

Application Number	Date of Appln	Committee Date	Ward
112123/LO/2016/S1	19 May 2016	20 Oct 2016	Whalley Range Ward

Proposal Listed Building Consent for the retention of a temporary marquee for a further 5 years

Location British Muslim Heritage Centre, College Road, Whalley Range, Manchester, M16 8BP

Applicant Trustees of the British Muslim Heritage Centre, British Muslim Heritage Centre, College Road, Manchester, M16 8BP,

Agent Mr Saghir Hussain, Create It Studios, Houldsworth Mill Business Centre, Houldsworth Street, Reddish, Stockport, SK5 6DA,

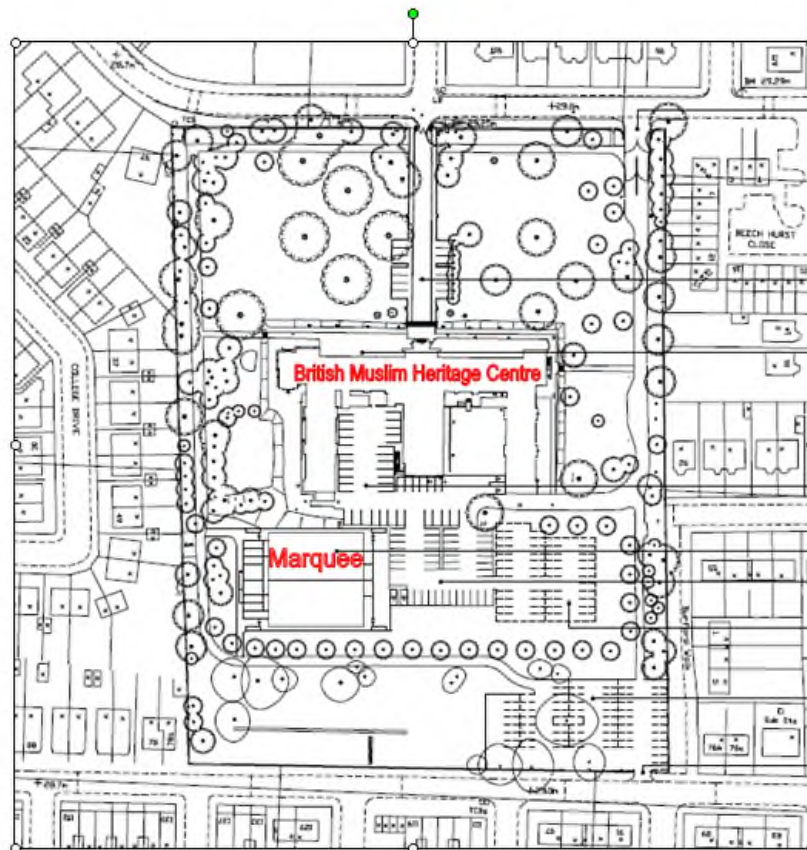
Description

The British Muslim Heritage Centre is a grade II* listed building, set in extensive landscaped grounds between College Road and Clarendon Road in the Whalley Range Conservation Area. Boundary treatment includes a stone wall and railings to College Road, and the gate posts and entrance here are grade II listed. This entrance is, however, rarely used and the main vehicle access is currently taken from the north east corner of the site on College Road. To the Clarendon Road boundary the wall is red brick with stone coping and patterns of slightly recessed panels. The building sits almost central to the site with more formal gardens to the north and hard standing and grassed areas to the south. There is significant, mature tree cover around the site. The area surrounding the site is predominantly residential, mainly a mix of terraced and semi-detached housing but with some larger detached properties in spacious grounds.

Planning Permission and Listed Building Consent (100277 and 100278) were granted in September 2013 for the siting of a marquee located on the hard standing and grassed area to the south of the west wing. The marquee was erected shortly after approval was granted and the structure is a standard white pvc and glazing construction with an internal area of 900 sq m. The height to eaves level is 4m and to the ridge is 8.9m. The structure also has ancillary accommodation for kitchens, toilets and bin storage, and it includes ramps and an entrance canopy.

The purpose of the marquee was to provide large floorspace for functions, such as weddings, attended by up to 600 people. Consent was sought for a temporary period of 3 years with hours of use from 9.00 am to 11.00 pm seven days a week, although it was stated at the time that it would be unlikely to be in use every day. The aspiration was to bring in funding from these activities to contribute towards longer term proposals for the site and the listed building.

Consent is now sought for the retention of the marquee for a further five years.



Application ref 112122 for planning permission for the retention of the marquee is also on this agenda.

Consultations

Ward Members - Councillors Angeliki Stogia and Councillor Aftab Razaq have written in to support the application. They comment that the British Muslim Heritage Centre has built an excellent reputation in the community and has become an integral establishment which hosts events that, among others, support social inclusions and community cohesion. They believe that BMHC has made strides since it first opened to integrate with and support local groups and the community, has also developed traffic plans and a process of continuous improvement and learning from events and activities held at the centre. The Councillors are in favour of granting an extension to the marquee which is an integral part of the invaluable work of BMHC.

Local Residents/Businesses

Seven objections were received and these relate mostly to the use and associated activity at the marquee, rather than the impact of the structure on the listed building. The comments are summarised below:

- The marquee and the activities held there are having a negative impact on the surrounding community, particularly due to noise pollution and lack of safety measures.
- Incidents of noise and anti-social behaviour - some resulting in Police involvement and complaints to the Council.
- The fabric of the marquee does not contain the noise.
- Traffic flow is badly managed.

- Management are happy to apologise for problems caused but repeatedly reoffend.
- Functions held have been highly disruptive and do not suit a residential area
- There is a lot of traffic to and from this building, sometimes late at night, and the road width does not allow for the amount of traffic and parking.
- Slow changes are being made to the visible exterior and these changes may continue and by accumulation affect the exterior presentation - demolition of boundary wall for car park entrance installation of electronic gates and parking control, gold painting to entrance gates, white chain link to drive-way and banners attached to external railings
- When does a 'temporary' marquee become a 'permanent' one? A five year extension seems a long time for something which is temporary
- If permission is granted then assurance should be sought that the other works approved previously around the site should be carried out in accordance with the approved drawings
- The residents of Clarendon Road have had to endure the temporary eyesore erected in haste and this would not have been allowed to continue for so long if it had been on the 'more attractive' College Road side of the site.
- The gates on Clarendon Road should not be used as a vehicle exit as this road is already congested.

Historic England - Do not wish to offer any comments on this occasion and state that the application should be determined in accordance with national and local policy guidance.

Whalley Range Forum and Whalley Range Conservation Area Group were also notified, and any comments received will be reported to Committee.

Policies

National Planning Policy Framework

The Framework is a material consideration in planning decisions and underlines that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The core message in the document is that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment as well as in people's quality of life.

Section 7 - Requiring good design - This guidance emphasises the importance of design to the built environment and its contribution to sustainable development and making places better for people and creating attractive, safe and accessible environments.

Paragraph 60 - states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness.

Paragraph 64 - states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions

Section 12 - Conserving and enhancing the historic environment - gives specific guidance on conserving and enhancing the historic environment; requiring assessment of the significance of the heritage assets and settings and the desirability of sustaining and enhancing those assets. It sets out the criteria that should be taken into account when assessing the impact of development on heritage assets when determining applications. Any harm caused to a heritage asset has to be justified in terms of the social and economic benefits of the proposal.

Paragraph 131 emphasises that in determining 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 132 advises 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.

Paragraph 134 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 securing its optimal use.

Development Plan

Manchester's Core Strategy Development Plan Document forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan although a number of the UDP policies remain extant.

Policy SP1 sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs. It also sets out the core development principles, including: creating well designed places, making a positive contribution to health, safety and well-being, considering the needs of all members of the community, and protecting and enhancing the built and natural environment.

Policy EN3 addresses historic and heritage features, with the aim to preserve or enhance the historic environment, including the character, setting and accessibility of areas and buildings of acknowledged importance.

Saved UDP Policy DC19.1 seeks to encourage the retention, restoration, maintenance and continued use of listed buildings and the protection of their settings.

Legislative Requirements - Sections 16(2) and 66(1) of the Planning (Listed Building and Conservation Areas) Act state that decision makers must have "special regard to the desirability of preserving the building or setting or any features of special architectural or historic interest which it possesses."

Issues

Impact on the listed building and its setting

Assessing significance is a key principle for managing change to heritage assets. A key objective of the NPPF is the 'desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation' (paragraph 126). The NPPF sets out a proportional approach; the more significant the heritage asset the greater the presumption in favour of its conservation.

The British Muslim Heritage Centre, formerly the Lancashire Independent College, is the most prominent building in the Whalley Range Conservation Area. The building was constructed in 1840s in the Gothic style and is constructed of sandstone with slate roofs. It has an elongated E-plan with the main range facing north and wings to the rear. The wings were reconstructed in the 1870s. The building is considered to be of exceptional significance for its historic, communal and aesthetic value as a fine and fairly rare example of an early 19th century Gothic revival building. Due to the hierarchy expressed in the architecture, the rear elevation and east and west wings of the building have less aesthetic significance than the main frontage. The building is set in spacious grounds with mature trees and it is considered that the open setting of the College was part of the original design concept.

The proposal does not include any works to the listed building itself and the stand-alone marquee structure is considered to have had little impact on the setting of the listed building. It is acknowledged that the marquee has some visual impact on the setting of the listed building, but its impact has been reduced by locating the marquee to the south-west of the listed building to avoid visual impact in key views. The marquee is visible in views from the end of Burford Road, but given the high boundary treatments and tree cover and the location at the rear of the main building, views of the marquee from elsewhere outside the site itself are limited, as are views of the marquee together with the listed building. The marquee is of a standard design and appearance, constructed of rigid pvc and glazing within aluminium framing. This simple, functional structure is not considered to detract from the more ornate detailing of this imposing listed building or its garden setting. The scale and massing of the marquee structure does not have an overdominant or overbearing impact on the listed building, and its impact on the setting of the listed building is considered to cause only slight harm, minimal and temporary. The marquee can be removed with no long-term impact on the heritage assets. In relation to the tests set within the NPPF it is considered that the minor harm caused is justified in this case by the public benefits of the scheme proposed.

Public benefits

For proposals that are likely to cause less than substantial harm to the significance of a designated heritage asset, the NPPF states that the harm should be weighed against the public benefits. This proposal is for the retention of a temporary structure

to meet a demand for function space. It would attract income for the BHMC which would contribute towards the on-going maintenance, repair and up-keep costs of the listed building and towards future development proposals. The proposal would also add to the range of facilities available in the area.

It is acknowledged that there are some public benefits to be derived from the retention of the marquee as put forward by the applicant, in that the use of the marquee would contribute funding to the up-keep of the listed building and the services provided by the British Muslim Heritage Centre.

Conclusion

Given the size of the marquee, high boundary treatments and tree cover around the site, and the location at the rear of the main building, it is considered that the development would not materially harm the heritage value of the listed building, its setting or the character and appearance of the conservation area. The retention of the marquee for a further temporary period would contribute towards maintaining the long-term future use of the listed building and would provide an additional community asset. On balance the level of harm is considered less than substantial and justified by the public and community benefits of the proposals.

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 the right to a fair hearing and to this end the Committee 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 Head 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 approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation TEMPORARY APPROVAL

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 application, and the application has been determined in accordance with the policies within the Development Plan.

Conditions to be attached to the decision

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.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 112123/LO/2016/S1 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

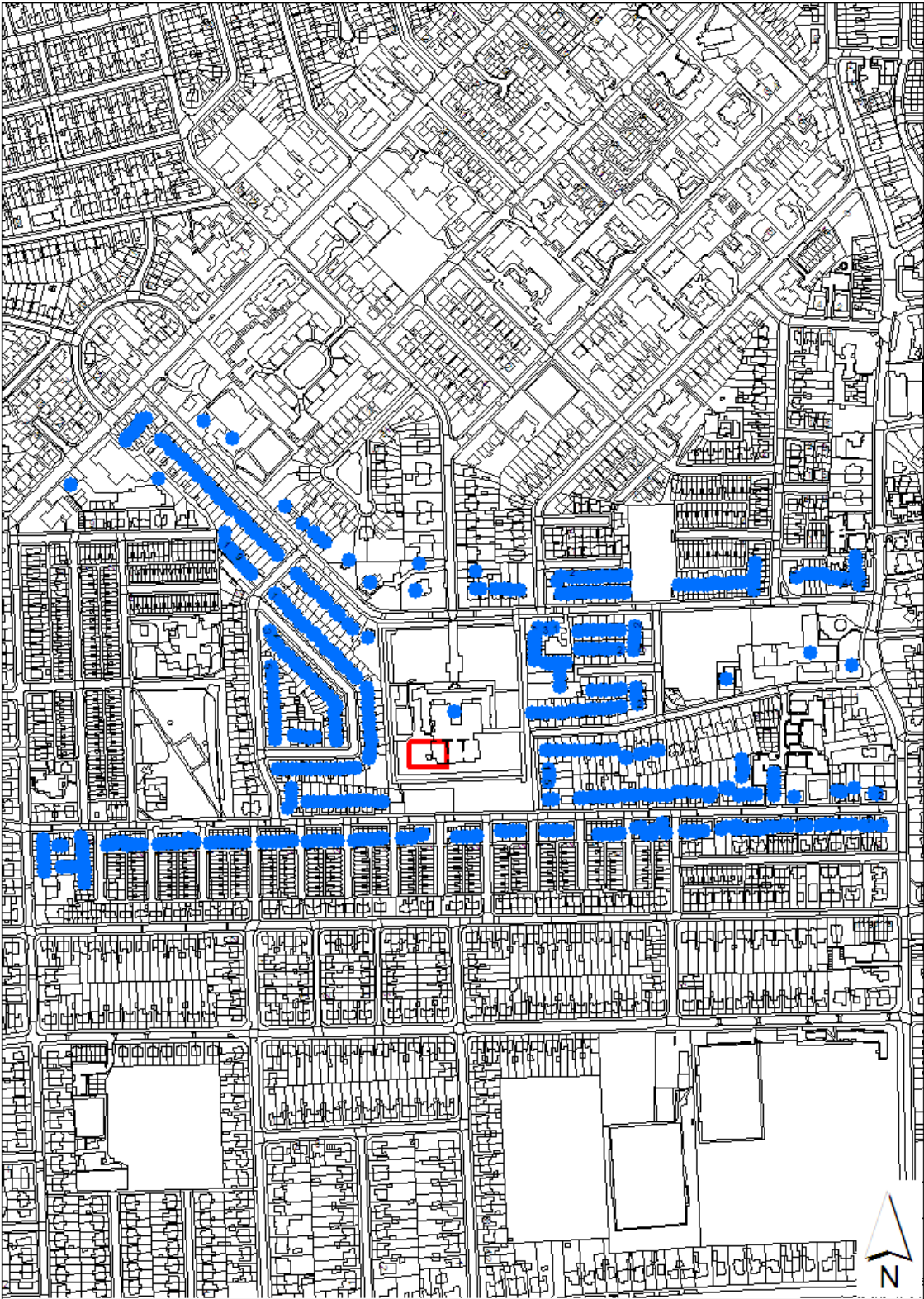
Historic England (North West)
Whalley Range Forum
Whalley Range Conservation Area Group

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

93 Clarendon Rd, Whalley Range, Manchester, M16 8JE
15B Clarendon Road, Manchester, M16 8LB
24 Burford Road, Whalley Range, Manchester, M16 8EL
4 Burford Road, Manchester, M16 8EL
26 Burford Road, M16 8EL
46 College Road, M16 8FH
14 Hazel Avenue, M16 8DY
98 College Road, M16 8BN

Relevant Contact Officer : Paula McGovern
Telephone number : 0161 234 4547
Email : p.mcgovern@manchester.gov.uk



□ Application site boundary ● Neighbour notification
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