

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137790/FO/2023
Date registered valid: 17 August 2023
Proposal: Installation of sump pump enclosure
Address: Samuel Alexander Building , Oxford Road, Manchester , M13 9PL
Ward(s): Hulme Ward

Applicant: Mrs Joanna Broadhurst University of Manchester
Agent (if any):
Case officer: Tony Mitchell
Tel: 0161 234 4776
Email: anthony.mitchell@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 13/12/2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 24 August 2023 Expired: 14 September 2023

Neighbour notifications

Printed: 24 August 2023 Expired: 14 September 2023

Site notice

Posted: 24 August 2023 Expired: 14 September 2023

Press advert

Published: 5 August 2023 Expired: 19 August 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: NA

Tree Preservation Order: NA

Description of area

The site lies within the Samuel Alexander building external quadrangle area.

The Samuel Alexander Building, is located on both Lime Grove and Oxford Road. The building is a grade II listed building and also possesses a group value for its functional relationship with the other listed university buildings on the west side of Oxford Road forming part of the campus.

Description of development

The proposed works within the Samuel Alexander building quadrangle area are focussed within the duct tunnel situated below ground to one section of the external quadrangle area and the installation of a new pump chamber above ground directly above the sump (sump is contained in the duct tunnel).

The works would comprise of the following:

- Removal of existing insulation to the steam and condensate pipework contained below ground in the duct tunnel and reinsulate with new (note: asbestos containing materials are present in the duct and as part of this project asbestos abatement works are being undertaken to clean the duct)
- Removal of damaged condensate pipework and replacement with new pipework, including new bracketry

- Provision of 2 No. non-submersible sump pumps (Duty/ Standby) located above ground within weatherproof housing with suction pipework removing confined space working for maintenance operatives.
- The weatherproof housing noted above measures 1650 mm wide x 1650 mm deep x 900 mm high which will be housed above the sump in the locality of the previously known pump enclosure.

Consultations & Notification Responses

The application was advertised in the Press, Notices placed on site and neighbours notified. No representations have been received as a result.

Environmental Health – Recommended a condition to control noise.

Issues

Planning Policy National Planning Policy Framework –

The following Policies are of relevance to this application: The NPPF places great emphasis on the role of decision makers to promote sustainable development. Paragraph 8 advises that sustainable development has three dimensions: 'economic', 'social' and 'environmental'. The objective of sustainable development is summarised as meeting the needs of the present without compromising the needs of future generations to meet their own needs (Paragraph 7). So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (Paragraph 10). Plans and decisions should apply a presumption in favour of sustainable development (Paragraph 11). Applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise (Paragraph 47). Planning policies and decisions should aim to achieve healthy, inclusive and safe places which amongst other things promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each; are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and enable and support healthy lifestyles, especially where this would address identified well-being needs (Paragraph 92). Planning should achieve high quality design for all developments. Developments should: function well and add to the overall quality of the area; be visually attractive with appropriate and effective landscaping; be sympathetic to local character and history; maintain a strong sense of place; create places that are safe, inclusive and accessible and promote well-being; and where the fear of crime does not undermine the quality of the environment (Paragraph 130). Recognising that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations (Paragraph 189). Section 16 Conserving and enhancing the historic environment – states that in determining planning applications, local planning authorities should take account of: • the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; • the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and • the desirability of new development making a positive contribution to local character and distinctiveness. And that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage

assets are irreplaceable, any harm or loss should require clear and convincing justification. It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of “sustainable development” (NPPF Paragraph 8). In order to meet this key planning objective, in this instance the development should sustain and contribute to the stimulation of a thriving historic environment. Paragraph 199 states that: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 states that: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional. Paragraph 201 states that: Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use. Paragraph 202 states that: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Sections 16, 66 and 72 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings and conservation areas.

The alignment with the above policies is discussed below.

Core Strategy – Manchester Core Strategy - The Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11 July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. The following policies are considered to be most relevant to the proposed development:

The Core Strategy, adopted in July 2012, is the key Development Plan Document against which proposals should be judged. Core Strategy objectives and policies of particular relevance to the proposed scheme include:

Policy DM 1 ‘Development Management’ states that all development should have regard to a wide range of impacts. Matters of relevance to this development are: - Provision of appropriate design, materials and detail; - Provision of an environment which is fully accessible for disabled people; - Provision of a safe and secure environment; - Provision of landscaping; and - Provision of biodiversity benefits.

Policy EN 1 ‘Design Principles and Strategic Character Areas’ states that wherever possible the opportunity should be realised to enhance existing open spaces and maintain the City’s permeability.

Policy EN 3 'Heritage' states that new development should 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. The Heritage Statement which supports this application considers the heritage impacts and benefits of the proposed works. Policy EN 9 'Green Infrastructure' states that new development will be expected to maintain existing green infrastructure in terms of its quantity. Where the opportunity arises and in accordance with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality of green infrastructure and improve the performance of its functions. Saved Policies of the Unitary Development Plan for Manchester (July 1995) The Unitary Development Plan (UDP) was superseded by the Core Strategy. However, a number of UDP policies have been 'saved'. No policies contained within the UDP are identified which are relevant to the proposed scheme.

Potential amenity impacts for adjacent uses.

The proposed works will be contained within the external quadrangle and would not be visible except from within this space.

The only visible structure would be a weatherproof housing which measures 1650 mm wide x 1650 mm deep x 900 mm high, this would be housed above a sump in the locality of the previously known pump enclosure.

MCC Environmental Health recommends a condition controlling noise. Therefore subject to a condition as recommended by Environmental Health and one which controls materials and finishes it is considered that the proposals are judged to be in accordance with Core Strategy policy DM1 and relevant provisions of the NPPF.

Heritage impacts.

The works are regarded to have no negative impact on the described significance of the surrounding listed buildings and would not it is considered cause sufficient harm to their setting as to warrant the application being refused. As such it is demonstrated that the proposal is consistent with paragraph 195 of the NPPF which requires that harm to a heritage asset's conservation is minimised or avoided.

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 in a positive and proactive manner to seek 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:

PN8232.01_Design and Access Statement 7 August 2023

PN8232.02_Heritage Statement 7 August 2023

01_Location Plan 7 August 2023

02_Elevations 7 August 2023

03_Alternative Locations 7 August 2023

19939-HYD-XX-XX-Y-TN-1001 Noise Impact Assessment 7 August 2023

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 a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme 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 development 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.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

University Of Manchester Student Union, Steve Biko Building, Oxford Road, Manchester, M13 9PR

Telephonica O2 Site No 12485, Communication Station On Roof Of, Steve Biko Building, Oxford Road, Manchester, M13 9PR

Northern Examinations And Assessment Board, Devas Street, Hulme, Manchester, M15 6EX

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

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: CENTRAL