

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138430/FO/2023		
Date registered valid:	10 November 2023		
Proposal:	Replacement of defunct 1970's boiler and non-compliant flue.		
Address:	Chethams School Of Music, Long Millgate, Manchester, M3 1SB		
Ward(s):	Deansgate		Ward
Applicant:	Chethams School of Music in Manchester		
Agent (if any):	Mr Stephen Anderson Buttress		
Case officer:	Max		Gibson
	Tel:	0161 219	6359
	Email: maximillian.gibson@manchester.gov.uk		
Recommendation:	Approve		
Date of recommendation:	06.12.2023		

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 15 November 2023

Standard consultations:

Printed: 15 November 2023 Expired: 6 December 2023

Neighbour notifications

Printed: 15 November 2023 Expired: 6 December 2023

Site notice

Posted: 15 November 2023 Expired: 6 December 2023

Press advert

Published: 21 November 2023 Expired: 5 December 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The site relates to the Chetham's Library building at the Chetham's Hospital, which also includes Chetham's School of Music, a specialist music boarding school. The Library building is Grade I listed, whilst many of the other Hospital buildings are Grade II listed. The site sits within the Cathedral Conservation Area.

Listed building: Grade I

Conservation area: Cathedral Conservation Area 1972

Tree Preservation Order:

Description of area

The area relates to the environs of Cathedral Gardens in the north of the City Centre of Manchester. The character area comprises many different uses, including educational, ecclesiastical, retail, cultural, dining, drinking and entertainment. The buildings surrounding the gardens represent a multitude of architectural styles and eras, the Perpendicular Gothic of the Cathedral standing in contrast to the sheer glazed facades of the Urbis building which houses the National Football Museum. There are a number of listed buildings in the locale, including the Grade I listed Cathedral and Grade I listed Chetham's Library building which is the subject of this application.

Description of development

The development relates to the installation of a new boiler to heat the Chetham's School of Music Library. The new boiler would replace a defunct boiler that was installed in the 1970s. boiler would be installed in the existing boiler room. The development would include the installation of a new flue to the roof of the building which would sit below the roof's parapet.

Consultations & Notification Responses

Environmental Health – no objections, condition requested to ensure boiler emissions do not have an unacceptably detrimental effect on air quality.

Issues

Principle

The proposal seeks consent to install a new boiler and associated flue to replace an existing defunct boiler and flue. The existing boiler was installed in the 1970s and is not an original feature of the building. The existing boiler no longer functions and hence there is currently no heating to the library. The library contains many thousands of rare volumes and there are concerns the lack of heating could lead to the deterioration of the collection or damage from burst, frozen water pipes which is a common occurrence in unheated old buildings. The principle of the works is accepted, pursuant to policies EN3 and CC9 of the Manchester Core Strategy (2012) and saved policy DC19 of the Unitary Development Plan for Manchester (1995) as it would help to preserve and enhance the listed building.

Impact on the listed building

The new boiler would be installed in the same location as the existing boiler, the boiler room in a rear extension to the library. No features of historical or architectural significance remain in the boiler room. Both the existing and proposed boilers are freestanding models.

Ancillary equipment would be reused for the most part, including the copper pipework which connects the boiler to the central heating system. The fuse box would be replaced but mounted using existing fixing points as would the wall mounted expansion vessel.

The new flue would go through the existing, modern plasterboard ceiling which would be refixed once the installation is complete. Therefore, no historic fabric should be affected by the installation of the boiler and ancillary equipment. Hence the works are considered acceptable pursuant to policies EN3 and CC9 of the MCS and saved policy DC19 of the UDP.

Impact on the conservation area

The only element of the development that would alter the exterior of the building would be the new flue. However, the new flue would be shorter – 600mm - than the existing flue which is 1500mm tall. The parapet to the roof at this part of the building is 1200mm high, meaning that the new flue would not be visible from any public vantage point on the street. Therefore, it is considered that the development would have a negligible impact on the setting of the Cathedral Conservation Area.

Air quality

Gas boilers, such as the existing and proposed subject to this application, may emit fumes that are detrimental to air quality. Furthermore, there are alternative heat sources that are lower emission and could help future proof the heating system. The applicant considered the installation of an Air Source Heat Pump.

However, this option was discounted as it would require the installation of a number of new ancillary equipment, such as three phase electricity and underfloor heating, which would create a high degree of less than substantial harm. The proposed gas boiler would be able to connect directly into the existing heating system.

To ensure the new boiler does not create any harmful emissions, Environmental Health have requested a condition is attached to this approval. This would require details of the boiler's emissions to be submitted for approval in writing by the City Council. If these details demonstrate the boiler would be detrimental to air quality, then the applicant would be required to implement mitigation measures agreed with the City Council.

The proposal is therefore considered acceptable pursuant to policy EN16 (Air Quality) of the Manchester Core Strategy (2012) subject to the imposition and discharge of the above described condition.

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. In this instance, some negotiations were necessary, and the scheme is considered acceptable and appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policies DC18 and DC19 of the Manchester Unitary Development Plan, policies EN3, CC9, SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse to 138430/FO/2023

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:

-Drawing - Proposed DR-A-(02)007 PLAN received 10/11/2023 by the City Council, as Local Planning Authority.

-Drawing - Proposed DR-A-(02)004 P01 ELEVATION

-Drawing - Existing & Proposed DR-A-(02)005 P01 ROOF PLAN
received 23/11/2023 by the City Council, as Local Planning Authority.

-Design & Access Statement DESIGN AND ACCESS STATEMENT UPDATE received 23/11/2023 by the City Council, as Local Planning Authority.

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) Prior to commencement the first use of the development hereby approved, the details with regard to boiler emissions shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to use, any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or whilst the boiler is in operation.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse to 138312/FO/2023

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:

-Drawing - Proposed DR-A-(02)007 PLAN received 10/11/2023 by the City Council, as Local Planning Authority.

-Drawing - Proposed DR-A-(02)004 P01 ELEVATION

-Drawing - Existing & Proposed DR-A-(02)005 P01 ROOF PLAN
received 23/11/2023 by the City Council, as Local Planning Authority.

-Design & Access Statement DESIGN AND ACCESS STATEMENT UPDATE received 23/11/2023 by the City Council, as Local Planning Authority.

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.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

The Stoller Hall, 8 Hunts Bank Approach, Manchester, M3 1DA

Flat At, Chethams School Of Music, Long Millgate, Manchester, M3 1SB

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

Conservation Area - Cathedral Conservation Area 1972

Flood Zones Type 2 (low to medium risk) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: CENTRAL