

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131178/FO/2021

Date registered valid: 2 August 2021

Proposal: Change of use from student accommodation to a 16-18 year old care leavers accommodation with on-site staffing (Sui Generis)

Address: Boundary Lodge, Boundary Lane, Manchester, M15 6NU

Ward(s): Hulme Ward

Applicant: Mosscafe St Vincents Housing Group, C/o Agent

Agent (if any): Mr Jordan Clark, Barton Willmore Tower, 12, Bridge Street, Spinningfields , Manchester, M3 3BZ

Case officer: Jennifer Connor
Tel: 0161 234 4545
Email: jennifer.connor@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24.09.2021

Application details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit: 08.09.2021

Standard consultations:

Printed: 16 August 2021 Expired: 6 September 2021

Neighbour notifications

Printed: 16 August 2021 Expired: 6 September 2021

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/area

The building is a part four/part five storey student accommodation block. Permission was granted for a mixed development comprising a 5 storey block of 13 self-contained flats with public house on part ground floor including 16 car parking spaces under planning application reference 056337/FO/CENTL1/99. In 2011 consent was then granted for a change of use of existing commercial unit to residential accommodation including internal reconfiguration at ground floor together with elevational alterations including boundary treatment.

The use of the building was unrestricted in the abovementioned change of use application and appears to have been occupied as student accommodation since the implementation of this consent, although no lawful development certificate has been submitted to establish this fact. Inspection of google mapping images show the change occurred following the abovementioned consent being granted.

The building is adjoined by a two storey building with ground floor supermarket / off license to the south. A large residential tower block (Fulton Court) to the north, a two storey residential estate to the west and a largescale apartment led development (Coupland Street) to the east.

The area is mixed use in nature, comprising a number of large residential development and commercial, educational, leisure and small-scale retail uses. The University and Manchester Science Park are located a short distance to the east and Trinity High School a short distance to the north west.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Change of use from student accommodation to a 16-18 year old care leavers accommodation with on-site staffing (Sui Generis)

Consultations & Notification Responses

One comment received in objection on the following grounds:
The introduction of troubled younger people will cause crime in the local area

Childrens Services – The scheme has gone through the executive and been approved to meet the needs of our children in care.

Aquarius Tenants Association – No comments received

Policies

The Development Plan consists of:

- o The Manchester Core Strategy (2012); and
- o Saved policies of the Unitary Development Plan for the City of Manchester (1995)

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) and 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 as directed by the National Planning Policy Framework (NPPF).

The NPPF requires application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Manchester Core Strategy Development Plan Document (July 2012)

The relevant policies within the Core Strategy are as follows:

Policy SP1 'Spatial Principles' states that one of the key spatial principles is the emphasis on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.

All development should have regard to the character, issues and strategy for each regeneration area.

The policy goes onto to state that development in all parts of the City should:

- o Make a positive contribution to neighbourhoods of choice including;
- o Creating well designed places that enhance or create character.
- o Making a positive contribution to the health, safety and well being of residents;
- o Considering the needs of all members of the community;
- o Protect and enhance the built and natural environment.

- o Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- o 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 DM1 'Development Management' all development should have regard the following specific issues:-

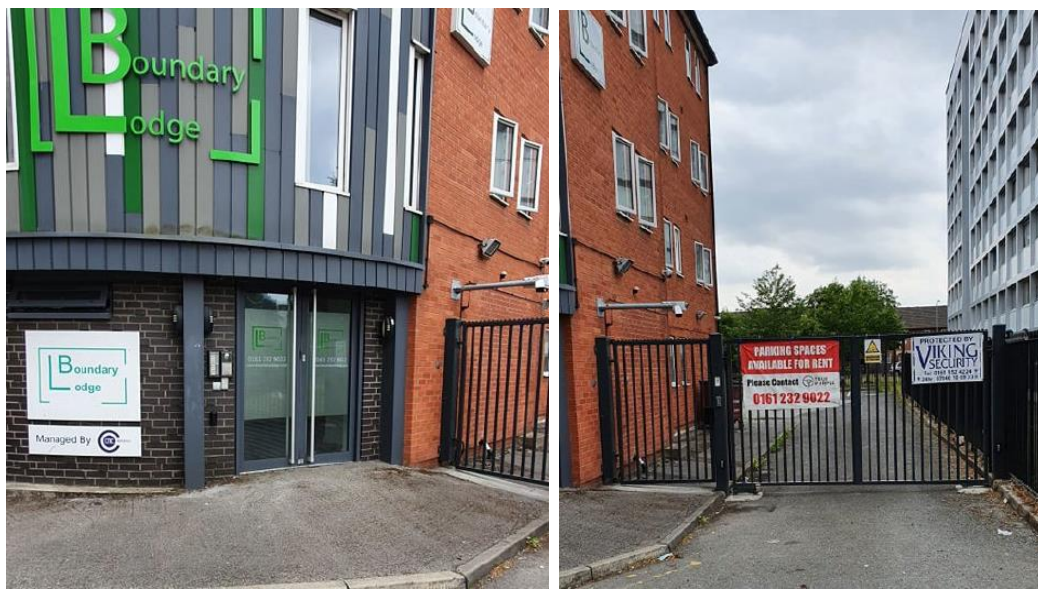
- o Appropriate siting, layout, scale, form, massing, materials and detail;
- o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area;
- o Effects on amenity, including privacy, 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;
- o Community safety and crime prevention;
- o Design for health;
- o Adequacy of internal accommodation and external amenity space;
- o Refuse storage and collection;
- o Vehicular access and car parking;
- o Effect on biodiversity, archaeological or built heritage;
- o Green infrastructure;
- o Flood risk and drainage.

Saved Unitary Development Plan policy DC26, Development and Noise, states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise. Conditions will be used to control the impacts of developments.

See below for discussion of the impacts of the scheme in relation to the abovementioned policies.

Issues





Principle – There is no objection to the change of use from student accommodation to care leavers accommodation with on-site staffing in principle. The proposed development is considered to be in accordance with policy SP1 in that it is a specific type of residential development to positively contribute to the health, safety and wellbeing of residents. Consideration has been given to minimising the impact on local residents. There would be no need for a restrictive condition in regards to the use proposed, as the use is Sui Generis and any change from this use requires consent.

Residential Amenity – As the existing building is residential and residential uses are highly prevalent in the area, it is not believed that the use would cause disamenity to neighbouring property. The number of bed spaces does not alter and therefore the comings and goings can have no greater impact than the current use. The presence of on-site staff will ensure the management of the premises and mitigate any impact upon the amenities of surrounding residential property, there would therefore be no conflict with policy DM1 nor saved Unitary Development Plan Policy DC26.

Visual Amenity – There are no proposed physical changes to the building or to the associated car parking/landscaping proposed as part of this planning application. (There are therefore no implications for part of the site falling within Flood Zone 2).

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 was determined in a positive and proactive manner. No significant problems have arisen during the consideration of this application.

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:

Site Plan
Covering Letter from Barton Willmore

Received 26.07.2021

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.

Appendix 1 – List of consultees & neighbours notified

Childrens Services
Aquarius Tenants Association

List of neighbouring property notified on Uniform

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