

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140110/FO/2024

Date registered valid: 24 May 2024

Proposal: Erection of a single storey educational building (F1(a) (Learning and non-residential institutions - Provision of Education) use) including outdoor covered seating area following the demolition of the existing single-storey building

Address: Loreto College, 146 Chichester Road, Manchester, M15 5PB

Ward(s): Hulme Ward

Applicant: Ms Tracy Livesey Loreto College

Agent (if any): Mrs Melissa Murphy 10architect Ltd

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

Recommendation: **APPROVE**

Date of recommendation: **19.07.2024**

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 19.07.2024

Standard consultations:

Printed: 6 June 2024 Expired: 27 June 2024

Neighbour notifications

Printed: 6 June 2024 Expired: 27 June 2024

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The site comprises a single storey building in use for administrative purposes associated with the Loreto College campus to its north and east. The site was recently subject of a wider application to redevelop the former probation centre to the south for a three-storey educational building (reference 136963/FO/2023 – approved in September 2023) with the current application site seeing a partial demolition of the building on site and development associated with the site to the south to provide improved catering facilities at the College and to improve student flow to the new building.

To the immediate west of the site across Maher Gardens are two storey residential properties located within the Trafford MBC administrative area, whilst to the north, north-west of the application site is a cleared area of land within Trafford Council's administrative area which is currently subject of a planning application by Trafford Housing Trust for redevelopment comprising of 161 residential dwellings (Class C3) and 190sqm of commercial floor space with vehicular access from Maher Gardens and Bold Street.

A number of listed buildings are located within the vicinity of the site including:

- Church of St Mary (Grade II*) and Boundary Wall to the Churchyard of the Church (Grade II)
- Chapel Building, Loreto College (Grade II)
- Moss Side People's Centre (Grade II)
- St Mary's House (Grade II)

- Mawlawi Kurdish Cultural Centre (Grade II)
- Queen's Brewery Court (Grade II)
- Playground Wall of St Mary's Junior School, on West, North and East sides (Grade II)

The site currently contains a single storey building and associated hardstanding and is bounded to Maher Gardens by a high brick boundary wall and access gate.

Description of development

The application proposals are for the demolition of the existing building and the redevelopment of site to provide a single storey building to provide: catering facilities for students And associated covered areas for seating and queuing; toilet facilities; 1 meeting room and 2 offices; and, associated spaces. The existing 2m high boundary wall is to be retained and between the building and wall it is proposed to place an external plant enclosure.

The building is to be finished with red brick and aluminium curtain walling and solar shading and would be 4.275m high at parapet level (the existing building is 4.6m at its tallest point). The building is arranged so external areas are located between the proposed building and the existing college buildings to the east and would have a structured roof to provide weather protection for students using the facility. The external seating area would have a side wall to the east enclosing that side of the covered area from residential properties on Maher Gardens beyond the building and external wall to be retained.

Windows are proposed to the east and west elevations with those on the west siting behind the boundary wall. The building has been designed to have visual interest in the forms of the covered areas and brick detailing to the north elevation.

Planning History

136963/FO/2023 - Erection of a three-storey Class F1 (a) (Provision of education) building comprising a 20 no. classrooms, an assembly space, study centre, staff rooms and associated accommodation following the demolition of the existing single-storey building and partial demolition of the St Vincent's building.. Approved 06.09.2023

136964/FO/2023 - Extension to the planning permission (126744/FO/2020) for the use of 9 No. temporary classrooms, consisting of 1 No. single classroom, 2 No. double classrooms and 1 No. double stacked double classroom for a further period of 3 years. Approved 07.07.2023

126016/FO/2020 - Erection of a single storey dining room extension to the north elevation of Ball Building along with associated landscaping. Approved 12.10.2020

126744/FO/2020 - Erection of 9 No. temporary classrooms, consisting of 1 No. single classroom, 2 No. double classrooms and 1 No. double stacked double classroom with associated works for a period of 3 years. Approved 23.06.2020

103608/FO/2013/S1 - Erection of three storey teaching facility with associated external car parking and hard and soft landscaping. Approved 03.12.2013 086595/FO/2008/S1 -Erection of a five storey building to form additional teaching accommodation and refectory with associated landscaping. Approved 28.07.2008

Consultations & Notification Responses

The application was subject to neighbour notification via letter, no responses were received.

Consultee responses

MCC Highway Services – Raise no highway objections to the proposals. A construction management plan is requested.

Greater Manchester Ecology Unit – Indicate there are unlikely to be any significant ecological issues with the proposals. An informative is recommended in respect of bats and it is agreed that the development is exempt from mandatory 10% BNG under the de minimis rules, provision of a bat box as part of the new building is recommended to be secured via a condition.

MCC Flood Risk Management – Following further information from the applicant in respect of the drainage scheme and impacts on a nearby culvert it is recommended that a condition be attached to any approval plus an informative in respect of the Corn Brook Culvert.

United Utilities – Accept the submitted drainage proposals and recommend the development is undertaken in accordance with these.

Trafford MBC -No comments to make on the planning application.

Policy

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The adopted development plan consists of the Core Strategy (adopted 2012), the Places for Everyone Joint Development Plan (adopted March 2024) and the saved policies of the Unitary Development Plan. Due consideration in the determination of the application will also need to be afforded to national policies in the National Planning Policy Framework (NPPF) which represents a significant material consideration.

Local Development Framework - The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027 together with the recently adopted Places For Everyone (PfE) Joint Development Plan.

'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 also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, PfE, saved UDP policies and other Local Development Documents.

The following policies within the Core Strategy are considered relevant:

Policy SP 1 Spatial Principles

Policy T1 Sustainable Transport

Policy T2 Accessible Areas of Opportunity and Need

Policy EN1 Design Principles and Strategic Character Areas

Policy EN3 Heritage

Policy EN4 Reducing CO2 Emissions by Enabling Low and Zero Carbon

Policy EN6 Target Framework for CO2 reductions from low or zero carbon energy supplies

Policy EN14 Flood Risk
Policy EN 18 Contaminated Land and Ground Stability
Policy DM 1 Development Management

Saved Unitary Development Plan Policies
DC26.1, DC26.2 and DC26.5 Development and Noise

Places for Everyone - The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. As it has now been adopted it forms part of Manchester's development plan.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs. Securing higher densities in the most accessible locations is identified as helping to maximise the ability of people to travel by walking, cycling and public transport and reduce the reliance on the car.

Relevant policies of PfE in this instance are:

JP-S1: Sustainable development
JP-S2: Carbon and Energy
JP-S5: Flood Risk and the Water Environment
JP-P1: Sustainable Places

Relevant National Policy

The National Planning Policy Framework (December 2023) 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 6 - (Building a strong and competitive economy)
Section 8 (Promoting healthy and safe communities)
Section 11 (Making Effective Use of Land)
Section 12 (Achieving Well-Designed Places)
Section 14 (Meeting the challenge of climate change, flooding and coastal change)
Section 16 (Conserving and enhancing the historic environment)

Issues

Principle – The principle of the redevelopment of previously developed land and buildings within Hulme to provide for an educational facility building is considered acceptable.

In this instance further consideration is required with regards to impacts on residential and visual amenity, flood risk, heritage, and highways impacts, and these are considered below.

Residential Amenity – The proposed building whilst larger in footprint than the one it replaces would have a similar relationship to the existing and proposed residential properties located to the west and northwest of the application site. The proposed building is separated from Maher Gardens by a 2m high brick boundary wall, whilst there are proposed windows and doors to the western elevation these would sit behind and below the height of the wall and as such are not considered to give rise to impacts in terms of overlooking or loss of privacy. If the wall were to be removed in the future these windows and doors would sit approximately 14.5m from the front elevation of the closest residential properties on Maher Gardens. As such these distances are considered to be acceptable and not give rise to unacceptable impacts on residential amenity.

The proposals incorporate external areas for dining students, the submitted plans indicate that these would be covered although there is the potential for those canopy elements to be delivered at a later stage. The plans show that the brick wall of the proposed building would extend southwards to provide a physical built form to the western side of the external dining area. This would assist in providing additional screening of this external area from nearby residential properties in addition to the existing brick wall and minimise noise and disturbance breakout from these external areas.

It is not considered that the proposals would give rise to unacceptable impacts on residential amenity either as a result of overlooking, loss of privacy or noise.

Visual Amenity – The proposals would replace an existing educational building, whilst the built form along Maher Gardens would be extended, given the proposed buildings siting behind and off and existing 2m high brick boundary wall it is not considered that the proposals would give rise to impacts on visual amenity. The use of brick finishes and its single storey nature would allow the building to sit successfully within its surroundings.

Flood Risk – The site is located in close proximity to Corn Brook which is in culvert in this part of the city. As such further information was requested to determine potential impacts on this structure. This has been provided and assessed and a suitably worded condition is proposed to be attached to any approval.

Heritage - The application proposals are accompanied by a proportionate Heritage Statement that assesses the impacts of the proposals on nearby designated heritage assets with the closest being the Grade II Chapel Building, Loreto College. The chapel is obscured and visually separated from the application site by the corner of Ellis & Kennedy building. It is considered that the proposals would not have any impact on the vistas or views of or from the chapel or cause harm to the character of the College.

Highways Impacts- The proposals are to improve existing facilities and student flows around the site, as such there would be no increase in capacity of the college population as a result of this proposal. Queries were made regarding potential amendments to the boundary of a vehicular access into the site from Maher Gardens but the applicant has clarified these are existing arrangements and no changes are proposed.

Conclusions – The proposals are considered acceptable and in accordance with adopted planning policies through the provision of modern support facilities for the college. No objections have been raised and in this instance appropriately worded conditions are proposed.

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

The application has been determined in a positive and proactive manner, issues that have arisen have been discussed with the applicant's agent. In this instance appropriately worded conditions and informatives are proposed.

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 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:

LCSV- 10A- V0- ZZ- DR- A- 0711- L1 St Vincent's GA Plan

LCSV- 10A- V2- ZZ- DR- A- 2540- L1 St Vincent's Proposed Elevations

LCSV- 10A- V2- ZZ- DR- A- 2400- L1 Proposed roof plan

LCVL- 10A- V0- 00- DR- A- 0004- L1 Existing and Proposed Site Sections

LCVL- 10A- V0- 00- DR- A- 0001- L1 Site location plan

LCVL- 10A- V0- 00- DR- A- 0003- L2 Proposed Site plan

Preliminary Roost Assessment -Arbtech 19.07.2023

Phase 1 Desk Study and Preliminary Geoenvironmental Assessment – Prepared by WML reference 10939G-WML-XX-ZZ RP-G-0004 May 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.

- 3) a) The measures for investigating the site identified in the Site Investigation Proposal shall be carried out before development commences (excluding demolition) and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and prior to occupation a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected, and appropriate remedial action is taken in the interests of public safety, pursuant to policy EN18 of the Core Strategy.

- 4) Prior to the commencement of above ground works details and samples of all materials to be used on the external elevations of the building hereby approved together with the details of all hard landscaping materials to be incorporated into the development shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

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 of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

- 5) Within three months of the commencement of development details including type and location of a bat box to be installed at the site shall be submitted to and approved by the City Council as local planning authority. The agreed details shall be installed prior to the first use of the development.

Reason - In the interests of biodiversity enhancement of the site pursuant to policy EN15 of the Core Strategy.

- 6) Prior to the installation of any surface water drainage scheme, full details of a surface water drainage scheme for the development site, based on sustainable drainage principles, shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include:

-Progression through the drainage hierarchy must be evidence based and supported by site investigation including assessments of ground conditions and infiltration testing in

accordance with BRE365. Proposals of attenuation should achieve half drain time within 24 hours.

-Where flows less than 5 l/s are proposed, a blockage risk assessment must be undertaken. If the risk cannot be adequately managed, a higher minimum discharge rate should be considered / agreed with relevant authority.

-Finalised surface water drainage layout including all components, levels, connectivity and proposed overland flow routes for extreme events.

-Hydraulic calculations of the proposed drainage system, including all design parameters. Results must demonstrate no flooding of buildings for the 1 in 100 + 45% Climate Change.

The development shall be constructed and completed in accordance with the approved details prior to the first occupation/use of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

- 7) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be 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 site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policy DM1 of the Core Strategy and saved Unitary Development Plan policy DC26.

- 8) The external wall on the southern elevation of the hereby approved building adjacent the external 'covered' seating area as shown on the approved elevation drawings shall be erected prior to the first use of the external 'covered' seating area prior to the first use of the seating area and be retained thereafter whilst the external seating area is in use.

Reason – In the interests of residential amenity to existing and future residential occupiers on Maher Gardens pursuant to policy DM1 of the Core Strategy.

- 9) Notwithstanding the approved plans, full details and cross sections of any security shutters to be installed on the building shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall be installed prior to the first occupation of the development.

Reason - In the interests of visual amenity pursuant to policy DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Ecology Unit
Trafford Council

30 Maher Gardens, Manchester, M15 5PW

Apartment 10, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

Apartment 18, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

Apartment 17, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

Apartment 16, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

Apartment 15, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

Apartment 14, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

Apartment 13, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

Apartment 12, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

Apartment 11, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

Apartment 1, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

Apartment 9, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

Apartment 8, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

Apartment 7, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

Apartment 6, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

Apartment 5, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

Apartment 4, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

Apartment 3, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

Apartment 2, Tamworth Apartments, 47 Moss Lane West, Manchester, M15 5PE

8 Maher Garden, Manchester, M15 5WP

9 Maher Garden, Manchester, M15 5WP

10 Maher Garden, Manchester, M15 5WP

11 Maher Garden, Manchester, M15 5WP

12 Maher Garden, Manchester, M15 5WP

40 Maher Garden, Manchester, M15 5WP

41 Maher Garden, Manchester, M15 5WP

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

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA