

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139576/FO/2024

Date registered valid: 20 March 2024

Proposal: Removal of the existing brise soleil to the Oxford Road elevation of the building.

Address: Manchester School Of Management, Booth Street East, Manchester, M13 9SS

Ward(s): Hulme Ward

Applicant: Mr Matt Ellmore The University of Manchester

Agent (if any): Mrs Jodi Carr Halliday Meecham Architects

Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **03 May 2024**

Application Details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 9 April 2024

Standard consultations:

Printed: 3 April 2024 Expired: 24 April 2024

Neighbour notifications

Printed: 2 April 2024 Expired: 23 April 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/Area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to the Manchester School of Management building, Booth Street East, Manchester, M13 9SS. This building is a part of the University of Manchester and is surrounded in the immediate vicinity by buildings from the University of Manchester, from Manchester Metropolitan University, from the Royal Northern College of Music, as well as Manchester Aquatics Centre.

The building is surrounded by high quality public realm. The surrounding buildings are a mix of modern and older University Buildings. The building is not listed and no neighbouring building are listed, although there are a number of listed buildings close by, including the Grosvenor Building, 135 Grosvenor Street, and The Footage, Grosvenor Street.

Currently, the building incorporates a series of external Brise Soliel to the Oxford Road, Booth Street East and North Elevations that add character to the external facade and provide a degree of solar shading in peak summer months.

Description of Development

The proposal seeks planning permission for the removal of the existing brise soleil to the Oxford Road elevation of the building.

There are a number of issues associated with the Brise Soliel, these include:

- Complexity of cleaning windows and gutters from street level as existing brise soleil present an obstruction.
- Risk of water dripping and soiling from pigeons onto the public footpath of Oxford Street
- Long term maintenance issues associated with the cleaning and repairing of the louvres that will require scaffold placement to carry out works in a safe manner

Related Applications

135572/FO/2022 - Replacement of plant equipment on the roof.
Approved January 2023.

138979/JO/2024 - Variation of conditions 2 (Specified Plans) and 3 (External Plant Noise) attached to Planning Permission 135572/FO/2022.
Approved February 2024.

Consultations & Notification Responses

Highway Services - Asked for an informative to be added concerning Highway licensing, scaffolding and associated temporary traffic management arrangements.

Publicity - Neighbour notification letters were sent to surrounding properties. No representations have been received because of this publicity.

Policy

The main issues to consider are visual amenity, accessibility, noise, and impact on public safety. The proposal should be considered against the following policies:

The Manchester Core Strategy Development Plan Document 2012-2027 was adopted by the City Council on 11th July 2012. The following policies are considered relevant to this application:

Policy DM1 (Development Management) states that all development should have regard to

- appropriate siting, layout, scale, form, massing, materials, and detail,
- the effects on amenity including light and road safety,
- the impact on the character of the surrounding area in terms of design, scale and appearance,
- vehicular access and car parking
- effects relating to landscape, archaeological or built heritage.

Policy SP1 (Spatial Principles) states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, creating well designed places that enhance or create character, consider the needs of all member of the community and protect and enhance the built environment.

Policy EN1 (Design Principles and Strategic Character Areas) states that development should contribute positively to the experience of all at street level.

Policy EN3 (Heritage) states that 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, listed buildings and conservation areas.

Policy CC9 (Design and Heritage) states that particular attention to be given to the City Centre context and character and contribute to a coherent and integrated physical environment.

And saved policy **DC26.1 (Development and Noise)** of the Unitary Development Plan for the City of Manchester.

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.

The following policies are considered relevant to this application.

The relevant policies to this application are **Policy JP-S1 (Sustainable Development)**, **Policy JP-P1 (Sustainable Places)**, and **Policy JP-C4 (Streets for All)**.

Policy JP-P1 (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-S1 (Sustainable Development) aims to help tackle climate change, development should aim to maximise its economic, social and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives. Preference will be given to using previously developed (brownfield) land and vacant buildings to meet development needs. In bringing forward previously developed sites for development, particular attention will be paid to tackling land contamination and stability issues, ensuring that appropriate mitigation and remediation is implemented to enable sites to be brought back into use effectively.

Policy JP-P5: (Education, Skills and Knowledge) states that significant enhancements in education, skills and knowledge to benefit existing and new residents will be promoted, including by:

- Enabling the delivery of new and improved accessible facilities for all ages, such as early years, schools, further and higher education, and adult training to ensure our workforce is ready to benefit from new employment opportunities.
- Enhancing the existing campuses and developing new ones.
- Strengthening the world-leading research capabilities and promoting opportunities for business spin-offs.
- Continuing to help develop Greater Manchester as the UK's best destination for students.

The **National Planning Policy Framework (2021)**:, in particular sections **Section 7 (Requiring Good Design)** and **12 (Achieving Well Designed Spaces)**.

Chapter 12 Achieving well-designed places.

Paragraph 124 states that in 'the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.' It further states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

Paragraph 132 states that the quality and character of places can suffer when advertisements are poorly sited and designed. It acknowledges that a separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient, and effective. Significantly, chapter 12 states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Issues

Principle of Development

There is no objection to the principle of external alterations to remove the existing brise soleil to the Oxford Road elevation of the building.

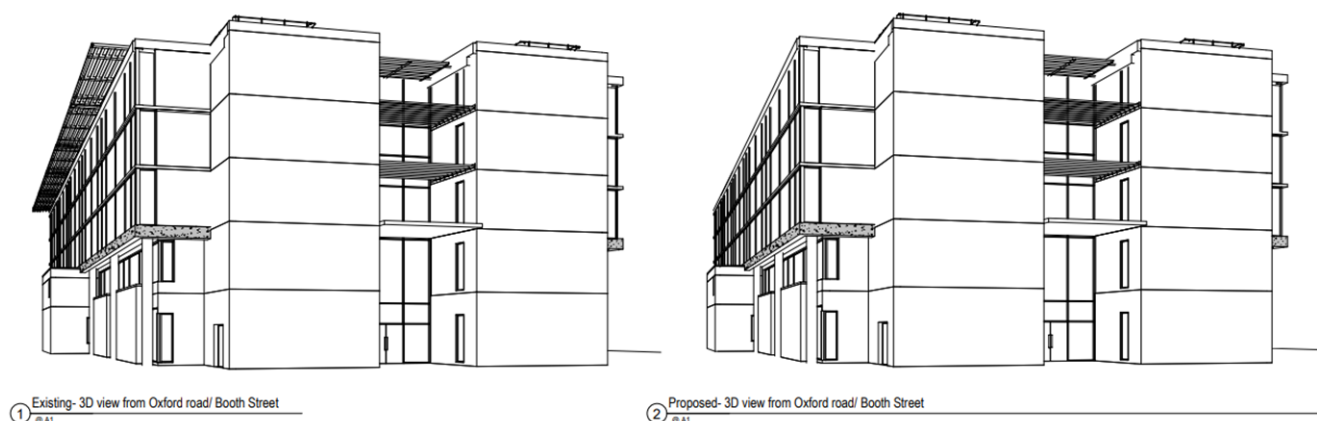
Thermal modelling has been carried out to understand the thermal performance of the building including overheating from solar gain. Troup Bywater and Anders have identified that should the Brise Soliel be removed, the internal temperature is not likely to increase by more than 1 degree for more than 3% of the occupied time and consider the removal to have limited impact on the operational use of the building.

The University of Manchester have encountered long term maintenance issues associated with the cleaning and repairing the louvres as any significant work to repair, decorate or maintain requires scaffold placement on the public pavement of Oxford Road to carry out works in a safe manner.

The proposal must be considered against the issues of visual amenity and public safety.

Visual Amenity

It is not considered that the removal of the existing brise soleil will have any detrimental impact upon the visual amenity of the host building or on the surrounding street scene. The brise soleil is a design feature common in buildings from the late 1990s and early 2000s, but the feature is less common in builds from the past 15 to 20 years.



Existing and Proposed 3D View

The cantilevered brise soliel provides a degree of visual interest to the building form when viewed from Oxford Road, however this is restricted during the summer months by the natural appearance and environmental benefits of mature trees. It is considered that the removal of the brise soliel will have a limited visual impact on the appearance of the building.

Public Safety

There are no public safety concerns with the proposals.

Conclusion

Given the above, it is considered that the proposal is in accordance with the above policies 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 have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning 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.

Received by the City Council, as Local Planning Authority, on the 20 March 2024:

- Location Plan
- Site Plan 8405-HMA-01-00-DR-A-00004
- Proposed Elevation 8405-HMA-01-ZZ-DR-A-00210
- Proposed Roof Plan 8405-HMA-01-RF-DR-A-00211
- Existing & Proposed Elevation 3D View 8405-HMA-01-ZZ-DR-A-00212
- Existing & Proposed Section 8405-HMA-01-ZZ-DR-A-00213

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

Informatives

1) Where there is an impact on the highway the applicant should be advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with MCC Highways Applications and Network Resilience teams via email at highwaylicences@manchester.gov.uk and highwaynetworkmanagement@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services

Manchester Metropolitan University Humanities Building, Rosamond Street West, Manchester, M15 6LL

Manchester Deaf Centre, Oxford Road, Manchester, M13 9GH

Manchester Aquatics Centre, 2 Booth Street East, Manchester, M13 9SS

Royal Northern College Of Music, 124 Oxford Road, Manchester, M13 9RD

132 Oxford Road, Manchester, M13 9GP

134 Oxford Road, Manchester, M13 9GP

130 Oxford Road, Manchester, M13 9GP

UTILITY, 128 Oxford Road, Manchester, M13 9GP

The Co-operative Food, 126 Oxford Road, Manchester, M13 9GP

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

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) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: CENTRAL