

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131080/LO/2021
Date registered valid: 14 July 2021
Proposal: LISTED BUILDING CONSENT for the stripping and replacement of defective flat roofs, the stripping and recovering of slate roofs and replacement of failing lead linings.
Address: The Arthouse, 43 George Street, Manchester, M1 4AB
Ward(s): Deansgate Ward

Applicant: C/o Inspired Property Management Grey GR Ltd Partnership 6 Malton Way, Doncaster, DN6 7FE
Agent (if any): Mr Mark Rugg WHP Ltd Call Wharf, 2 The Calls, Leeds , LS2 7JU
Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 25-08-21

Application details

Type of application: Listed Building Consent
Development type: Listed building alteration
Date of site visit: 20 July 2021

Standard consultations:

Printed: 16 July 2021 Expired: 6 August 2021

Neighbour notifications

Printed: 16 July 2021 Expired: 6 August 2021

Site notice

Posted: 20 July 2021 Expired: 10 August 2021

Press advert

Published: 20 July 2021 Expired: 10 August 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: George Street Conservation Area 1985

Tree Preservation Order: Not applicable

The Arthouse comprises former warehouse buildings, located at the junction of Princess Street and constructed circa 1845, which were converted to residential use circa 2007. The building has a series of pitched and flat roofs.

Description of development

The conversion of the property included reconfiguration and covering/recovering of the roofs however, these have been found to be completed to a poor standard and the property now suffers from numerous leaks to the apartments at the top two storeys.

The roof leaks are due to a number of factors, briefly identified as follows:

- Leaks through lead lined gutters, where joints have failed;
- Delamination and failure of the flat roof covering;
- Poor detailing of the slate covered pitched roofs around conservation rooflights;
- The pitched roofs have been found to have been re-roofed with untreated timber battens, resulting in premature deterioration.

Consent is sought for the following Remedial works:

1. Flat Roofs

The Flat roofs currently comprise an EPDM roof covering overcoated with a liquid membrane, which is de-laminating across 95% of it's surface. The works would comprise stripping all areas of the flat roof covering and internal gully linings, retaining the existing rigid insulation and applying a Firestone EPDM single-ply covering with a minimum 20 year guarantee to all flat roof and gully areas. Installation of the new roof covering would ensure correct detailing with the perimeter, mono-pitched slate covered roofs and flashed around all roof upstands. The works would prevent rainwater penetration through the roof and ensure that rainwater is correctly discharged through the gullies between the pitched roofs and into the existing rainwater fall pipes.

2. Pitched Roofs

The existing Welsh slate covered pitched roofs suffer poor detailing at the ridge junction with the flat roof, at the perimeters of the conservation rooflights and other roof penetrations, where water is leaking to the internal. Localised inspection beneath the slate covering revealed poorly installed roof felt, untreated timber roof battens and roof nails not galvanised which is resulting in numerous displaced slates.

The proposed works comprise stripping all of the Welsh slate pitched roof coverings, setting the slates aside for re-use where suitable. Stripping the existing timber roof battens and roofing underlay and de-nailing roof timbers in preparation for re-roofing. Installation of a Klover Permo roof breathable roof underlay, insertion of new tanalised timber roof battens secured to the existing structural roof timbers. Re-slating the roof using the existing roof slates where suitable and sourcing reclaimed Welsh roof slates to match the existing, to complete the roof covering.

The existing clay ridge and hip tiles are to be lifted prior to re-roofing and re-bedded upon completion of the slating works. Flashings around the conservations rooflights are to be replaced where necessary, to ensure that the openings are watertight and free from leaks.

3. Gutters and Copings

The existing lead lined gutters are failing on the gutter joints, resulting in rainwater penetration to the internal and causing saturation to internal stonework in numerous locations. There are numerous areas of ineffective localised repairs with liquid applied solutions.

The gutters are to be inspected at high level once the access scaffolding is in place, to ensure that they provide a suitable substrate to apply the waterproof lining. A Firestone EPDM gutter lining will be installed to all lead lined gutters, with movement joints installed in accordance with the manufacturers' technical details, to provide a continuous and watertight gutter to discharge rainwater from the pitched roofs. Mortar joints to the copings are crumbling in areas and we will utilise the access scaffold to address this. All coping joints are to be raked out and re-pointed with a lime-based mortar, to match the existing in colour.

Consultations & Notification Responses

Publicity – The application was advertised as affecting a listed building and a site notice was displayed adjacent to the site. Occupiers of this and neighbouring properties were notified about the application. 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:

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 and Fabric of the Listed Building– The proposals works are required to make good damage to the listed building and ensure that the current condition does not deteriorate further. They would ensure a sustainable future for the heritage asset and would be beneficial interventions.

Impacts on specific features of significance would be negligible to minor adverse and overall the proposals would be positive subject to agreement of the final detailing to some elements and materials.

Whilst it is necessary to have special regard to the desirability of preserving the setting any affected Heritage Assets it is considered that the small instances of low physical harm resulting from the proposed works to the building are acceptable and that the impact on the special character and fabric of the building would be less than substantial, and is balanced by the legislative requirement to secure a viable future use for the heritage asset.

As any harm is considered to be 'less than substantial', paragraph 202 of the NPPF requires that the impact of the development on the listed building should be evaluated against the mitigation that would be provided from the wider public benefits of the scheme which in this case are heritage benefits.

In the context of the NPPF and S72 of the Act , it is considered that the scheme strikes the right balance between the impact of the changes on the significance of the building, and the public benefits and where there is harm, this would be less than substantial. It is considered for the reasons outlined above that the overall approach to the proposed works would, have an acceptable impact on the character and historic fabric of the listed building.

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 policy 19.1.

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:

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

0) Officers have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. A site visit has taken place and following this design advice discussed with the applicant to ensure that the final proposals being considered are acceptable.

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

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 DC19.1

Appendix 1 – List of consultees & neighbours notified

Urban Design & Conservation
Historic England (North West)

28 - 32 Princess Street, Manchester, M1 4LB
91 Princess Street, Manchester, M1 4HT
89 Princess Street, Manchester, M1 4HT
Manchester Art Gallery, Mosley Street, Manchester, M2 3JL
Arora Internation Hotel, 18 - 24 Princess Street, Manchester, M1 4LG
Apartment 9, 30 Princess Street, Manchester, M1 4DA
Apartment 29, 30 Princess Street, Manchester, M1 4DA
Basement Floor Office, 48A Faulkner Street, Manchester, M1 4FH
FU'S CHINESE RESTAURANT CAFE, Ground Floor, 56 Faulkner Street, Manchester, M1 4FH
Apartment 103, The Arthouse, 43 George Street, Manchester, M1 4AB
Basement, 28 - 32 Princess Street, Manchester, M1 4LB
Ground Floor Unit 1, 85 - 87 Princess Street, Manchester, M1 4HT
Apartment 101, The Arthouse, 43 George Street, Manchester, M1 4AB
48 Faulkner Street, Manchester, M1 4FH
Canton House, 34 Princess Street, Manchester, M1 4JY
52 - 54 Faulkner Street, Manchester, M1 4FH
Fourth Floor, Canton House, 34 Princess Street, Manchester, M1 4JY
83 Princess Street, Manchester, M1 4HH
Ground Floor, 50 Faulkner Street, Manchester, M1 4FH
Unit 6, 85 - 87 Princess Street, Manchester, M1 4HT
Unit 5, 85 - 87 Princess Street, Manchester, M1 4HT
Basement, The Arthouse, 43 George Street, Manchester, M1 4AB
Ground Floor, The Arthouse, 43 George Street, Manchester, M1 4AB
First Floor And Second Floor, 56 Faulkner Street, Manchester, M1 4FH
56 Faulkner Street, Manchester, M1 4FH
35A - 39A George Street, Manchester, M1 4HQ
Apartment 28, 30 Princess Street, Manchester, M1 4DA
Apartment 24, 30 Princess Street, Manchester, M1 4DA
Apartment 17, 30 Princess Street, Manchester, M1 4DA
Apartment 10, 30 Princess Street, Manchester, M1 4DA
Unit 3, 85 - 87 Princess Street, Manchester, M1 4HT
Apartment 403, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 401, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 202, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 107, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 309, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 106, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 19, 30 Princess Street, Manchester, M1 4DA
Apartment 14, 30 Princess Street, Manchester, M1 4DA
Apartment 12, 30 Princess Street, Manchester, M1 4DA
Apartment 112, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 3, 26 Princess Street, Manchester, M1 4LB
Apartment 306, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 409, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 111, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 108, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 32, 30 Princess Street, Manchester, M1 4DA
Apartment 27, 30 Princess Street, Manchester, M1 4DA
Apartment 23, 30 Princess Street, Manchester, M1 4DA

Apartment 11, 30 Princess Street, Manchester, M1 4DA
Apartment 8, 30 Princess Street, Manchester, M1 4DA
Apartment 18, 30 Princess Street, Manchester, M1 4DA
Apartment 15, 30 Princess Street, Manchester, M1 4DA
Apartment 5, 30 Princess Street, Manchester, M1 4DA
Apartment 26, 30 Princess Street, Manchester, M1 4DA
Apartment 7, 30 Princess Street, Manchester, M1 4DA
Apartment 4, 30 Princess Street, Manchester, M1 4DA
Apartment 30, 30 Princess Street, Manchester, M1 4DA
Apartment 31, 30 Princess Street, Manchester, M1 4DA
Apartment 25, 30 Princess Street, Manchester, M1 4DA
Apartment 22, 30 Princess Street, Manchester, M1 4DA
Apartment 21, 30 Princess Street, Manchester, M1 4DA
Apartment 16, 30 Princess Street, Manchester, M1 4DA
Apartment 20, 30 Princess Street, Manchester, M1 4DA
Apartment 6, 30 Princess Street, Manchester, M1 4DA
Unit 4, 85 - 87 Princess Street, Manchester, M1 4HT
Serviced Apartment 1, 26 Princess Street, Manchester, M1 4LB
Unit 2, 85 - 87 Princess Street, Manchester, M1 4HT
85 - 87 Princess Street, Manchester, M1 4HT
52A Faulkner Street, Manchester, M1 4HF
50 Faulkner Street, Manchester, M1 4FH
Apartment 410, The Arthouse, 43 George Street, Manchester, M1 4AB
Ground Floor, 48 Faulkner Street, Manchester, M1 4FH
Second Floor, 48 Faulkner Street, Manchester, M1 4FH
First Floor, 48 Faulkner Street, Manchester, M1 4FH
Apartment 102, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 2, 26 Princess Street, Manchester, M1 4LB
Apartment 404, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 303, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 302, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 208, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 205, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 203, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 406, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 210, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 407, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 402, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 307, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 305, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 201, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 310, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 206, The Arthouse, 43 George Street, Manchester, M1 4AB
First Floor, 50 Faulkner Street, Manchester, M1 4FH
48A Faulkner Street, Manchester, M1 4FH
Basement Store, 85 - 87 Princess Street, Manchester, M1 4HT
Basement, 56 Faulkner Street, Manchester, M1 4FH
32 Princess Street, Manchester, M1 4LB
Apartment 104, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 105, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 110, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 109, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 308, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 408, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 304, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 405, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 209, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 301, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 204, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 207, The Arthouse, 43 George Street, Manchester, M1 4AB
Basement, 50 Faulkner Street, Manchester, M1 4FH

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 - George Street Conservation Area 1985
Area Team Boundary - Name: CITY2