

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130845/FO/2021
Date registered valid: 16 July 2021
Proposal: Replacement windows in ground floor and lower ground floor, removal of roller shutters on Lever Street and installation of replacement entrance door set.
Address: 9 Stevenson Square, Manchester, M1 1DB
Ward(s): Piccadilly Ward

Applicant: Noble Estates Limited 42 Moorgate, London, EC2R 6JJ
Agent (if any): Mr Christie McDonald Steven Abbott Associates LLP Balmoral House, Ackhurst Business Park, Foxhole Road, Chorley, PR7 1NY
Case officer: Angela Leckie
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Recommendation: Approve
Date of recommendation: 02-09-21

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 3 August 2021

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 6 August 2021 Expired: 27 August 2021

Press advert

Published: 3 August 2021 Expired: 24 August 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Stevenson Square Conservation Area 1987

Tree Preservation Order: Not applicable

The application relates to a four storey building, located at 9 Stevenson Square. The building lies within an area of the City Centre known as the Northern Quarter and is within the Stevenson Square Conservation Area. It has elevations to Stevenson Square, Lever Street and Stevenson Place and is an historic building that has been substantially altered over the years. Notwithstanding this, it is considered to be a non designated heritage asset and makes a positive contribution to the conservation area within which it is located.

The building is be seen in context with listed buildings including the Grade II listed Sevendale House and the Grade II listed building at 18-20 Stevenson Square.

Consent was granted (application ref no 108582/FO/2015/C2) in 2015 for the replacement of all windows of the first, second and third floors of the Stevenson Square and Lever Street elevations of the building and all windows of the Stevenson Place and rear yard elevations. This consent has now been implemented.

Description of area

The building lies within part of the City Centre known as the Northern Quarter and surrounding uses include offices, residential properties, a dentist practice, a hostel, shops cafes, restaurants and drinking establishments.

Description of development

Planning permission is sought for principally for the replacement of all existing windows at ground and lower ground floor level which currently comprise metal framed single pane windows and to replace the recessed door set facing Stevenson Square. The replacement windows would match the appearance and specification of those previously fitted on the upper floors. Roller shutters and their associated housing would also be removed from windows on Lever Street.

The works would comprise the following:

Stevenson Square Elevation: Install new steel framed entrance door set. Door frame and mullion detailing to be simple large panel style. Frames finished in Duraflex polyester powder coating in a matt grey to match the existing adjacent door set. Glazed panels formed of 28mm insulated glass units, comprising of 8.8mm clear laminated safety glass.

Stevenson Square and Lever Street elevations: Install new single panel window frames from the Crittall Corporates MW40 steel window system. Frame detail to match the approved frames fitted to the upper floors. All frames finished in Duraflex polyester powder coating in a matt grey to match the existing upper floor installation. Glazed panels formed of 28mm insulated glass units, comprising of 8.8mm clear laminated safety glass.

Lever Street: Remove the existing externally mounted roller shutter units and associated header enclosure units.

Consultations & Notification Responses

Publicity – The application has been advertised in the local press as affecting a conservation area and a site notice displayed adjacent to the site. No representations have been received

Issues

National Planning Policy Framework – The following Policies are of relevance to this application:

Section 12. Achieving Well- Designed Places; States that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 16 Conserving and enhancing the historic environment – states that in determining planning 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.

And 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. Significance can be harmed or lost

through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Core Strategy - The following policies are considered to be most relevant to the proposed development:

Policy SP1 (Spatial Principles), - which guides the strategic development of Manchester identifying the Regional Centre as the focus for economic and commercial development, leisure and cultural activity, alongside high quality city living. It states that all development within the City Centre regeneration area should have regard to the character and issues as identified in the Manchester City Centre Strategic Plan and outlines the following core development principles:

Development should:-

Make a positive contribution to neighbourhoods of choice including:-

- creating well designed places that enhance or create character;
- making a positive contribution to the health, safety and wellbeing of residents;
- considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income;
- protect and enhance the built and natural environment;
- minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- 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.

Policy DM1 (Development Management) – Which states that all development should have regard to a number of specific issues the following of which are relevant to this application and for which more detailed guidance may be given within a supplementary planning document:-

- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development.
- Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Refuse storage and collection.
- Vehicular access and car parking.

Policy CC9 (Design and Heritage) States that development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including conservation areas and listed buildings.

The Unitary Development Plan for Manchester – Whilst the Core Strategy has now been adopted some of the UDP policies remain saved as there are no replacement policies contained in the Core Strategy. The relevant policies are detailed below:

DC18.1 (Conservation Areas) - which seeks to preserve and enhance the character of its designated conservation areas.

DC19.1 (Listed Buildings) - DC19.1 (Listed Buildings) - which seeks to preserve and enhance the settings of listed buildings by appropriate control over new developments within their vicinity.

Sections 16, 66 and 72 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings and conservation areas.

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of “sustainable development” (NPPF Paragraph 8). In order to meet this key planning objective, in this instance the development should sustain and contribute to the stimulation of a thriving historic environment.

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. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

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 203 states that: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Design Issues and impact on the Character of the Conservation Area and setting of Listed Buildings.

The main issues to consider with regards the amended proposals are the impact on Visual Amenity and the Character of the Conservation Area and setting of the adjacent listed buildings. as follows:

The windows of the Stevenson Square and Lever Street elevations have been designed to closely replicate the original windows. The new windows would update the appearance of the building's façade in keeping with the emerging high standard of design quality within this key regeneration area and the amendments would better integrate the building into the built environment completing the improvements to the buildings contribution to the character of the conservation area from the previous replacement of the windows to the upper floors. The form of the works are considered to be acceptable within context.

The external alterations proposed would greatly improve the appearance of the building by replacing the existing inappropriate designs of the existing windows with a coordinated scheme, including Crittall windows to closely match the design of the original windows for the principle elevations.

The works would enhance the character of the surrounding conservation area and the setting of nearby listed buildings. Benefits would be derived from the facades having an appearance more aligned more closely to their original historic appearance and from the removal of the roller shutters and housing.

Whilst it is necessary to have special regard to the desirability of preserving the setting any affected Heritage Assets it is considered that the proposals would be beneficial in the context of the character of the conservation area and the setting of adjacent listed buildings.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings and conservation areas as required by virtue of S66 and S72 of the Listed Buildings Act, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraphs 199, 202 and 203 of the NPPF and that in view of the above it is considered that the proposed development would on balance be consistent with the development would be consistent with sections 12 and 16 of the National Planning Policy Framework policies SP1, DM1, EN3 and CC9 and of the Core Strategy and saved UDP policies 18.1 and 19.1.

On the above basis the proposals are considered to be acceptable.

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 an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance no such issues have arisen in relation to the 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 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out and operated in accordance with the following drawings and documents:

(a) Site location plan J.502.03; and

(b) Dwgs 502.01, 502.02, 502.04, 502.05, 502.06, 502.07,

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP 1, CC9, EN3 and DM 1 and saved Unitary Development Plan policies DC18.1 and 19.1.

3) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

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
Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Stevenson Square Conservation Area 1987
Area Team Boundary - Name: CITY2