MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139016/VO/2024
Date registered valid:	17 January 2024
Proposal:	City Council Development for reduction to height of chimney stack
Address:	Simpson Memorial Hall, Moston Lane, Manchester, M40 9NB
Ward(s):	Moston Ward
Applicant:	Mr Philip Schofield, Manchester City Council
Agent (if any):	Mr Philip Schofield, Manchester City Council
Case officer:	Steven McCoombe Tel: 0161 234 4607 Email: steven.mccoombe@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	7 March 2024

Application details

Type of application: Regulation 3 Consent

Development type: Minor Other

Date of site visit: 7 March 2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 17 January 2024 Expired: 7 February 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

The application site relates to a large, detached, red brick building with terracotta mouldings and window dressings. The building incorporates a steep pitched gable roof and a stepped entrance to the front.

The building is currently used as a community centre and various ancillary functions, including a medical centre.

The building is church like in character and was originally intended for educational purposes, having been donated in memory of a local industrialist – William Simpson

The site incorporates a garden area with tree planting to the eastern side of the building and a small car parking area to the western side of the building. The frontage is enclosed by ornate metal railings upon a brick plinth.

The site is bounded by a commercial uses, including a neighbouring medical centre to the west, retail shops to the east and further retail/commercial uses to the south on the opposite side of Moston Lane. To the north, the is adjoined by a former public house (Museum Inn) and two storey residential dwellinghouses fronting Worsley Avenue.

The building is not listed, but is considered to make an important and positive contribution to the character and special interest of the area and represents a non-listed heritage asset.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

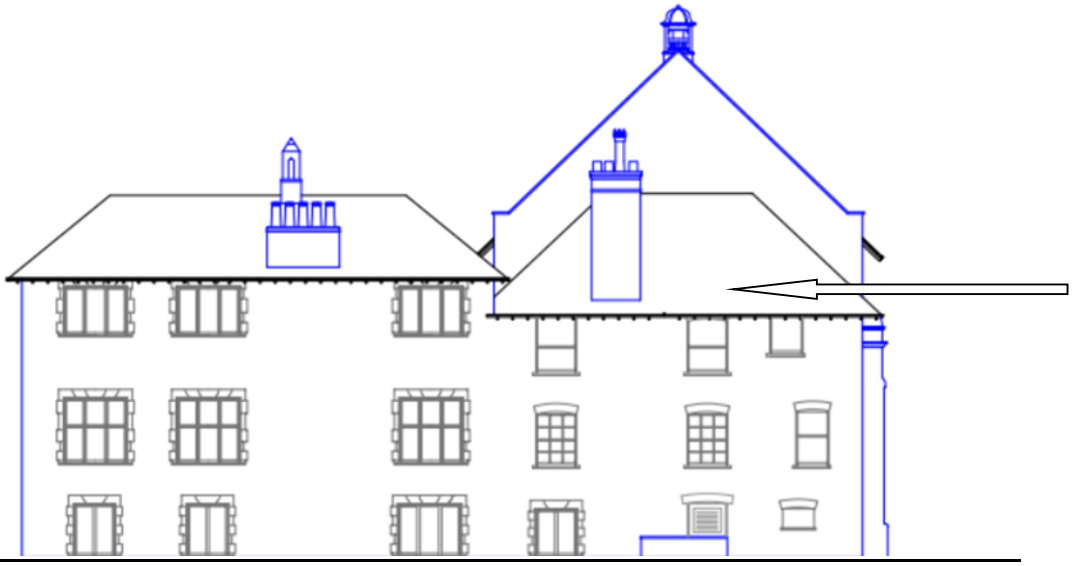
The application site is situated within a mixed-use area, including local shops, commercial and community uses focused around the junctions with Kenyon Lane, Moston Lane and Worsley Avenue. The wider area including just to the north, is largely residential in character.

Description of development

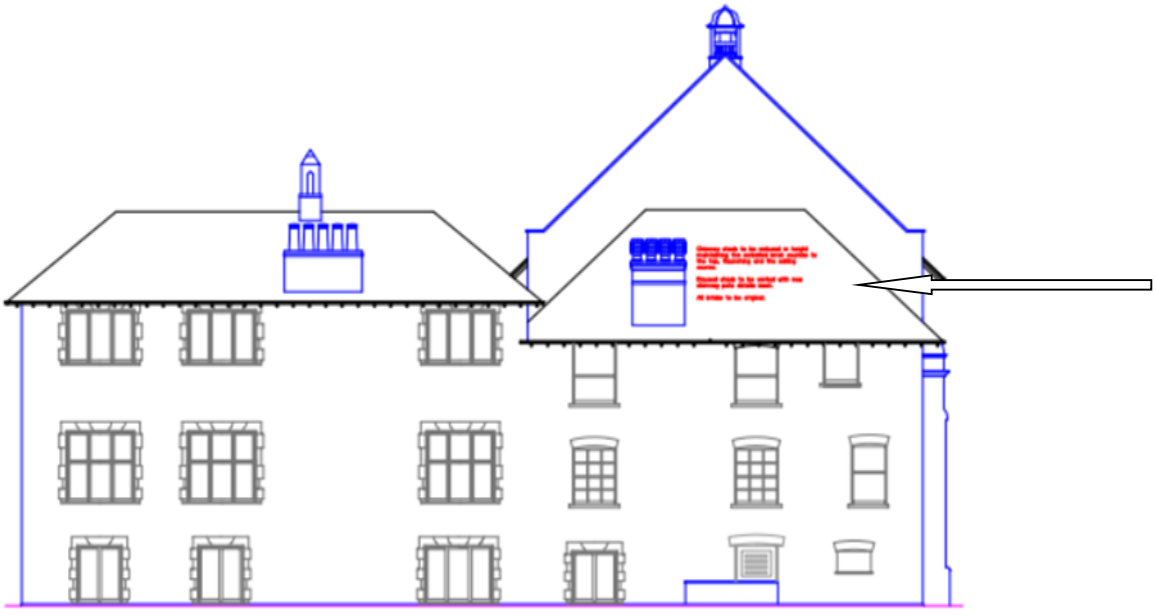
Planning Permission is sought for a reduction to the height of an existing chimney stack to a rear roof slope. The corbelled brick course to the top is to be retained and the reduced stack to be vented with a new clay chimney pot.

Extract taken from applicant' Design and Access Statement

It is understood that the reduction is chimney height sought is based on safety and maintenance reasons.



Existing side elevation showing chimney stack



Proposed rear elevation showing reduced chimney stack

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Policy

The below policy and guidance is considered relevant to the consideration of this application:

-Policies DM1, EC1, EN3 and SP1 of the Manchester Core Strategy;
-National Planning Policy Framework (NPPF).

Planning History

060250/VO/NORTH1/00

CITY COUNCIL DEVELOPMENT Construction of a dwarf wall with 1.5m high railings around boundary of wall. *Approved 16 October 2000.*

023357

CITY COUNCIL DEVELOPMENT Erection of a bowls pavilion. *Approved 14 January 1985.*

F14561/LA

CITY COUNCIL DEVELOPMENT Provision of lift for handicapped people and improved toilet facilities. *Approved 28 November 1980.*

F01641/LA

Erection of 10ft. high (3 m) security fence to northern boundary of Community Centre. *Approve 8 November 1974.*

Issues

Principle

It is considered that the proposed alteration would pose minimal visual impact and would have a less than a substantial impact to a non-listed heritage asset, given its context and enclosed nature to the rear.

The proposed alteration would also aid the continued economic and social function of the building by removing a maintenance burden. On this basis, the proposal is considered to accords with overarching Development Plan policy and guidance.

Visual Amenity

Given the location of the chimney stack at the rear of the building, its position at a high level upon normal eye line and the enclosed nature of the site, with limited views from the road frontage and public domain, the visual impact to the character and appearance of the building is considered negligible.

Heritage Impact

Paragraph 209 of the NPPF states that proposals should consider:

‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage assets’.

In this case, the host building can be considered to be a non-designated heritage, due to its architectural and social significance and its contribution to the character and appearance of the Moston area.

In this instance, it is considered that on balance and when weighed against the public benefits arising from the removal of a maintenance burden to facilitate the continued economic functioning of a vital community asset and the social benefits that the use embodies, the public benefits outweigh any perceived heritage impact which is considered less than substantial.

The proposal would retain the chimney stack, albeit it a smaller feature and would reuse existing bricks and incorporates existing architectural detailing to reflect the style of the host building. In turn, this would sustain the significance of the non-designated heritage asset, reflecting the relevant guidance contained within the NPPF.

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 polices 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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter. The proposal is considered to be acceptable and therefore determined within a timely manner.

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:

Drawings referenced SMH-MCC-B01-ZZ-DR-A-0011-S4, SMH-MCC-B01-R2-DR-A-0013-S4 and SMH-MCC-XX-XX-DR-A-0001, received by the City Council as Local Planning Authority on 15 January 2024 and 17 January 2024, respectively.

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.

Appendix 1 – List of consultees & neighbours notified

SIMPSON MEDICAL PRACTICE, 361 Moston Lane, Manchester, M40 9NB
The Museum, 375 Moston Lane, Manchester, M40 9NB
Advertising Right Primesight Site 204101 On Gable Of 320, 320 Moston Lane, Manchester, M40 9WB
6 Brodick Street, Manchester, M40 9WL
21 Worsley Avenue, Manchester, M40 9WA
13 Worsley Avenue, Manchester, M40 9WA
19 Worsley Avenue, Manchester, M40 9WA
17 Worsley Avenue, Manchester, M40 9WA
320 Moston Lane, Manchester, M40 9WB
318 Moston Lane, Manchester, M40 9WB
314 Moston Lane, Manchester, M40 9WB
Flat Above, 312 Moston Lane, Manchester, M40 9WB
9 Worsley Avenue, Manchester, M40 9WA
7 Worsley Avenue, Manchester, M40 9WA
369 Moston Lane, Manchester, M40 9NB
Precious Kids Day Nursery, 322 Moston Lane, Manchester, M40 9WB
11 Worsley Avenue, Manchester, M40 9WA
351 Moston Lane, Manchester, M40 9NB
Office, 369 Moston Lane, Manchester, M40 9NB
351A Moston Lane, Manchester, M40 9NB
Flat At, The Museum, 375 Moston Lane, Manchester, M40 9NB
310 Moston Lane, Manchester, M40 9WB
15 Worsley Avenue, Manchester, M40 9WA
316 Moston Lane, Manchester, M40 9WB
308 Moston Lane, Manchester, M40 9WB
5 Worsley Avenue, Manchester, M40 9WA
Top Flat, 320 Moston Lane, Manchester, M40 9WB
18 Ashville Terrace, Manchester, M40 9NX
20 Ashville Terrace, Manchester, M40 9NX
22 Ashville Terrace, Manchester, M40 9NX
24 Ashville Terrace, Manchester, M40 9NX
308A Moston Lane, Manchester, M40 9WB
312 Moston Lane, Manchester, M40 9WB

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA