

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138780/FO/2023
Date registered valid: 19 December 2023
Proposal: Replacement of existing roof plant
Address: University Of Manchester, Oxford Road, Manchester, M13 9PL
Ward(s): Hulme Ward

Applicant: Simon Wallett University of Manchester
Agent (if any): Mr Jeremy Birtwell Wilson Mason
Case officer: Lucy Harrison
Tel: 0161 234 5795
Email: lucy.harrison@manchester.gov.uk
Recommendation: Approve
Date of recommendation:

Application details

Type of application: Full Application Consent
Development type: Minor Other
Date of site visit: 22 January 2024

Standard consultations:
Printed: 21 December 2023 Expired: 14 January 2024

Neighbour notifications
Printed: 21 December 2023 Expired: 14 January 2024

Site notice
Posted: 10 January 2024 Expired: 31 January 2024

Press advert
Published: 2 January 2024 Expired: 23 January 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II*

Conservation area:

Tree Preservation Order:

Description of area

The application relates to the Stopford Building, which forms part of the University of Manchester Estate. It is situated on Oxford Road, with Ackers Street to the north and Grafton Street to the south. Holy Name Church, which is Grade II* listed, lies to the north on Oxford Road. There is a block of student halls with shops and a café on the corner of Oxford Road and Grafton Street, as well as the Grafton Street multi-storey car park, other University buildings and a pub to the south. The building was completed in the 1970s and includes the University's Faculty of Biology, Medicine, and Health.

The area to which the application relates is part of the fourth floor flat roof which lies between the building's internal courtyard and the car park that lies to the front of the building on Grafton Street. This part of the roof is already occupied by ventilation plant and equipment.

Description of development

The proposal is to replace most of the existing plant with new upgraded plant/ventilation equipment. The maximum height of the roof plant would be 3.3m. The roof would also be resurfaced with a new waterproof membrane, which would not be visible from anywhere but the roof level and is considered to be a repair.

Consultations & Notification Responses

Publicity – Occupiers of neighbouring properties have been notified of the application and a site noticed and advertisement in the local press have been displayed. No representations have been received.

Environmental Health - Recommends conditions regarding construction/demolition hours and acoustics.

Issues

The main issues to consider in assessing this application are the impacts on the amenities of neighbouring occupiers through noise, the impact on visual amenity and the impact on the setting of the listed building. The application should be considered against the following policies:

The Adopted Core Strategy for the City of Manchester

Policy SP1 (Spatial Principles) advises that development in all parts of the City should protect and enhance the built environment.

Policy CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected.

Policy EN1 (Design Principles and Strategic Character Areas) advises that developer's will be expected to consider the City's heritage, including its listed buildings, conservation areas, archaeological remains and historic street pattern.

Policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

Policy DM1 (Development Management) advises that all development should be appropriately sited, scaled, formed, massed and detailed with appropriate layout and materials and should have regard to the character of the surrounding area and effects on built heritage.

The Unitary Development Plan for the City of Manchester

Saved Policy DC19.1 (Listed Buildings) advises that in determining applications for listed building consent 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.

Saved 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, or visiting, the City.

Places for Everyone

The Places for Everyone Plan is a Joint Development Plan Document, which provides a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8-week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

Policy JP-P 1 (Sustainable Places) aims to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy and varied places, each having the following key attributes that all development, wherever appropriate, should be distinctive, with a clear identity, visually stimulating, socially inclusive, resilient, adaptable, durable, resource efficient,

safe, supported by critical infrastructure, functional and convenient, incorporating accessibility, legible easy to move around, well connected, comfortable and inviting, incorporating high quality and well managed green infrastructure and public realm, well served by local shops, services and amenities.

Policy JP-P 2 (Heritage) aims to proactively manage and work with partners to positively conserve, sustain and enhance its historic environment and heritage assets and their settings. The policy requires development proposals affecting a designated heritage asset to conserve those elements which contribute to its significance including those identified in any conservation area appraisal as making a positive contribution to the area. Harm to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal.

National Policy

The National Planning Policy Framework 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 (paragraphs 7 & 8). Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan (para 11). Paragraphs 11 and 12 state that:

“For decision-taking this means: approving proposals that accord with an up-to-date development plan without delay” 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 sections of the NPPF are relevant to the consideration of this application: Section 8 (Promoting Healthy and Safe Communities), Section 12 (Achieving Well-Designed Places) and 16 (Conserving and Enhancing the Historic Environment).

Noise/Residential Amenity

The proposed roof top plant has the potential to cause a noise issue, with student flats being nearby on the corner of Grafton Street and Oxford Road. An acoustic report has considered the impact of the plant and made recommendations for appropriate noise levels. A condition should be attached to require verification that those noise levels are not exceeded. It is considered therefore that the proposal would not have a detrimental impact on residential amenity.

Visual Amenity

The proposed equipment would replace existing equipment and would be situated on the fourth floor roofspace overlooking Grafton Street. The roof here has a 1m parapet and the equipment would be set back from this by just under a metre. The equipment would therefore be barely visible from the street, especially given that there are a number of mature tall trees in front of the building that screen that area of rooftop. It is considered therefore that the proposed replacement equipment would not have a detrimental impact on visual amenity.

Heritage Impact

Whilst some of the Stopford Building lies adjacent to the Grade II* listed Church on Oxford Road, it is a large building and the area of roof where the plant would be located is some distance away from the Church, fronting Grafton Street. It is separated from the church by most

of the building, which has higher elements of plant rooms and chimney features, so there are no instances where the proposed plant would be viewed within the setting of the church. It is considered therefore that the proposal would not have a detrimental impact on the setting of the Grade II* listed church and no harm would be caused to the heritage asset or its setting. The proposal is therefore in accordance with paragraphs 196 and 197 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement.

Conclusion

The proposal would have little if any visual impact and a condition should be attached to ensure the amenity of surrounding occupiers is maintained. Given the above, it is considered that the scheme is in accordance with relevant planning policy, as set out above, and should be approved.

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

Officers work with applicants in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with planning applications. No problems arose in the processing of this planning application.

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:

7164 L(00)06 Location Plan;

7164 L(2-) 02 Rev: 01 Proposed South Elevation and Section;

3964-RAM-XX-04-DR-ME-000001 Rev: P01 Mechanical Services General Arrangement Level 04;

Design and Access Statement by Wilson Mason dated November 2023; and

Environmental Noise Survey Revision 00 dated 24 November 2023 by Hoare Lea

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) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with the Environmental Noise Survey Revision 00 dated 24 November 2023 by Hoare Lea in order to secure a reduction in the level of noise emanating from the site.

b) Prior to first operation of the equipment hereby approved, 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 works 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. Any approved measures shall be implemented in full prior to the equipment being brought into operation.

Reason - To safeguard the amenities of the occupiers of nearby accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

Informatives

1) In order to safeguard the amenities of nearby occupiers, construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Flat 107, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 302, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 113, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 211, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 305, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 108, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 212, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 311, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 8, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 30, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Holy Name Church, 339 Oxford Road, Manchester, M13 9PG
Flat 101, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 307, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 205, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 103, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 36, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 55, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 51, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 17, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 37, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 33, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 49, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 20, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Unit 5, 403 - 409 Oxford Road, Manchester, M13 9WG
27 Grafton Street, Manchester, M13 9WU
Flat 208, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 112, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 304, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 213, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 203, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Room 1 Flat 25, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 35, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 45, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 25, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 50, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 15, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Manchester Incubator Building, 48 Grafton Street, Manchester, M13 9XX
Flat 28, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 11, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 312, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 309, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Costa Coffee, Horniman House, 399 - 401 Oxford Road, Manchester, M13 9BL
Sainsburys, Horniman House, 399 - 401 Oxford Road, Manchester, M13 9BL
Flat 210, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 111, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 207, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 308, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Room 1 Flat 47, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 23, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 39, Grafton House, 60 Grafton Street, Manchester, M13 9NU

Flat 6, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 53, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 3, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 5, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 31, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Room 2 Flat 8, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 47, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 2, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 12, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 306, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 105, Horniman House, 66 Grafton Street, Manchester, M13 9NT
403 - 409 Oxford Road, Manchester, M13 9WG
Flat 204, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 26, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 9, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 40, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 4, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 18, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Room 2 Flat 10, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 42, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 41, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 54, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Ground Floor Subway Sandwich Bar, 413 - 419 Oxford Road, Manchester, M13 9WG
Mcdonalds, 403 - 419 Oxford Road, Manchester, M13 9WG
Flat 313, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 202, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 104, Horniman House, 66 Grafton Street, Manchester, M13 9NT
64 Grafton Street, Manchester, M13 9NT
Flat 206, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 310, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Room 1 Flat 6, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 43, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 19, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 32, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 48, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 16, Grafton House, 60 Grafton Street, Manchester, M13 9NU
397 Oxford Road, Manchester, M13 9BL
Flat 106, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 109, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 209, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 201, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 22, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 13, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 21, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 14, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 10, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 27, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 29, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 1, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Horniman House, 399 - 401 Oxford Road, Manchester, M13 9BL
RED CHILLI, 403 - 419 Oxford Road, Manchester, M13 9WL
Dermatology And Genetics Building, 29 Grafton Street, Manchester, M13 9WU
Flat 102, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 110, Horniman House, 66 Grafton Street, Manchester, M13 9NT

391 - 395 Oxford Road, Manchester, M13 9BL
Flat 303, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 301, Horniman House, 66 Grafton Street, Manchester, M13 9NT
Flat 34, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Morrisons Local, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 7, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 44, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 38, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 46, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 24, Grafton House, 60 Grafton Street, Manchester, M13 9NU
Flat 52, Grafton House, 60 Grafton Street, Manchester, M13 9NU
413 - 419 Oxford Road, Manchester, M13 9WG

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL