

Planning

Growth & Development

Delegated officer report for planning application

Application no.	135678/LO/2022
Date registered valid:	6 December 2022
Proposal:	Listed Building Consent for internal alterations to the Henshaw Building.
Address:	St Bedes College, Alexandra Road South, Manchester, M16 8HX
Ward(s):	Whalley Range Ward
Applicant:	St Bedes College
Agent (if any):	Paul Gill PLG Design Ltd
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	16 March 2023

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Standard consultations:

Printed: 4 January 2023 Expired: 25 January 2023

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 6 January 2023 Expired: 27 January 2023

Press advert

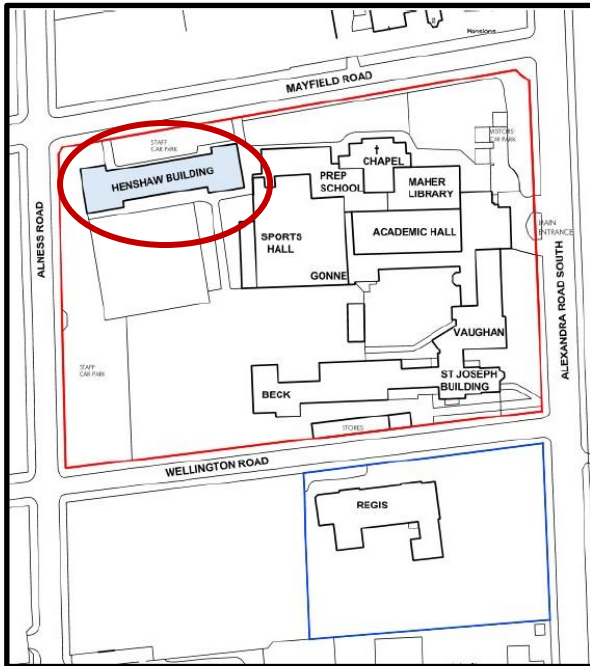
Published: 10 January 2023 Expired: 31 January 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

This application relates to the Henshaw Building within the St. Bede's College campus. The Henshaw Building dates from the 1930, is three storeys in height and fronts Mayfield Road. Its location is shown below:



Listed building: Grade II
Conservation area: Whalley Range Conservation Area 1992
Tree Preservation Order: No

Description of development

As the Henshaw Building is located within the curtilage of a grade II listed building any alterations to it must first achieve Listed Building Consent. Accordingly, the applicant has submitted a Listed Building Consent application for the reopening of a ground floor corridor which had been closed off to form ancillary accommodation.

In undertaking this work the applicant is proposing to open up previously closed up doors; remove suspended ceilings and plaster board walls; undertake works required for fire safety. In more detail:

- Door infilled to existing WC
- Removal of two existing walls to the male and female toilets to form unisex toilets
- Removal of wall to meeting room/lobby
- Removal of stud walls to corridor – forming Admin Offices, H15A Chemistry Room and storage
- Infilling of non-original window
- Formation of new door to room H15
- Removal of stud wall and door
- Installation of wider fire escape door to corridor

The drawings below show the existing and proposed layouts of the ground floor corridor and the elements that are to be removed and added:

partitioning. A new doorway, to match existing timber door and frame to classroom H15 would be supported. The proposed new doorway to H16 (D006) should also match the existing. The existing original/historic Art Deco features to the arches, as perceptible underneath the paintwork, should be retained.

- The proposal to remove non-original flooring and retain/expose timber and terrazzo flooring throughout the GF, except for selected areas, is supported. Other historic/original features and finishes, including dado rails, architraves, skirtings and panelling across the GF should be retained and left exposed.
- The removal of suspended ceilings across the corridors is supported and would enhance the architectural and aesthetic interest of the asset.
- It is recommended that the paintwork from the corridor adjacent H15 and H16 is carefully stripped, and that should the original tiling and finishes survive, these to be exposed, to match the existing tiled walls to the east.
- Contingent on minor amendments and safeguards, the proposal would preserve and enhance the special interest of the Grade II listed building, and comply with Paragraphs 189, 195, 197, 199, 200 of the NPPF, Policy EN3 of the Manchester City Core Strategy and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. In consequence, the application would be supported on heritage grounds.

Policies

The National Planning Policy Framework July 2021 (NPPF) – The National Planning Policy Framework 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 National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking 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.

In addition to the above, Section 16 (*Conserving and enhancing the historic environment*) is of relevance:

Paragraph 197 in Section 16 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.

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.

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.

Paragraph 207 states that not all elements of a Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area should be treated either as substantial harm under paragraph 200 or less than substantial harm under paragraph 201, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole.

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 a number of issues, in this instance the most relevant is the effects upon the archaeological or built heritage.

Saved UDP Policies – Policies DC18 and DC19 are considered of relevance in this instance:

Policy DC18, *Conservation Areas* – Policy DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas by taking into consideration the following:

- a) The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i. the relationship of new structures to neighbouring buildings and spaces;
 - ii. the effect of major changes to the appearance of existing buildings;
 - iii. the desirability of retaining existing features, such as boundary walls, gardens, trees, (including
 - iv. street trees);
 - v. the effect of signs and advertisements;
 - vi. any further guidance on specific areas which has been approved by the Council.
- b) The Council will not normally grant outline planning permission for development within Conservation Areas.
- c) Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area.
- d) Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.
- e) Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

Policy DC19, *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.

Issues

Impact on the Listed Building – The proposed works centre around the reintroduce of the ground floor corridor to the Henshaw Building, which has been screened off and used for Admin and Preparation Areas for a number of years. This requires the removal of later interventions e.g. doors and stud walls and the opening up of previously screened off doors.

On the whole Heritage and Urban Design have no objections to the proposed work and recognise that they would help reverse previous interventions. However, they did raise concerns about the proposed works to the new openings for rooms H16/H15, the infilling of an arched opening on the ground floor and the widening of a door to the corridor. The applicant was informed of these concerns and submitted revised drawings which

- Replaced door D06 with a screen/door to match door D07
- Omitted one infill wall to room H16 with a new door screen and door D13, again to match door D07
- Door D10 with a door and wall to be able to provide a correct fire rating, but set back so the original arch is retained from the corridor side

The only aspect of the proposal they have not be able to change is the new wider opening to the corridor as this particular door needs widening for fire escape purposes (required following a recent fire risk assessment). It is also worth noting that it is of a similar opening to that on the upper floors.

As the applicant has amended the proposed, following receipt of the comments from Heritage and Urban Design and amended the scheme to overcome the majority of their concerns, it is not considered that the proposal would have a detrimental impact upon the character and fabric of this building.

The one element of the scheme that they have not changed is required for fire escape purposes and this is considered acceptable in this instance. Furthermore, the widening of this particular door is not considered sufficient a detrimental intervention to warrant refusal of Listed Building Consent.

Informative concerns paintwork and strip-out are suggested in this instance.

Impact on the Whalley Range Conservation Area – As the alterations to the Henshaw Building are all internal it is not considered that the proposal would have a detrimental impact upon the character of the Whalley Range Conservation Area.

Residential and Visual Amenity – Given the nature of the proposal, it is not considered that it would have a detrimental impact upon the existing levels of residential and visual amenity enjoyed within the vicinity of the site.

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 resolve any problems arising in relation to dealing with the planning application.

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:

- a) 00 P1, stamped as received on 6 December 2022
- b) PL01 P1, stamped as received on 6 December 2022
- c) PL02 P2, stamped as received on 31 January 2023

- d) PL03 P1, stamped as received on 6 December 2022
- e) PL04 P2, stamped as received on 31 January 2023
- f) PL05 P1, stamped as received on 6 December 2022
- g) Design and Access Statement, stamped as received on 6 December 2022

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

Informatives

1) Historic Features - Other historic/original features and finishes, including dado rails, architraves, skirtings and panelling across the ground floor should be retained and left exposed.

The paintwork from the corridor adjacent rooms H15 and H16 should be carefully stripped, and should the original tiling and finishes survive, these are to be exposed, to match the existing tiled walls to the east.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

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

Conservation Area - Whalley Range Conservation Area 1992

Flood Zones Type 2 (low to medium risk) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH AREA