

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141537/LO/2024

Date registered valid: 18 November 2024

Proposal: Replacement of a timber casement window on the ground floor level of the north elevation at St John's Annexe

Address: Schuster House, St Anselm Hall, Kent Road East, Manchester, M14 5BX

Ward(s): Rusholme Ward

Applicant: Jo Wavish, University of Manchester

Agent (if any): Mrs Jo Wavish, University of Manchester

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 13 January 2025

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 26 November 2024

Standard consultations:

Printed: 25 November 2024

Expired: 16 December 2024

Neighbour notifications

Printed: 25 November 2024

Expired: 16 December 2024

Site notice

Posted: Expired:

Press advert

Published: 3 December 2024

Expired: 24 December 2024

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: Yes

Description of site / building / area

This application relates to the ground floor level of the north elevation of St John's Annexe at Schuster House within the St Anselm Halls of Residence site which incorporates a number of students halls including Dalton Ellis Hall, Canterbury Court, Pankhurst Court and St Anselm Hall itself and various other buildings. The site is owned by the University of Manchester and is within the Victoria Park Conservation Area.



(Officer's site visit 26.11.2024)

There are 3 listed buildings on the site, all Grade II. The site is located off Conyngham Road, Dickenson Road, Anson Road and Denison Road in the Rusholme ward of Manchester.

The immediate area surrounding the application site is primarily residential in character although the University of Manchester Campus is close by, as is the Central Manchester Hospitals site and the vibrant commercial centre of Rusholme along Wilmslow Road.

Description of development

The submitted plan proposes the replacement of a timber casement window on the ground floor level of the north elevation at St John's Annexe of Schuster House, within the St Anselm Hall of residence site, which is within the Victoria Park Conservation Area. It is intended to use Softwood timber painted white.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No objections, comments, or representations were received on this occasion.

2. Rusholme, Fallowfield & Moss Side Civic Society

No objections, comments, or representations were received on this occasion.

3. Publicity

The application was advertised in the local press and on site as one affecting a listed building and within a conservation area. No representations have been received as a result of this publicity.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. Planning (Listed Buildings and Conservation Areas) Act 1990

Section 72 of the Listed Building Act - Provides that in the exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

2. The National Planning Policy Framework (NPPF), (2021) -

This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- Chapter 12: Achieving well-designed places.
- Chapter 16: Conserving and enhancing the historic environment.

3. Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In considering this application consideration has been given to the following aspects of the NPPG:

- i. Consultation and pre-decision matters (ID:15);
- ii. Design (ID:26) - Good quality design is considered to be an integral part of sustainable development;
- iii. Health and well-being (ID:53).

4. Places for Everyone (2022 - 2039)

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies in relation to jobs, new homes and sustainable growth for nine of the 10 boroughs which make up Greater Manchester. The Plan and its policies are a material planning consideration in the determination of planning applications, and therefore be given significant weight in the planning balance. The following policies are considered to be relevant:

- JP-S1 - Sustainable development

5. Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.'

The following Core Strategy policies are relevant to the proposed development:

- Policy DM1 (Development Management)
- Policy SP1 (Spatial Principles)

- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN3 (Heritage)
- Policy EN15 (Biodiversity and Geological Conservation)

6. Saved Unitary Development Plan (UDP), (1995)

- Saved Policy DC18 (Conservation Areas)
- Saved Policy DC19.1 (Listed Buildings)
- Saved Policy RF3 (Victoria Park Conservation Area)

7. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 -

- Chapter 2: Design

ISSUES

Impact of works (The effect of the works on the listed building and within the Victoria Park Conservation Area) - The works proposed are necessary to ensure the safe operation of the site for users and student residents. The works would be undertaken as discreetly as possible so as to not have an adverse impact on the external character or appearance of the listed building that occupies the site and its conservation area status.

It is considered that the development would not materially harm the heritage value of the listed building or its setting within the Victoria Park Conservation Area. The proposal therefore allows for a continued functioning student accommodation, thereby ensuring the accommodation continues to meet with user expectations and thereby helps secure the liveability and long-term future of the Grade II listed building. The proposal is therefore considered to be in accordance with national and local planning policies.

Impact of works (Design and appearance, impact on Listed Building and within the Victoria Park Conservation Area) - DC18 Conservation Areas states that there is a desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees) and any types of development should not detract from the host building.

In the case of this application, it is intended to replace 1no. timber casement window on the ground floor level of the north elevation at St John's Annexe of Schuster House, within the St Anselm Hall of residence.

It is intended to use Softwood timber painted white and therefore the resultant appearance would not alter the layout of the original Grade II Listed building, nor does it alter or detract from the character from within the Victoria Park Conservation Area. Therefore, it is not considered that the development would undermine the residential character of the Victoria Park Conservation Area in terms of the quality of the proposed design and proposed materials.

The replacement timber casement window for which listed building consent is sought would be like for like in appearance matching the original aesthetic of the student accommodation building, while also providing protection from the elements and helping to maintain the structural integrity of the Grade II listed building.

The resultant appearance therefore would appear as a heritage window, made to match the original aesthetic of the building; whilst featuring traditional timber casement.

Moreover, in terms of due consideration of the proposed development and its location within the Victoria Park Conservation Area; in such circumstances, policy EN3 requires that new developments are designed to enhance the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance. Policy EN3 has been related to the relationship of the proposed replacement window casement, including its height, proportions, and siting, to the Victoria Park Conservation. It is considered that the development has been appropriately related to design features in keeping with the host dwellinghouse that would contribute positively to the surrounding context.

Impact of works (The effect of the works on Trees near the listed building and within the Victoria Park Conservation Area) - Particular consideration will be given to sites with international or national designations for their biodiversity value. The Council's objective is to protect trees. There are a number of trees within the curtilage and/or surrounding the application site which have been identified as – (T4- Apple, T57 - Ash, T63 - Willow, T64 - Elm, T65 - Norway Maple, T81 - Beech, T83 - Beech, T86 - Cherry, T119 - Sycamore, T129 - Pear, T130 - Sycamore, T208 - Turkey Oak, T209 - Lime, T292 - Silver Maple, T293 - Silver Maple, T309 - Field Maple, T310 - Oak, T392 - Whitebeam, T393 - Whitbeam, T429 - Sycamore, T45 - Sycamore, T476 - Beech, T492 – Lime). However, given the nature of the proposed works as a Listed building alteration, together with the separation distance from these trees, it is considered that they would not be detrimentally affected as a result of the proposed Listed building alteration. Therefore, the proposal accords with the policy EN15.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed Listed building alteration within the Victoria Park Conservation responds positively to The National Planning Policy Framework (2021) chapters 12 and 16; policies SP1, DM1, EN1, EN3, EN15 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC18, DC19.1, RF3 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007); policy JP-S1 of Places for Everyone (2022 - 2039) and no comments or objections have been received in response to this application.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality

Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, the local planning authority had no issues to raise with the agent but have attached appropriate conditions to the approval.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

- Application for Listed Building Consent for alterations, extension, or demolition of a listed building form, received by the City Council as the Local Planning Authority on 18 November 2024.
- LOCATION PLAN with application site edged in red, Drawing No. 8800 - A101, received by the City Council as the Local Planning Authority on 18 November 2024.
- Supporting Information - DESIGN, ACCESS AND HERITAGE STATEMENT, received by the City Council as the Local Planning Authority on 18 November 2024.
- Existing & Proposed WINDOW, Drawing No. 8800 - A103, received by the City Council as the Local Planning Authority on 18 November 2024.
- Existing & Proposed ELEVATION, Drawing No. 8800 - A104, received by the City Council as the Local Planning Authority on 18 November 2024.

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 (2012)

3) No materials shall be used on/ in the listed building other than those referred to on the approved plans, and as stated on the submitted information.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity and preserving the historical significance of the listed building in accordance with policies SP1, EN3 and DM1 of the Core Strategy, saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Rusholme, Fallowfield & Moss Side Civic Society

Flat 2, 145 Dickenson Road, Manchester, M14 5HZ
Flat 1, 145 Dickenson Road, Manchester, M14 5HZ
Flat 4, 145 Dickenson Road, Manchester, M14 5HZ
Wardens House, St Anselm Hall, Kent Road East, Manchester, M14 5BX
Flat 6, 145 Dickenson Road, Manchester, M14 5HZ
137 Dickenson Road, Manchester, M14 5JB
Hala Guest House, 141 Dickenson Road, Manchester, M14 5HZ
145 Dickenson Road, Manchester, M14 5HZ
Flat 5, 145 Dickenson Road, Manchester, M14 5HZ
Flat 3, 145 Dickenson Road, Manchester, M14 5HZ
139 Dickenson Road, Manchester, M14 5HZ
Flat 13, 135 Dickenson Road, Manchester, M14 5HZ
Flat 6, 135 Dickenson Road, Manchester, M14 5HZ
Flat B, Summerfield Wing St Anselm Hall, Kent Road East, Manchester, M14 5BX
Flat B, Dwear Wing St Anselm Hall, Kent Road East, Manchester, M14 5BX
Flat A, Summerfield Wing St Anselm Hall, Kent Road East, Manchester, M14 5BX
Flat C, Summerfield Wing St Anselm Hall, Kent Road East, Manchester, M14 5BX
Flat 1, 135 Dickenson Road, Manchester, M14 5HZ
Flat 11, 135 Dickenson Road, Manchester, M14 5HZ
Flat 14, 135 Dickenson Road, Manchester, M14 5HZ
Flat 15, 135 Dickenson Road, Manchester, M14 5HZ
Flat 12, 135 Dickenson Road, Manchester, M14 5HZ
Flat 2, 135 Dickenson Road, Manchester, M14 5HZ
Flat 4, 135 Dickenson Road, Manchester, M14 5HZ
Flat 3, 135 Dickenson Road, Manchester, M14 5HZ
Flat 5, 135 Dickenson Road, Manchester, M14 5HZ
Flat 8, 135 Dickenson Road, Manchester, M14 5HZ
Flat 7, 135 Dickenson Road, Manchester, M14 5HZ
Flat 10, 135 Dickenson Road, Manchester, M14 5HZ
Flat 9, 135 Dickenson Road, Manchester, M14 5HZ
Flat D, Schuster House St Anselm Hall, Kent Road East, Manchester, M14 5BX
Flat A, Dewar Wing St Anselm Hall, Kent Road East, Manchester, M14 5BX
Flat C, Dewar Wing St Anselm Hall, Kent Road East, Manchester, M14 5BX
Flat B, Manor Wing St Anselm Hall, Kent Road East, Manchester, M14 5BX
Flat C, Manor Wing St Anselm Hall, Kent Road East, Manchester, M14 5BX
Flat A, Manor Wing St Anselm Hall, Kent Road East, Manchester, M14 5BX
Room 3B Flat D, Schuster House St Anselm Hall, Kent Road East, Manchester, M14 5BX
Flat A, Lodge St Anselm Hall, Kent Road East, Manchester, M14 5BX

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Victoria Park Conservation Area 1972
Area Team Boundary - Name: SOUTH AREA