

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135556/VO/2022

Date registered valid: 30 November 2022

Proposal: City Council Development for the erection of a single storey side extension to the boatstore to form WC

Address: Heaton Park, Middleton Road, Manchester, M25 2SW

Ward(s): Higher Blackley Ward

Applicant: Mr Philip Schofield, Manchester City Council

Agent (if any): Mr Philip Schofield, Manchester City Council

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 25 January 2023

Application details

Type of application: Regulation 3 Consent

Development type: Minor Dwellings

Date of site visit: 12 Dec 2022

Standard consultations:

Printed: 8 December 2022 Expired: 29 December 2022

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 19.12.2022

Expired: 09.01.2023

Press advert

Published: 13 December 2022

Expired: 3 January 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade I

Conservation area: No

Tree Preservation Order: NO

The application site lies within Heaton Park which is a Grade II listed Heaton park is located north of Manchester city centre. The park forms the setting to Heaton Hall (Grade I listed) and comprises 250 hectares of park, pasture, woodland lakes and an 18 hole golf course. The application site lies in close proximity to the tram museum on a tarmacked road areas flanked by mature Ash trees.

The application seeks planning permission for an extension to the Boatstore within Heaton Park to house a new Disabled Changing Places Facility.

Consultations & Notification Responses

The application was advertised in the local press as affecting the setting of a listed park and a site notice was erected close to the site. No representations were received.

The Urban Design and Conservation Team were consulted and raised no objection to the proposal subject to samples of render/brick panel to be conditioned and an appropriate materials condition has been added to the consent.

Greater Manchester Police were consulted and no representations were received.

The Garden Trust were consulted and raised no objection to the proposal.

Issues

National Planning Policy Framework - This sets out the Government's Planning Policies for England and how these are expected to be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that the planning system should perform:

Section 16 of the NPPF outlines the Government's objectives in terms of conserving and enhancing the historic environment.

6. Conserving and enhancing the historic environment.

189. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and 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.

190. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation.
- b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.
- c) the desirability of new development making a positive contribution to local character and distinctiveness; and
- d) opportunities to draw on the contribution made by the historic environment to the character of a place

This scheme has been designed to respect the character and appearance of nearby heritage assets and is in broad accordance with the requirements of NPPF. The proposed

Core Strategy

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.

The following specific policies are considered to be particularly relevant to the proposed development:

Policy EN 3 (Heritage) - this states that 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 of the Core Strategy sets out that development should have regard to:

- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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.
- 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.

Policy SP1- Spatial Principles

Policy SP1 advises that the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.

Policy EN 13 - Green Belt

Policy EN13 states that the extent of Green Belt in Manchester will be amended in the vicinity of Manchester Airport, in accordance with policy MA1. Otherwise, there are no amendments to the Green Belt boundary to be effected through the Core Strategy. This does not preclude further consideration of sites currently within the Green Belt through subsequent Development Plan Documents. The whole of Heaton Park falls within the Green Belt. Given the nature of the proposed development being a minimal physical intervention. Therefore, it is considered that the scheme would not detract from visual amenities of the Green Belt.

Policy EN 14 - Flood Risk

In line with the risk-based sequential approach, development should be directed away from sites at the greatest risk of flooding, and towards sites with little or no risk of flooding; this should take account of all sources of flooding identified in the Manchester-Salford-Trafford Strategic Flood Risk Assessment (SFRA).

The Heaton Park Character Area is a large, historic Grade II listed Municipal Park, containing a number of historic structures dating from its original use as a country estate. It is used for a mix of formal and informal recreation opportunities in a primarily informal landscape. It is the highest point in the City. A continuation to its historic landscape character as parkland with informal groups of trees, to enable the accommodation of the existing range of leisure activities is expected.

Unitary Development Plan - saved policies

Saved UDP policy DC19.1 (Listed Buildings) states that in determining applications for listed building consent or applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, the Council will have regard to, amongst other things, protecting their general setting. The Council will seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity. The proposed extension would lie between two buildings that have been in situ a number of years. and serve to improve public toilet facilities for visitors to the park with minimal impact on the listed buildings and structures within the park.

For the above reasons, the proposal is considered to be acceptable and consistent with policies EN3 and DM1 of the Core Strategy and saved policies DC19.1 of the Unitary Development Plan.

ISSUES

Scope of Works

It is proposed to extend the boatstore on the western shore of the lake to house a Disabled Changing Places Facility which will sit between the boatstore and the café building, which has existing publicly accessed W.C.s.

Currently, there is a brick wall, a timber fence and gates in this location which screens the bin store. The proposal is to demolish the wall and fence and retain the timber gates in the same location to access the bins and provide egress in case of fire from the boatstore.

It is proposed to remove the disused concrete slab once used as a plinth for vending machines and to rehang the door to the café W.C. on the opposite side providing a more sensible arrangement with the public not having to walk around the door to access the toilets.

Visual Amenity

The proposal is to provide an extension to the boatstore in the existing style and with materials to match. The boatstore was built in the style of the adjacent café and with similar materials. It is planned to continue this approach and extend the boatstore using the same materials with matching roof tiles, fascia & soffit boards, render and brickwork. A material condition has been requested by the conservation officer which has been attached to the consent.

It is considered that the proposed scheme has been designed to be sympathetic to the character and appearance of the listed park and nearby heritage assets. The proposal would improve the signage for the visitor facilities within the historic park, and thus aid the experience of visitors using the park and help to facilitate increased visits to the park by the public .

Access to the new Facility

It is proposed that access to the new facility will be level with no obstacles to the disabled users who will use the facility.

Drainage

A channel drain as shown on the plans in front of the access door to drain water in the absence of a cill to ensure water run off would be dealt within in an acceptable manner.

Design and Appearance and impact on Listed Building/ setting of the Listed Park

Sections 16, and 66 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. Development decisions should, therefore, accord with the requirements of the NPPF and in the case of the proposed demolition, to section 16 (Conserving and Enhancing the Historic Environment).

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development" (NPPF Paragraph 2). In order to meet this key planning objective, in this instance, it is essential to ensure that the development of the site sustains and contributes to the stimulation of a thriving historic environment.

Paragraph 190 of the NPPF 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.

Paragraph 199 of the NPPF 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.

It is not considered that the infill extension would detract from the appearance of the listed parkland, given the siting and appearance.

In view of the above it is considered that the proposed development would on balance be consistent with sections 2 and 16 of the National Planning Policy Framework policies SP1, DM1, and EN3 of the Core Strategy and saved UDP policy EN3 and DC19.

Conclusion

The scheme would facilitate the enhancement of facilities at a visitor attraction within Heaton Park. It is considered that the impact of the works on the character and appearance of the listed park would not diminish the historic qualities of the landscape and are therefore acceptable. Furthermore, the proposed extension would comprise a neutral new addition to the 20th century building, with no impact on the special interest of the registered park & garden and have no objections to the current scheme.

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 proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance the local planning authority had no issues to raise with the applicant/agent but have attached appropriate conditions to the approval.

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:

WSP-MCC-45423-DR-A-0003 and the Design and Access Statement, stamped as received on the 22 November 2022 and WSP-MCC-45423-DR-A-0004, stamped as received on the 30 November 2022.

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) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Greater Manchester Police
Urban Design & Conservation
The Gardens Trust

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
Green Belt Land - Green Belt Area (LDF)
Green Belt Land - Greater Manchester Green Belt Local Plan 1984
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA