherine Mulley Pozzoni Architecture Ltd 2 Woodville Road, Altrincham, WA14 2FH

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

Recommendation: Approve

Date of recommendation: 05.05.2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 31st March 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 24 March 2022 Expired: 14 April 2022

Site notice

Posted: 31 March 2022 Expired: 21 April 2022

Press advert

Published: 29 March 2022 Expired: 19 April 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: Victoria Park Conservation Area 1972

Tree Preservation Order: No specific TPOs on or around site

Description of area

The site relates to car parking hardstanding located to the front of the modern three storey extension to the Grade II Listed Ward Hall which is in educational use as part of the wider Xaverian College campus.

To the immediate south set at a lower level is a red brick and white rendered building also in use as part of the Xaverian College site. A high brick boundary wall and railings separates the Ward Hall car parking area from the street level which is set lower with a boundary landscaped strip containing hedging and trees separating the boundary wall from the car parking.

Lower Park Road has a grass verge protected by bollards and contains recently planted street trees

Description of development

The proposals relate to the siting for a 3-year period 4 no. teaching classrooms within a temporary portable building within the car parking area associated with Xaverian College accommodation at Ward Hall a Grade II Listed building set within the Victoria Park Conservation Area.

The applicant has provided a statement of justification and need for the temporary portable buildings which is as a result in the uplift in the 16-19 demographic within Manchester, improving grade outcomes for year 11 students and an appetite for school leavers to continue in full time education. As a result there is a need for additional teaching capacity from September 2022 . The applicant indicates that it is seeking to site temporary teaching accommodation to meet immediate need, whilst an ongoing strategic review of its estate seeks to confirm a long-term approach to accommodating additional students as well as improving teaching accommodation. The applicant has undertaken a review of locations available to it in order to accommodate the temporary space and has concluded that the application site is the optimum location given other constraints on its campus.

Consultations & Notification Responses

A site notice was posted at the site, an advertisement was placed in the Manchester Evening News and nearby residential properties were notified. No responses were received to these.

Policy

Core Strategy Development Plan Document

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy EN 3, *Heritage* – Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Policy T2, *Accessible areas of opportunity and need* – Seeks to ensure that new development is easily accessible by walking/cycling/public transport; provided with an appropriate level of car parking; and, should have regard to the need for disabled and cycle parking.

Policy DM1, *Development Management* – This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- 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

Saved UDP Policies – Policies DC18 and DC19 are considered of relevance in this instance:

Policy DC18, *Conservation Areas* – Policy DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas by taking into consideration the following:

- a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i. the relationship of new structures to neighbouring buildings and spaces;
 - ii. the effect of major changes to the appearance of existing buildings;
 - iii. the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
 - iv. the effect of signs and advertisements;
 - v. any further guidance on specific areas which has been approved by the Council.
- b. The Council will not normally grant outline planning permission for development within Conservation Areas.
- c. Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area.
- d. Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.
- e. Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

Listed Buildings – Policy DC19.1 states that in determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. In giving effect to this policy, the Council will:

- a. not grant Listed building consent for the demolition of a listed building other than in the most exceptional circumstances, and in any case, not unless it is satisfied that every possible effort has been made to continue the present use or to find a suitable alternative use;
- b. not permit a change of use of a listed building, where it would have a detrimental effect on the character or appearance of the building;
- c. not permit any external or internal alteration or addition to a Listed building where, in its opinion, there would be an adverse effect on its architectural or historic character;
- d. seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by the preservation of trees and landscape features;
- e. permit demolition only where there are approved detailed plans for redevelopment and where there is evidence of a firm building contract;
- f. not permit alterations to a listed building which would prevent the future use of any part of the building, in particular upper floors or basements, or where poor maintenance is likely to result.

The National Planning Policy Framework

The National Planning Policy Framework (July 2021) sets out Government planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and environmental role. The NPPF outlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The following specific policies are considered to be particularly relevant to the proposed development:

Section 8 (Promoting healthy and safe communities) - The proposals would provide needed educational floorspace to meet an urgent identified need.

Section 9 (Promoting Sustainable Transport) – The proposal is in a highly sustainable location,

Section 16 (Conserving and Enhancing the Historic Environment) - The proposal, due to its siting, temporary nature and need is not considered to have an adverse impact on the settings of the designated heritage assets of Ward Hall and Victoria Park Conservation Area.

Issues

Principle

The principle of the provision of additional educational facilities within an existing education establishment is generally acceptable. There are other examples of additional facilities having been constructed within the campus, Victoria Park Conservation Area and in close proximity to listed buildings. The Xaverian College has been providing education to students on this site for a considerable period of time and pre-dates the establishment of the Sixth form College in 1977, historical ordnance survey maps from 1935 show the site in use as a College.

Notwithstanding the above further consideration of the proposals impact on the character of the Victoria Park Conservation Area and nearby listed buildings of Ward Hall current levels of residential and visual amenity within the vicinity of the site is required.

Impact on the Victoria Park Conservation Area

The application site lies within Victoria Park Conservation Area which was designated in 1972. Victoria Park was conceived in the first half of the 19th Century and has been subject to modern additions since it was first designated. The houses in Victoria Park are large and are set in spacious grounds. Several of the roads are laid out in gently undulating curves, whilst others are straight and relatively short. They are nearly all wide, and some of them have grass verges. Not all the large old houses in Victoria Park have survived, a relatively small proportion of houses from the 1830s and 1840s still exist, and where they were demolished there now stand either groups of smaller houses or large, institutional buildings, such as schools, colleges, churches, university halls of residence and blocks of flats. Despite these changes in many cases the large spaces between buildings have been maintained and a significant number of trees retained. Architecturally, the conservation area is home to a variety of building styles ranging from Victoria villas to 20th century dwellings, educational buildings and offices that are typically between 2 to 4 storeys in height.

The requirement to preserve or enhance the Conservation Area, and the setting of the Listed Buildings is a key requirement within policy EN3 of the Core Strategy, saved policies DC18 and DC19 of the UDP along with the objectives of the NPPF. As such, any new development must seek to retain the character of the area through careful detailing and, where appropriate, the use of compatible materials.

The applicant has provided a heritage statement as part of their application which specifically examines the proposal would have on the Victoria Park Conservation Area along with important the setting of listed buildings.

The design and form of the proposed temporary building is a simple one reflective of its temporary nature. Given the elevated position of the car parking, the height of the two storey temporary building and where it is to be located it will be visible and prominent within the streetscene particularly when travelling south along Lower Park Road and east along Regent Road. There will be impacts as a result but given the temporary nature of the proposal that it is set back from the road frontage and would be sited in front of a modern extension to Ward Hall, it is considered that the proposed building would give rise to less than substantial harm to the Victoria Park Conservation Area, this level of harm is outweighed by the public benefit derived from the proposal which as set out within this report would provide required additional educational facilities to an existing establishment.

Impact on Listed buildings

The application proposals are sited within the curtilage of Ward Hall a Grade II Listed Building. The Historic England listed building entry for No 3 Lower Park Road describes it as:

'Villa, now annex to Xaverian College. c.1840, altered. Stucco on brick, with sandstone dressings and hipped slate roof. Roughly rectangular plan formed by double-depth front block with back extensions. Two storeys over basement, 3 bays, symmetrical, with narrow pedimented centre breaking forwards; high stone plinth with keyed segmental-arched basement windows, rusticated quoins, 1st-floor sill-band, frieze (stripped at time of survey), and dentilled cornice and pediment. The centre has a flight of steps up to a porch of 4 columns with debased Ionic caps, Tuscan pilasters, frieze with panel lettered "CONCORDIA RES PARVAE CRESCUNT", moulded cornice on consoles and low blocking course. The ground floor has tall sashed windows with pedimented architraves; the 1st floor has shorter sashed windows with moulded architraves, all these windows have margin panes and all except that to the right at 1st floor have 4 panes. The left return side has a set-back 2-window wing; the right-hand return has one bay with fenestration like that at the front (but with altered glazing at ground floor), and then a short wing with a segmental bow which has a tripartite sashed windows to both floors, that at

ground floor with a pedimented architrave and both with curved glazing. C20 single-storey addition covering rear range. Interior not inspected’.

Since the listed building description was prepared in 1974 the building has been refurbished, unsympathetic extensions have been removed and a modern classroom extension has been added which has extended the accommodation into the car park (application references 105747/FO/2014/S1 & 105748/LO/2014/S1 and 102299/FO/2013/S1 & 102300/LO/2013/S1).

The submitted Heritage Assessment indicates that the villa of Ward Hall is of **high significance** as a good example of an early Victoria Park villa. The garden setting has been removed and replaced by operational car parking although a garden wall and perimeter tree planting remain associated with the former curtilage.

In close proximity to the site are further Listed Buildings including: Greygarth Hall (Grade II – c.1880-1890); Park House (Grade II – Mid 19th Century); Marylands (Grade II – 1870-80) which are all identified as being of high significance as good examples of early or later Victoria Park villas.

The submitted Heritage Assessment identifies a temporary minor negative impact on the setting of Ward Hall and views of the Hall from Marylands together with the appreciation of Marylands when viewed from Regents Place to the east. Whilst there are identified impacts on certain views, including within the Conservation Area and the setting of Ward Hall, these impacts are considered to be less than substantial and the public benefit derived from the proposed, together with its temporary nature, through the provision of additional educational facilities it is considered to outweigh any harm caused. The proposals are therefore considered to accord with section 16 of the NPPF and policy EN3 of the Core Strategy.

The proposal provides public benefit in the form of educational provision for Xaverian College to deal with increasing pupil numbers. In summary and adding to this are:

- The delivery of new classroom accommodation to meet operational needs;
- Educational benefits are delivered for Manchester students;
- The temporary classrooms will support the operation of the College which in turn supports the long term future of the campus which includes three listed buildings: Marylands, Ward Hall and Firwood. The retention and active use of listed building is in accordance with adopted Core Strategy Policy EN 3 ‘Heritage’.

Residential Amenity

The closest residential properties are those lying to the north and east of the application site at Greygarth Hall and Brookfield Villa. Given the extension to Ward Hall, impacts on residential properties to the east are unlikely to arise. The proposed temporary buildings would be set some distance from Greygarth Hall to the north as such given the main Ward Hall building is located closer to the site's northern boundary it is not considered that the proposal would give rise to unacceptable impacts in terms of loss of privacy, noise or disturbance as a result of increased comings and goings.

It is not considered that activity and noise associated with the comings and goings of students or the use of the classrooms would give rise to additional noise or disturbance to residential properties.

Highway Impacts

The applicant has confirmed that the proposals would not give rise to additional requirements for car parking by staff and students as they are not provided with on-site car parking provision.

The applicant has provided confirmation that during recent refurbishment works to the Firwood Building, the College has been operating with reduced car parking (Sunbury being designated as a contractor compound) and has noticed little impact in either the Ward Hall or Teresa Quinn car parks. In addition, the College has actively encouraged staff who live in the local area to make better use of travel alternatives. Whilst there will be minor changes to staffing numbers from September the College does not anticipate any impact on parking different to the current status quo.

Whilst the proposals would result in a loss of 15 car parking spaces on site it is not considered that this would give rise to unacceptable highway impacts that would warrant refusal of the proposals. The application site is located within a sustainable location and is accessible by a variety of modes of transport including walking, cycling and bus. As the proposals are for a temporary period in this instance a staff car parking management plan condition is proposed to be attached to any approval to ensure suitable arrangements are in place prior to the first use of the temporary classrooms.

Trees

The proposed siting of the two storey temporary building on the hardstanding of the car parking would not impact on trees that are located to the front, this is confirmed within the submitted application form and Heritage Statement.

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 no issues have arisen during the course of considering the application 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 permission hereby granted is for a limited period only, expiring on 5th May 2025; and the buildings, works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued. The land shall be reinstated within 3 months of the expiry date.

Reason - In the interests of the visual amenity of the area in which the site is located and the special character of Victoria Park Conservation Area and the setting of the Grade II Listed Building known as Ward Hall, pursuant to saved Unitary Development Plan policies DC18 and DC19 and Core Strategy policy EN3.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

011 2201 Rev S-1 as received on the 16th March 2022 ; and, P3923 SK004 as received on the 23rd February 2022

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) Prior to the first use of the temporary buildings hereby approved, a staff car parking management plan shall be submitted to and approved in writing by the City Council as local planning authority. The management plan shall detail the arrangements in place to manage staff car parking at the College together with the measures taken to reduce dependency on private motor vehicle access by staff attending the College. The development shall be subsequently operated in accordance with the agreed details whilst the development is in use.

Reason – To ensure suitable management arrangements are in place to address car parking requirements whilst the temporary buildings are in situ pursuant to policies DM1 and T2 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Flat 3, Brookfield Villa, Upper Park Road, Manchester, M14 5RT
Flat 1, Brookfield Villa, Upper Park Road, Manchester, M14 5RT
Carolside, Upper Park Road, Manchester, M14 5RT
Brookfield Villa, Upper Park Road, Manchester, M14 5RT
Flat 2, Brookfield Villa, Upper Park Road, Manchester, M14 5RT

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Victoria Park Conservation Area 1972
Area Team Boundary - Name: SOUTH