

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136650/FO/2023

Date registered valid: 25 April 2023

Proposal: Installation of new roof covering and undertaking of repairs to the brick parapet walls; installation of freestanding collapsible guardrail system to flat roof perimeter

Address: Mary Worthington Wing, Ashburne Hall, Old Hall Lane, Rusholme, Manchester, M14 6HP

Ward(s): Fallowfield Ward

Applicant: Mr Gregory Farmer University of Manchester

Agent (if any): Mr G Farmer Manchester University

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 27.06.2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 25th May 2023

Standard consultations:

Printed: 15 May 2023 Expired: 5 June 2023

Neighbour notifications

Printed: 15 May 2023 Expired: 5 June 2023

Site notice

Posted: 25 May 2023 Expired: 15 June 2023

Press advert

Published: 23 May 2023 Expired: 6 June 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: N/A

Tree Preservation Order: N/A

Description of area

Ashburne Hall is a University of Manchester hall of residence for students on the Fallowfield Campus, situated 2 miles (3.2 km) south of the main university campus (the Oxford Road Campus). Ashburne Hall (Lees, Mary Worthington, Ward and Central block), including the Alice Barlow memorial gates and Ashburne Hall Lodge are Grade II listed buildings, being listed in June 2012. Ashburne Hall was designated because:

Ashburne Hall, a hall of residence by Sir Percy Scott Worthington, 1910-1933, including the Alice Barlow memorial gates, 1924, and Ashburne Hall Lodge, 1926, both by Sir (John) Hubert Worthington:

- Historic interest: as an early example of a purpose-built Hall of Residence and one of the first women's halls of residence in England, it also has interest in the history of women's higher education;
- Architectural interest: as high quality examples of the work of both Sir Percy Scott Worthington and Sir (John) Hubert Worthington, two of the most successful architects of this prolific and renowned architectural dynasty;
- Group value: the halls, gates and lodge form a functional group, the separate parts of which have been designed to complement each other, as well as the pre-existing Behren's House (c.1830, Grade II);

- Historic association: the hall has connections with historic figures of note including Viscount Morley of Blackburn, whose collection of books is housed in the library, and celebrated children's author Alice Uttley.

The application site sits within the wider UoM Fallowfield Campus although at the northern extent with the adjacent Whitworth Lane forming the eastern boundary of the Campus in this location. To the east of the application building are smaller scale two storey residential properties with a mix of recent infill residential development (Redshaw Lane) and older pre-war detached and semi-detached residential properties on the southern side of Old Hall Lane, with Manchester Grammar School to the northern side.

Description of development

The application proposals relate to the replacement of the roof covering of the existing flat roof element of part of Ashburne Hall known as the Mary Worthington Wing. This part of the listed building is located at the rear elevation facing Whitworth Lane. A listed building consent application accompanies this full application and includes works to undertake maintenance and repair of existing stone copings, localised rebuilding and re-pointing of parapet walls; and, alterations to gutter outlets to accommodate the increased height of the flat roof. In addition to these works to the fabric of the listed building it is also proposed to install a freestanding collapsible guardrail system located behind the parapet walls to the perimeter of the flat roof, the proposed handrails are for edge protection when access is required for maintenance on the flat roof (gutter clearing). The guard rails are collapsible and will only be in the raised position when access is required on the flat roof.

Consultations & Notification Responses

The application was subject to advertisement in the Manchester Evening News and site notice in respect of the application affecting a listed building. In addition, nearby residential properties were notified of the proposals. No responses were received.

Policies

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The adopted development plan consists of the Core Strategy (adopted 2012) and the saved policies of the Unitary Development Plan. Due consideration in the determination of the application will also need to be afforded to national policies in the National Planning Policy Framework (NPPF) which represents a significant material consideration.

Core Strategy Development Plan Document

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) 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.

Relevant policies in the Core Strategy are detailed below:

Policy SP1, Spatial Principles - Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy EN 3, Heritage - Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

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 scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Policy DM1, Development Management - This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- o Appropriate siting, layout, scale, form, massing, materials and detail.
- o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- o Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- o Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- o Community safety and crime prevention.
- o Design for health.
- o Adequacy of internal accommodation and external amenity space.
- o Refuse storage and collection.
- o Vehicular access and car parking.
- o Effects relating to biodiversity, landscape, archaeological or built heritage.
- o Green Infrastructure including open space, both public and private.
- o The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- o Flood risk and drainage.
- o Existing or proposed hazardous installations.
- o Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques

Saved UDP Policies - Policy DC19 is considered of relevance in this instance:

Listed Buildings - Policy DC19.1 states that in determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. In giving effect to this policy, the Council will:

- a. not grant Listed building consent for the demolition of a listed building other than in the most exceptional circumstances, and in any case, not unless it is satisfied that every possible effort has been made to continue the present use or to find a suitable alternative use;

- b. not permit a change of use of a listed building, where it would have a detrimental effect on the character or appearance of the building;
- c. not permit any external or internal alteration or addition to a Listed building where, in its opinion, there would be an adverse effect on its architectural or historic character;
- d. seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by the preservation of trees and landscape features;
- e. permit demolition only where there are approved detailed plans for redevelopment and where there is evidence of a firm building contract;
- f. not permit alterations to a listed building which would prevent the future use of any part of the building, in particular upper floors or basements, or where poor maintenance is likely to result.

The National Planning Policy Framework (July 2021)

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Plans and decisions should apply a presumption in favour of sustainable development which for decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Section 16 (Conserving and enhancing the historic environment) states that in determining planning applications, local planning authorities should take account of:

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c. the desirability of new development making a positive contribution to local character and distinctiveness.

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.

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

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.

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.

Issues

Principle - The general principle of the repair and maintenance works to a listed building are acceptable subject to consideration of the impacts on the fabric of the listed building and in this instance further consideration of the visual amenity impacts of the proposed guardrail to be installed.

Impacts on the listed building - The applicant has provided a proportionate Heritage Assessment to accompany the application. This identifies that the proposed work would have minor negative impact on the heritage asset. Whilst it is acknowledged that there would be minimal change to the external appearance of the building as the new flat roof covering would be obscured by brick parapets walls, it is noted that the guardrails are collapsible and would only be erected when the maintenance work is being carried on the roof such as clearing gutters. Further consideration of the consequential changes required to some of the listed building fabric are considered in the accompanying listed building application (reference 136651/LO/2023). In this instance the proposals are considered to lead to less than substantial harm to the significance of a designated heritage asset and the public benefits derived from the continuing maintenance of the asset together with improvements to the buildings thermal comfort through the upgraded roof covering are considered in this instance to outweigh the identified harm.

Visual amenity - The proposed guardrail would sit approximately 1 metre from the top edge of the revised roof covering when extended. The guardrail would sit behind the parapet of the roof which has a height of approximately 900mm. Given the guardrail is set back from the parapet and would only be extended when required it is not considered that the proposals would give rise to unacceptable visual impacts to the area or to the appreciation of the listed building. A condition is proposed to ensure that the guardrail is only extended when in use.

Residential amenity – The proposals are not considered to give rise to impacts on residential amenity. Access to the roof is unchanged with the provision of the guardrail a safety feature to allow safe maintenance practices to be observed when such works are required.

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

The application has been determined in a positive and proactive manner. In this instance further information was requested in relation to some of the works to the building fabric. Additional drawings were provided and in this instance appropriate worded conditions are proposed.

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 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:

Drawings: 103 Rev A - Roof Plan - Proposed works; SK01 Typical Section Through Rear; SK02 Typical Section Through Wall/Roof Abutment ; SK01 'Rear elevation - Whitworth Lane' all as received on the 20th June 2023

Heritage Impact Statement PN8311 as received on the 31st March 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) The collapsible guardrail to be installed to the roof as identified within the approved plans and Heritage Impact Statement shall remain in a down (collapsed) position and shall only be extended to a raised position when access to the flat roofs as indicated on the approved plans is required to carry out maintenance works to the roof.

Reason - In the interests of the visual amenity of the area and the setting of the listed building to which the guardrail is installed on, pursuant to policies EN3 and DM1 of the Core Strategy and the NPPF.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design
Rusholme, Fallowfield & Moss Side Civic Society

Firs Farmhouse, Whitworth Lane, Manchester, M14 6HF
8 Redshaw Close, Manchester, M14 6JB
1 Redshaw Close, Manchester, M14 6JB
4 Redshaw Close, Manchester, M14 6JB
5 Redshaw Close, Manchester, M14 6JB
3 Redshaw Close, Manchester, M14 6JB
10 Redshaw Close, Manchester, M14 6JB
6 Redshaw Close, Manchester, M14 6JB
2 Redshaw Close, Manchester, M14 6JB

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 Zone - All Exceeding 90M
Area Team Boundary - Name: SOUTH AREA