MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138430/FO/2023
Date registered valid:	10 November 2023
Proposal:	Listed Building Consent for the replacement of a 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.

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/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.

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