MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	131379/LO/2021
Date registered valid:	16 August 2021
Proposal:	Listed Building Consent for the installation of external lighting; insertion of fire safety partition wall to ground floor lift lobby; new 8 person lift within existing lift shaft; insertion of internal doors to lift lobby at ground floor and corridors at upper floors; creation of smoke shaft adjacent to staircase B with chimney at roof level; creation of ventilation shaft to bin stores floors 1 - 5 with chimney at roof level; steps to staircase C within lobbies at floors 2 and 3; installation of ventilation shaft to existing lift shaft with chimney to roof; replacement of external door at lower ground floor level and associated external repair works
Address:	Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LH
Ward(s):	Miles Platting & Newton Heath Ward
Applicant:	Signature Victoria Mill Ltd (in administration) C/o Agent
Agent (if any):	Don Murphy Paul Butler Associates 31 Blackfriars Road, Salford, M3 7AQ
Case officer:	Steven McCoombe Tel: 0161 234 4607 Email: steven.mccoombe@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	14 March 2022

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 31 August 2021

Standard consultations:
Printed: 1 September 2021 Expired: 22 September 2021

Neighbour notifications
Printed: 1 September 2021 Expired: 22 September 2021

Site notice
Posted: 31 August 2021 Expired: 21 September 2021

Press advert
Published: 7 September 2021 Expired: 28 September 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building and surroundings

The application site comprises the northern mill block of the Grade II* listed Victoria Mill. A former cotton spinning mill built between 1867 and 1873. The double mill is 6 stories high, constructed in red brick with some yellow brick detailing and slate roof.

The Mill comprises two conjoined buildings forming a U-plan layout which creates a courtyard to the rear. There is a large area of car parking to the north and east of the Mill.

The building currently operates a mix of uses with residential use occupying the southern wing of the building, with the upper floors of the northern wing mid-conversion from office to apartments. The ground floor of the northern wing is currently occupied by the NHS.

The works subject to this application relate principally to the roof and northern elevation of the building.

The building is bounded by Rochdale Canal to the south, Victoria Mill Park to the west and residential properties within the Miles Platting area to the north and east.

The immediate area is principally residential in character, comprising a mixture of two storey terraced and semi-detached dwellinghouses.

Listed building: Grade II Star

Conservation area: No

Tree Preservation Order: No

Background

Planning Permission and Listed Building Consent was originally secured for a residential conversion in September 2017 (Ref 114600 and 114601), with variations to those consents approved in June 2018 (Ref 119321 and 119357). The approved scheme for 85 apartments, including associated internal and external works, was partially implemented, however works ceased due to the developer falling into administration.

The project team have identified a number of discrepancies with regards to the approved scheme which have meant that had it been built out as approved, it would not have been safe, or in accordance with other requirements such as secure by design.

Variation applications are therefore submitted to secure minor material amendments to the above consents; and limited-scope fresh applications for planning permission and Listed Building Consent are also submitted to secure approval for works which are not regarded as 'minor material' and are not therefore covered by the variation applications.

Description of development

Listed Building Consent is sought for installation of external lighting; insertion of fire safety partition wall to ground floor lift lobby; new 8 person lift within existing lift shaft; insertion of internal doors to lift lobby at ground floor and corridors at upper floors; creation of smoke shaft adjacent to staircase B with chimney at roof level; creation of ventilation shaft to bin stores floors 1 - 5 with chimney at roof level; steps to staircase C within lobbies at floors 2 and 3; installation of ventilation shaft to existing lift shaft with chimney to roof; and replacement of external door at lower ground floor level.

The application is accompanied by a separate application for planning permission and also forms one of four applications (Refs:131378/FO//2021, 131298/JO/2021 and 11380/JO/2021) which have been submitted together, to allow alterations to the previously approved residential conversion scheme, as well as additional works, which are primarily necessary to ensure the building can be safely occupied.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Historic England – No comments to make. It is suggested that the views of the Council's specialist conservation and archaeological advisers are sought, as relevant.

Planning History

Reference	Description	Decision and Date
034725	Alterations and conversion of former Mill to form residential and Class B1 commercial uses.	Approved Oct 1989
034800	Listed Building Consent for renovation of mill including demolition of extensions made since	Approved Oct 1989

	1950 and provision of additional floor.	
046720/LO/NORTH2/94	Listed Building Consent renovation and partial demolition to provide residential and office accommodation	Approved Sept 1995
050149/FO/NORTH2/96	Change of use of the north block ground floor to cafe, doctors surgery, and commercial office space	Approved Jan 1997
053921/FO/NORTH2/98	Conversion of part of lower ground floor to 3 self-contained flats and associated elevational alterations	Approved April 1998
053679/LO/NORTH2/98	Listed Building Consent for internal and external works to Lower Ground Floor in connection with use as 3no. dwellings	Approved April 1998
108840/LO/2015/N1	Listed Building Consent for internal alterations to layouts of existing residential units	Approved July 2015
110872/LO/2015/N1	Listed Building Consent for internal alterations to layout and installation and removal of partition walls of existing residential units	Approved Feb 2016
111646/LO/2016/N1	Listed Building Consent for Internal alterations to layout of existing residential units	Approved May 2016
114600/FO/2016	Proposed change of use of the first to fifth floors of the north side of Victoria Mill from offices (Class B1) to create 80 no. residential apartments (Class C3a) comprising 65 x 2 no. bedroom units and 15 x 1 no. bedroom units and communal	Approved Sept 2017

	home working offices for residents, with associated internal and external alterations to the listed building.	
114601/LO/2016	Listed Building Consent for the internal and external alterations associated with the change of the use of the north side of Victoria Mill to create 80 no. residential units on the first to fifth floors.	Approved Sept 2017
119321/JO/2018	Application to vary Conditions 2 (specified plans) and 3 (windows) attached to planning permission 114600/FO/2016 to allow the replacement of the existing windows, the relocation of the waste storage area for all apartments to the ground floor and the creation of 5 no. additional apartments (Class C3)	Approved June 2018
119357/JO/2018	Application to vary Conditions 2 (specified plans) and 3 (windows) attached to planning permission 114601/LO/2016 to allow the replacement of the	Approved June 2018

Policy

The below policy and guidance is considered relevant to the consideration of this application;

- Policies DM1, EN3 and SP1 of the Manchester Core Strategy;
- Saved policy DC19.1 of the Unitary Development Plan for the City of Manchester;
- National Planning Policy Framework (NPPF) (2021) -Section 16.

Issues

Heritage and Impact to Visual Amenity

S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, 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'.

Policy EN3 of the Core Strategy, likewise refers to the need for the consideration to be given to the impact of new developments on heritage assets, whilst saved Policy DC19.1 of the UDP seeks to preserve and enhance the setting of listed buildings and specifically states that listed building consent will not be granted for external or internal alterations or additions to a listed building, were in its opinion, there would be an adverse effect on its architectural or historic character.

Relevant to this application, Section 16 relates to Conserving and Enhancing the Historic Environment.

Paragraph 195 states that in determining applications:

'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'.

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 202 advises further 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'*

The application has been subject to detailed pre application discussions and continued dialogue, supported by a Heritage Impact Assessment and associated addendum which considers the historic significance of the building and the impact of the proposed works on the historic fabric and heritage value.

It is noted that Victoria Mill is a Grade II* Listed Building and defined as being of outstanding national importance and of 'more than special interest'.

The building provides an example of a late 19th century cotton mill built in the Italianate style. Although interior machinery is no longer present, it retains good examples of jack-arches and cast-iron pillars with octagonal capitals. It is also one of the last of the 19th century mills still surviving on the Rochdale canal.'

The Mill has already undergone changes when it was converted into offices and apartments in the late 20th century. Therefore, the mill no longer retains any fixtures, on the interior, that indicate previous industrial use. The only visible historic fabrics on the floors are the jack-arches

and the cast-iron columns with the octagonal capitals. The previous conversion, in the late 20th century, was reversible. False ceilings have simply covered the arches rather than altering them and the rectangular lining has simply shielded the cast-iron pillars from view instead of modifying them. Neither the jack-arches nor cast-iron pillars were removed or damaged during the alterations. If the proposed alterations to not damage or remove these items then the conversion will have moderate to minor impact on the fabric of the building.'

It is considered that the proposal represents a positive opportunity to provide a viable future for the building.

The additional changes in this case are believed to have negligible to minor impact on the mill, when balanced against public benefit that the overall development will deliver in terms of adding to the diversification of housing stock in the area, preventing the further decline of a heritage asset and its ensure its long term use to the benefit of the local area.

Through approval of applications 119321 and 119357, a level of harm has previously been accepted by the Council, outweighed by these significant public benefits.

In this case as the proposals only relate to parts of the Mill, any impact would likely be to those parts where works are proposed. Notwithstanding this, consideration has also been made of the impact of the works on the significance and setting of the broader Mill. Namely:

Erection of smoke shaft chimneys at roof level

The smoke shaft will be located within an existing shaft, and therefore the physical impact upon the Listed Building will be very limited. The use of an existing lift shaft for one of the smoke shafts is likely to reduce the impact on the historic fabric compared to an alternative location within the building.

Both smoke shafts will also result in the requirement for chimneys to be located at roof level. The height of these has been limited as far as possible, and these will not be visible at ground level. As such, the building's setting will be unaffected. The impact is therefore considered to be neutral.

External works comprising works to building elevations, external lighting, and replacement of external door at lower ground floor level

The proposed elevation drawings show the proposed works which are to take place to repair and maintain the facades of the northern part of the Mill.

Whilst external façade works have previously been approved, approval of the application will enable the works to proceed. The changes will also enable vital repairs and therefore represents a positive impact.

The new external lighting is required in order to achieve secure by design accreditation. Whilst this is considered as having a minor negative impact, the impact has been mitigated via ensuring that the minimum number and size of units necessary will be installed, with fixings minimised and installed to the mortar where possible, and the units will be in a black colour to minimise visual impact during the day.

It is also proposed to replace a non-historic external door at lower ground floor level. This door appears to have been installed at the time of the original conversion of the building in 1990. It is solid apart from a glazed arched feature reflecting the design on other external doors and windows. It is proposed to replace this with a solid timber door (no window) with arched timber

mouldings to carry through this design feature. Given design and position of the door and its non-original status, the impact is considered negligible and of neutral impact.



Existing basement door to be replace (extract from submitted Heritage Statement)

In summary, it is considered that the works will have a neutral impact and will not cause more than slight harm.

It is believed that on balance, the proposed works will meet an established need and would still sustain the heritage significance of the listed building. It considered that the works would cause less than substantial harm and on balance, when weighed against the public benefits that the proposal will deliver for the local community, the proposed development is considered acceptable.

The works will enable the completion of the conversion of the building to residential use. Extending the existing residential use of the building will have a positive impact on the character of the local area and will help to secure the long-term future of the building.

Where works are proposed which will result in a slight degree of harm, this harm is regarded as less than substantial, and outweighed by the public benefits of the scheme.

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 polices 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:

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. Pre application advice has been sought in respect of this matter where early discussions took place regarding the changes. The proposal is considered to be acceptable and therefore determined within a timely manner.

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:

Drawings referenced:

Location Plan Ref: AP01;
Proposed Ground Floor Lobby Alterations Ref: AP107 REV A;
Dyer External Dome Vent Ref: F100 001 REV B;
Proposed Smoke Shaft Room Plan Ref: AP401;
Smoke Shaft Demolition Plan Ref: AP403.

Received by the City Council as Local Planning Authority on 9 August 2021.

Drawings referenced:

Smoke Shield Schematic Plan Ref: PA1484-TCE-XX-XX-DR-E-47001 REV C1;
Smoke Ventilation Schematic Plan Ref: PA1484-TCE-XX-XX-DR-M-37001 REV C1;
Proposed Ventilation Layout First Floor Ref: VMM-TCE-XX-01-DR-M-57001 Ref: C3;
Proposed Ventilation Layout Level 01 Ref: VMM-TCE-XX-01-DR-M-57002 Ref: C1;
Proposed Ventilation Layout Second Floor Ref: VMM-TCE-XX-02-DR-M-57001 Ref: C3;;
Proposed Smoke Ventilation Layout Level 02 Ref: VMM-TCE-XX-02-DR-M-57002 Ref: C1
Proposed Ventilation Layout Third Floor Ref: VMM-TCE-XX-03-DR-M-57001 Ref: C3;
Proposed Smoke Ventilation Layout Level 03 Ref: VMM-TCE-XX-03-DR-M-57002 Ref: C1;
Proposed Ventilation Layout Fourth Floor Ref: VMM-TCE-XX-04-DR-M-57001 Ref: C3;
Proposed Smoke Ventilation Layout Level 04 Ref: VMM-TCE-XX-04-DR-M-57002 Ref: C1;
Proposed Ventilation Layout Fifth Floor Ref: VMM-TCE-XX-05-DR-M-57001 Ref: C3;
Proposed Smoke Ventilation Layout Level 05 Ref: VMM-TCE-XX-05-DR-M-57002 Ref: C1;
Proposed Ventilation Layout Part Roof Ref: VMM-TCE-XX-RL-DR-M-57001 Ref: C4;
Typical 1 Bedroom Apartment Ventilation Layout Type A Ref: VMM-TCE-XX-XX-DR-M-50001 Rev C1;
Typical 2 Bedroom Apartment Ventilation Layout Type A Ref: VMM-TCE-XX-XX-DR-M-50002 Rev C1.

Received by the City Council as Local Planning Authority on 1 October 2021.

Drawings referenced:

Proposed External Lighting Plan Ref: AP12 REV A;

Ceiling Finishes Plan – First Floor Ref: AP80;
Ceiling Finishes Plan – Second Floor Ref: AP81;
Ceiling Finishes Plan – Third Floor Ref: AP82;
Ceiling Finishes Plan – Fourth Floor Ref: AP83;
Ceiling Finishes Plan – Fifth Floor Ref: AP84;
Replacement Basement External Door Plan Ref: AP700;
Proposed Ground Floor GA Ref: AP100 REV C;
Proposed 1st Floor GA Ref: AP101 REV B;
Proposed 2nd Floor GA Ref: AP102 REV B;
Proposed 3rd Floor GA Ref: AP103 REV B;
Proposed 4th Floor GA Ref: AP104 REV B;
Proposed 5th Floor GA Ref: AP105 REV B;
Proposed Roof Plan GA Ref: AP106 REV B;
North West Elevation Ref: AP200 REV C;
North East Elevation Ref: AP201 REV C;
Proposed Smoke Shaft to Staircase B Ref: AP402 REV A;
Bin Store Ventilation Shaft Demolition Plan Ref: AP501 REV A.

Received by the City Council as Local Planning Authority on 19 November 2021.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, EN3 and DM1 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

3) The development hereby approved shall only be implemented in accordance with the Repair Strategy document produced by Opal Access, dated 27 January 2022 and received by the City Council as Local Planning Authority on 10 March 2022. Photographic evidence shall be submitted to and approved in writing to the City Council as Local Planning Authority to demonstrate that the agreed works have been completed, prior to the final occupation of the development.

Reason – To ensure necessary repair works are carried out and to ensure the works safeguard the fabric of the listed building, pursuant to saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies DM1, EN3 and SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Historic England (North West)
National Amenity Societies
Ancoats And Miles Platting Sure Start and Childrens Centre, Holland Street, Manchester, M40 7DA
16 Raja Ahmed Street, Manchester, M40 7RY
14 Raja Ahmed Street, Manchester, M40 7RY
12 Raja Ahmed Street, Manchester, M40 7RY
7 Denver Avenue, Manchester, M40 7LZ
5 Denver Avenue, Manchester, M40 7LZ
3 Denver Avenue, Manchester, M40 7LZ
1 Denver Avenue, Manchester, M40 7LZ
15 Stanbury Walk, Manchester, M40 7LY
13 Stanbury Walk, Manchester, M40 7LY
11 Stanbury Walk, Manchester, M40 7LY
9 Stanbury Walk, Manchester, M40 7LY
5 Stanbury Walk, Manchester, M40 7LY
7 Stanbury Walk, Manchester, M40 7LY
3 Stanbury Walk, Manchester, M40 7LY
1 Stanbury Walk, Manchester, M40 7LY
34 Berkshire Road, Manchester, M40 7WA
29 Berkshire Road, Manchester, M40 7NQ
32 John Hogan VC Road, Manchester, M40 7QU
1 James Street, Manchester, M40 8BX
3 James Street, Manchester, M40 8BX
7 James Street, Manchester, M40 8BX
5 James Street, Manchester, M40 8BX
48 Varley Street, Manchester, M40 8BW
Unit 1, Varley Business Centre, James Street, Manchester, M40 8EL
Unit 2, Varley Business Centre, James Street, Manchester, M40 8EL
Unit 3, Varley Business Centre, James Street, Manchester, M40 8EL

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
Site of Biological Interest - Name: Rochdale Canal, Stott's Lane - Ducie Street Basin
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Hazard - Degussa Limited
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH1