

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133299/FO/2022

Date registered valid: 4 May 2022

Proposal: Installation of shipping container in the grounds of Levenshulme Old Library to be used to house the "Manchester Library of Things", a community facility to various goods (Class F2), for a temporary period of 2 years with ancillary landscaping, including a living bee garden on the roof and planters around the outside and formation of a new gated access to Barlow Road

Address: Levenshulme Library , Cromwell Grove, Manchester, M19 3QE

Ward(s): Levenshulme Ward

Applicant: Ms Laura Deane Levenshulme Old Library Levenshulme Library , Cromwell Grove, Manchester, M19 3QE

Agent (if any):

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 29 June 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 21 June 2022

Standard consultations:

Printed: 15 June 2022 Expired: 22 June 2022

Neighbour notifications

Printed: 15 June 2022 Expired: 22 June 2022

Site notice

Posted: 24 May 2022 Expired: 14 June 2022

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The old Levenshulme Library is an Edwardian building occupied by a variety of community uses, with the building managed by a charitable incorporated organisation (CIO). The site is located at the southern intersection of Cromwell Grove and Barlow Road. The area to the north and west of the site is predominantly residential, comprising 2-storey housing. However, there are some retail uses on the opposite Cromwell Grove and Barlow Road junction. To the south and east of the site are the open grounds of Chapel Street Primary School. The former Levenshulme Baths are located to the north-east of the site. The application site comprises of an ornate but unlisted single storey building comprising red brick elevations and stone detailing. The site benefits from hard and soft landscaped setting and ramped access to the front and rear of the building. The street boundaries are defined by steel railings positioned on top of stone plinths.



Fig.1 – Views within and from the application site

Description of development

The development relates to the siting of a steel container unit for a temporary period of two years. The container would be positioned within open space adjacent to the eastern elevation of the building. It would be positioned behind the principal elevation of the building.

maintaining the open setting at the front of the building. It would also be offset from the eastern site boundary. It would be sited in a lengthways configuration running in a north to south direction from the Barlow Road boundary. The container would have dimensions of 6 metres (length) x 2.43 metres (wide) x 2.6 metres (high). The container would be directly access via a newly inserted gateway designed to match the existing railing design on the Barlow Road boundary and be to a matching height.

The container would be used to facilitate the borrowing of useful, but rarely used goods that otherwise may be prohibitively expensive or difficult to source. The proposed opening hours would be:

Monday to Friday – 4.00 pm to 7.00 pm;

Saturday – 10.00 and to 2.00 pm;

Sunday and bank holidays – Closed.

Consultations & Notification Responses

Local residents – No comments received.

Environmental Health – No comments or objections.

Highway Services – No objection to the development based on the following comments:

- i. The site is accessible by sustainable modes and a range of public transport facilities.
- ii. It is unlikely that the development would generate a significant increase in the level of vehicular trips or raise any network capacity concerns.
- iii. A new pedestrian entrance with gate will be installed on Barlow Road to allow access to the garden area where the shipping container will be located. The gate should be inwardly opening in order to prevent obstruction on the adjacent footway.
- iv. On-site car parking and cycle parking will remain as existing, vehicles will use the existing access point on Barlow Road.
- v. Waste management arrangements are acceptable from a highway perspective.
- vi. The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Neighbourhood Team Leader (Arboriculture) – No comments received.

Greater Manchester Police Design for Security – No objection but the following recommendations are made:

- i. The steel storage container should be constructed from robust and anti-corrosive steel to withstand damage. Any steel doors should be fitted with a high security locking system to prevent forced entry.
- ii. The shutters and boxes should be tested to appropriate standard. It recommended that shutter boxes and guides are built into the fabric of the container where they would be less vulnerable to damage.
- iii. Closed closed-shackle padlocks should be used to secure the shipping container doors and shutters.
- iv. CCTV & Lighting provision should be reviewed to ensure that the new container is covered by both measures.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It provides a mechanism through 'which locally-prepared plans for housing and other development can be produced.' It states that 'at the heart of the Framework is a presumption in favour of sustainable development.' However, the Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Furthermore, the statutory status of the development plan remains as the starting point for decision making. In 'decision-taking', this means that development proposals that accord with the development plan should be approved without delay unless 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. The Framework has been related to the proposed development, with particular emphasis given to the following:

- i. Chapter 2: Achieving sustainable development - Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development by: meeting the needs of the present without compromising the ability of future generations to meet their own needs. Paragraph 8 states that in achieving sustainable development, the planning system has three overarching objectives, namely: economic, social and environmental. Paragraph 9 states that 'these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.' Paragraph 10 states that 'sustainable development is pursued in a positive way, the heart of the Framework is a presumption in favour of sustainable development'. The planning application has been assessed with the objectives of chapter 2 in mind. It is considered that these objectives have been accorded in relation to the continued sustained use of a characterful building, the delivery of local services and the re-use of household items.
- ii. Chapter 8 Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion (paragraph 92). It is considered that the development is appropriately related to the streetscene to aid natural surveillance. It is considered that both the container and existing security measures can be enhanced to secure appropriate site security.
- iii. Chapter 11: Making effective use of land - States that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. It also encourages the use of previously developed or 'brownfield' sites (paragraph 118). The proposed development would secure the continued use of developed land and buildings with historic character. The development would thereby be beneficial to the character of the area.
- v. Chapter 12: Achieving well-designed places - States that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (paragraph 124). In this case, the design of the external and internal work has been informed by the character of the existing building and is considered to be appropriate.

vi. Chapter 16. Conserving and enhancing the historic environment - Paragraph 194 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. In this case that proposed works would be proportionate and appropriately related to the character of the building as a heritage asset.

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In the following assessment of the proposed development has been given to the following aspects of the PPG:

- i. Consultation and pre-decision matters
- ii. Design
- iii. Health and well-being

The core principles and policy guidance contained within the PPG have been directly related to the assessment of the potential impact of the development on residential amenity, the character of the existing community building. It is considered that the proposed works would not be harmful to residential amenity and would help to secure the on-going sustained use of a building of historic significance.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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 policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles) - Specifies the core development principles for parts of the City. In this case, it is considered that the following principles have been positively responded to:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

It is considered that the development would aid community cohesion and provide access to goods and equipment that would enhance well-being and the quality of individual living environments. The applicant has indicated that arrangement will be put in place to secure

inclusive access into the site from the access gate via a pathway. The development would thereby be appropriately related to policy SP1.

Policy EN1 (Design Principles and Strategic Character Areas) - States that all development should be appropriately related urban design principals as set out in national planning guidance and listed above alongside policy to safeguard the character of the area in which the development is located. The development relates to a container unit with a limited siting period. The impact of its appearance would be reduced by its siting and potential future proposals relating to its painting and the incorporation of climbing plants and a green roof. In these circumstances and given the positive benefits of the proposal it is considered that the development would be appropriately related to policy EN1.

Policy EN 3 (Heritage) - 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. The proposed development would not unduly harm the historic character and setting of the adjacent non-designated heritage asset. On this basis policy EN3 would be complied with.

Policy EN 9 (Green Infrastructure) - Policy EN 9 states that new development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. The applicant has provided landscaping details that accord with the objectives of policy EN9.

Policy EN19 (Waste) - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. The sustainable waste management needs of the end user will be met.

The development would not affect the existing and retained waste storage arrangements that are located elsewhere within the site Policy EN19 would thereby be accorded with.

Policy T1 Sustainable Transport - Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport.

Policy T2 (Accessible areas of opportunity and need) - Discusses the relationship of development to transportation routes and the utilisation of sustainable transport modes. It states, amongst other things, that the Council will take account of the circumstances of each proposal to establish what level of parking is appropriate and whether proposals are likely to be access or transport issues.

The application site is located on a radial route with access to the public transport links (bus and rail) and cycle routes. The site is in a sustainable location and likely to be accessed on foot. Policies T1 and T2 would thereby be accorded with in terms of its accessibility via multiple transportation modes. The nature of the use would also encourage the use of cycles, which is considered to be beneficial.

Policy DM1 (Development Management) - 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. Relevant considerations in this case are:

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

- b. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- c. Effects on amenity;
- d. Accessibility;
- e. Community safety and crime prevention;
- f. Design for health;
- g. Adequacy of internal accommodation and external amenity space;
- h. Refuse storage and collection.

The development would secure community development without apparent harm to residential amenity or the character of the existing building and its context. Policy DM1 would thereby be accorded with.

Unitary Development Plan (UDP) saved policies -The following UDP policies are considered to be relevant:

Part 2 policy

Policy DC26 (Development and noise)

Policy DC26.1 has been related to the proposals contribution to the local noise environment, in relation to the operation of the proposed extension and the additional activity it may generate.

Policy DC26.4 requires that where an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, consideration is given to measures to deal with it satisfactorily. This particularly relevant given the proximity of the site to established residential uses.

Policy DC26.5 has been related to the assessment of the development, in terms of measures to control noise, including the provision of noise insulation.

Given the nature of the use, siting of the container, the frequency of opening and the characteristics of the existing community use, it is not considered that substantial noise disturbance would be caused by the development. Policy DC26 would thereby be accorded with.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. This includes the identification of issues and 'problems' associated with the proposals that have required positive consideration, dialogue and negotiation to secure positive outcomes.

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, sufficient information was provided with the planning application and further negotiation was not required.

Principle of the development – The community use was established through contemporaneous permitted change following the closure of Levenshulme Library. The site has an established community use and the development would be consistent with its on-going operation. The container would be accessible to the public at specific times during weekdays and on Saturdays. Items to be borrowed would be selected on-line and collected and returned at pre-

arranged times to reduce the time spent on-site. The related activity would be absorbed into the wider operation of the community use. The development would be consistent with re-use and recycle objectives. The principle of the use is considered to be appropriately related to the existing use and the surrounding context.

Temporary use – A condition has been included to allow the siting of the container for a limited period of two years. Upon expiry of the temporary period the site would need to be reinstated in accordance with and agreed landscaping condition. A separate condition has been included to ensure that the container is only used in connection with operation of the community centre and for no other purpose, including separate business undertakings.

Community engagement – The applicants have undertaken two consultation events at Levenshulme Market. At the time of application submission 141 survey responses were submitted that provided positive feedback and interests.

Highways – The most significant highways impact would be related to the short period of container installation. It is considered operation of the development would be absorbed into the wider use of the community centre and would thereby have a limited impact on the highway.

Car parking and Cycle storage - Provision would be maintained as existing. It is not envisaged that the development would generate significant traffic as it would respond to local needs and is likely facilitate the loan of smaller items that could be accessed without using a car.

Residential amenity – The container would be located close to the site boundary shared with the open space relating to Chapel Street School and screened by the host building. As there are no immediately adjacent houses and given the detail of the condition relating to operating hours for the container, substantial harm would not be caused to residential amenity.

Opening hours – The following opening hours have been specifically applied to the operation of the container unit in association with the Library of Things’:

Monday to Friday – 4.00 pm to 7.00 pm;

Saturday – 10.00 and to 2.00 pm;

Sunday and bank holidays – Closed.

These hours will aid the management of the site and safeguard residential amenity.

Hard and soft landscaping – The applicant has provided a soft landscaping scheme and a condition has been included to ensure that related planting is undertaken with the first full [planting] season following the implementation of the development. The applicant has confirmed that the level threshold will be provided from a route from the new gated access. A photomontage showing a footpath through a grassed area leading to the container has been provided. These details have been included for implementation as part of a condition.

Inclusive access – As stated, the applicant has confirmed that the level threshold will be provided from a route from the new gated access. Given the constraints of the site the provision of a ramped access to the container would not appear to be viable.

Noise – It is not apparent the development would present undue noise impact.

Conclusion – On balance, it is considered that the development would be a sustainable community resource that would be appropriately related to the immediate and wider context.

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 based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, sufficient information was provided with the planning application and further negotiation was not required.

Condition(s) to be attached to decision for approval

1) The permission hereby granted is for a limited period only, expiring on 29 June 2024 and the buildings, works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued. The land shall be reinstated within 2 months in accordance with a scheme previously approved, which shall include tree planting, and timetable of implementation to be submitted to and approved in writing by the City Council local planning authority before this permission expires.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 and in the interests of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents stamped as received by the City Council as local planning authority on 23 March 2022, 3 May 2022 and 4 May 2022:

Application forms

Location plan with a red edge

Site plan (indicating the siting of the container adjacent to the eastern side elevation of Levenshulme Old Library)

Photomontage showing gate in relating to Barlow Road boundary (amended by Site plan (indicating the siting of the container adjacent to the eastern side elevation of Levenshulme Old Library))

Container drawing with dimensions

Container structure drawings

Landscaping plan (Existing and proposed)

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 for the City of Manchester.

3) The authorised flat roof storage container unit, as detailed on the approved drawings, shall only be used in association with the operation of Levenshulme Old Library as a community centre (Class F2) and for no other purpose.

Reason – In the interests of residential amenity pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester.

4) The landscaping details specified in drawings referenced: Landscaping plan (Existing and proposed) shall be fully implemented within the first full planting season following the implementation of the development.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy for the City of Manchester.

5) Notwithstanding the opening hours of the Levenshulme Old Library, the storage container unit known as the 'Library of Things' shall only be open in accordance with the following hours:

Monday to Friday – 4.00 pm to 7.00 pm;

Saturday – 10.00 and to 2.00 pm;

Sunday and bank holidays – Closed.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

6) Prior to the container hereby approved being brought into use, a scheme including the finalised details of the proposed colouration and finish(es) of the container shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented in accordance with a timeframe to be agreed with the City Council as local planning authority.

Reason - To ensure that the development to be carried out respects the character and visual amenities of the area, in accordance with policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

Informatives

1) Guidance for developers can be found via the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

2) The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Greater Manchester Police

Chapel Street Primary School Infants Nursery Block, Chapel Street, Levenshulme, Manchester, M19 3GL

68 Ratcliffe Street, Manchester, M19 3QH

60 Ratcliffe Street, Manchester, M19 3QH

56 Ratcliffe Street, Manchester, M19 3QH

50 Ratcliffe Street, Manchester, M19 3QH

48 Ratcliffe Street, Manchester, M19 3QH

46 Ratcliffe Street, Manchester, M19 3QH

44 Ratcliffe Street, Manchester, M19 3QH

58 Ratcliffe Street, Manchester, M19 3QH

97 Cromwell Grove, Manchester, M19 3GD

163 Barlow Road, Manchester, M19 3HE

Levenshulme Public Baths, Barlow Road, Manchester, M19 3HE

Ground Floor Rear, Pear Tree Garage, Barlow Road, Manchester, M19 3HE

Ground Floor And First Floor, Pear Tree Garage, Barlow Road, Manchester, M19 3HE

Pear Tree Garage, Barlow Road, Manchester, M19 3HE

Flat Above, 106 - 108 Barlow Road, Manchester, M19 3EF

114A Barlow Road, Manchester, M19 3EF

Flat Above, 110 Barlow Road, Manchester, M19 3EF

Chapel Street Primary School, Chapel Street, Levenshulme, Manchester, M19 3GH

66 Ratcliffe Street, Manchester, M19 3QH

64 Ratcliffe Street, Manchester, M19 3QH

62 Ratcliffe Street, Manchester, M19 3QH

54 Ratcliffe Street, Manchester, M19 3QH

52 Ratcliffe Street, Manchester, M19 3QH

78 Cromwell Grove, Manchester, M19 3QE

99 Cromwell Grove, Manchester, M19 3GD

114 Barlow Road, Manchester, M19 3EF

112 Barlow Road, Manchester, M19 3EF

110 Barlow Road, Manchester, M19 3EF

106 - 108 Barlow Road, Manchester, M19 3EF

165 Barlow Road, Manchester, M19 3HE

161 Barlow Road, Manchester, M19 3HE

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

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH