

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133039/LO/2022

Date registered valid: 24 February 2022

Proposal: LISTED BUILDING CONSENT for the Installation of Communications Cabling

Address: Carlton House , 18 Albert Square, Manchester, Manchester, M2 5PE

Ward(s): Deansgate Ward

Applicant: Mrs J Brown Vodafone Limited Vodafone House, The Connection, Newbury, RG14 2FN

Agent (if any): Euan Pearson Pearson Planning Chartered Surveyor PO Box 28606, Edinburgh, EH4 9BQ

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 19 April 2022

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 8 March 2022 Expired: 29 March 2022

Site notice

Posted: Expired:

Press advert

Published: 15 March 2022 Expired: 5 April 2022

Departure from Development Plan: No

Environmental Statement: Not required

Listed building: Grade II

Conservation area: Albert Square Conservation Area 1972

Tree Preservation Order:

Description of Sites/Area

Carlton House was originally used as offices and a club designed by Clegg & Knowles (1872) in the Free Venetian Gothic style. The notable features are those on the elevation facing Albert Square. The interior was not inspected in 1974 and is not described in the official listing description.

The application site is located within the Albert Square Conservation Area.

Description of Development

The submitted applications seeks Listed Building Consent for the Installation of Communications Cabling.

Consultations & Notification Responses

Local residents and Businesses were notified as well as a site notice posted for 21 days however no responses were received.

Policies

The main policies considered relevant in this instance are:

The NPPF (2021) Section 16 (Conserving and enhancing the historic environment) in particular paragraph numbers 189, 199 and 202, Policies DM1 (Development Management), EN3 (Heritage), EN1 (Design Principles and Strategic Character Areas), CC9 (Design and Heritage) and SP1 (Spatial Principles) of the Adopted Core Strategy for the City of Manchester (2012),

and saved policies DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for Manchester (1995).

Legislation

Section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Listed Building Act") provides that "in considering whether to grant listed building consent for any works to a listed building, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"

Section 66 Listed Building Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and considerable importance and weight should be given to the desirability of preserving the setting. Members should consider whether there is justification for overriding the presumption in favour of preservation.

Section 72 of the Listed Building Act provides that in the exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area

Issues

The main issue is the impact on the character and appearance of both the listed building. The cabling will run up the rear elevation of Carlton House inside existing steel trunking to 1st Floor Level. The cabling will then be run perpendicularly to below the window of the stairwell. Here a hole, not exceeding 9cm in diameter, is drilled into the mortar joint and the cable taken into the stairwell. The cabling will follow existing plastic trunking, along the left-hand stairwell ledge, and enter the Server room via another drilled hole.

The applicant has agreed to drill through the mortar joint to reduce any damage to the brickwork and ensure the works can be reversible and easily repaired.

The proposed cabling is to the rear of the building not on the presentation to the Square. It is, therefore, considered that there would be no significant impact of the character or appearance of the Conservation Area.

Any instances of less than substantial harm to the listed building would be outweighed by the public benefits which are allowing asbestos remediation works to take place which will enable communications cablings to be brought inside the building which will help to maintain the building in a sustainable and viable use consistent with its conservation.

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

In assessing the merits of a planning application officers worked with the applicant in a positive and proactive manner to seek solutions to 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:

Received by the City Council as Local Planning Authority on 24 February 2022:

- Location Plan
- Proposed Rear Elevation
- Proposed First Floor Plan
- Design, Heritage & Access Statement

Reason : To ensure that the details of the development are acceptable to the City Council as local planning authority, pursuant to policies SP1, DM1 and EN3 of the Core Strategy.

3) Consent is granted on the basis that any holes are formed within the mortar joints or existing holes and not within the brickwork.

Reason : Because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies CC9 and EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Suite 1B First Floor, Carlton House, 16 - 18 Albert Square, Manchester, M2 5PF
Third And Fourth Floors, 2 Mount Street, Manchester, M2 5WQ
Ground Floor, 2 Mount Street, Manchester, M2 5WQ
First Floor, 2 Mount Street, Manchester, M2 5WQ
Second Floor, 2 Mount Street, Manchester, M2 5WQ
Basement And Ground Floor, 20 - 21 Albert Square, Manchester, M2 5PE
Third Floor, Carlton House, 16 - 18 Albert Square, Manchester, M2 5PR
First Floor, 1 Central Street, Manchester, M2 5WR
Fourth Floor, 1 Central Street, Manchester, M2 5WR
Ground Floor, 1 Central Street, Manchester, M2 5WR
18 Albert Square, Manchester, M2 6LW
Rajdoot Tandoori Manchester Ltd, Basement, 18 Albert Square, Manchester, M2 5PE
Second Floor, 1 Central Street, Manchester, M2 5WR
Third Floor, 1 Central Street, Manchester, M2 5WR
Second Floor, Carlton House, 16 - 18 Albert Square, Manchester, M2 5PF
Suite 1A First Floor, Carlton House, 16 - 18 Albert Square, Manchester, M2 5PF
2 Mount Street, Manchester, M2 5WQ
Ground Floor Left, Carlton House, 18 Albert Square, Manchester, M2 5PE
Second Floor, 20 - 21 Albert Square, Manchester, M2 5PE
Ground Floor Right, Carlton House, 16 - 18 Albert Square, Manchester, M2 5PF
4 Mount Street, Manchester, M2 5WG
The Albert Square Chop House, 14 Albert Square, Manchester, M2 5PF
16 Albert Square, Manchester, M2 5PF
1 Central Street, Manchester, M2 5WR
1 Southmill Street, Manchester, M2 5PH
Third Floor, 20 - 21 Albert Square, Manchester, M2 5PE
First Floor, 20 - 21 Albert Square, Manchester, M2 5PE

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Albert Square Conservation Area 1972
Area Team Boundary - Name: CITY1