

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129500/LO/2021

Date registered valid: 8 March 2021

Proposal: Listed Building Consent for the replacement of 2 No. large timber windows with matching timber windows

Address: Flat 409, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Miss A. Bristow, Flat 409 Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL

Agent (if any): Mrs C. Bristow, 2 Longhurst Lane, Marple Bridge, Stockport, SK6 5AE

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 3 May 2021

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 12 April 2021

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 11 March 2021 Expired: 1 April 2021

Site notice

Posted: 12 April 2021 Expired: 3 May 2021

Press advert

Published: 16 March 2021 Expired: 6 April 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to flat 409 of Victoria Mill – a Grade II star Listed building, formerly a cotton spinning mill built between 1867 and 1873. The double mill is 6 stories high, constructed in red brick with some stone detailing.

The building is now in use as residential apartments and offices. The building is set within its owner ground and includes in curtilage car parking, enclosed by a combination of brick wall and metal railings.

In this case, alterations are sought to two existing windows situated on the fourth floor to the south western elevation.

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.

Listed building: Grade II Star

Conservation area: No

Tree Preservation Order: No

Description of area

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

Description of development

Listed Building is sought for the replacement of 2 No. timber windows to the fourth floor of the south western elevation, with matching doubled glazed, timber windows.

The application as originally submitted proposed the replacement of the existing windows with aluminium frames. However, due to the concerns of the Council about the appropriateness of the material upon the character and appearance of the host building and the lack of uniformity across the entire building, the proposal has been altered to that of the timber windows now proposed.

The proposed windows are detailed to replicate the existing windows, and as they are internally beaded, any difference in the double-glazing thickness would be taken up internally so that the outside appearance would remain the same.

The application has been accompanied by an application for planning permission - 129129/FO/2021.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Historic England – No intervention required.

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) (Section 16).

Issues

Heritage and the Impact upon the Character and Appearance of the Existing Building

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

Paragraph 192 states that: *'In determining applications, Local Planning Authorities should take account of:*

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*

- b) *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) *The desirability of new development making a positive contribution to local character and distinctiveness.*

Paragraph 193 states that:

'When considering the impact of a proposed development on the significance of a designated 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 196 advises further that:

'Where a development proposal will lead to less than substantial harm to the significance of designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use'.

In this case, the proposed replacement windows are considered necessary. Due to the exposed location of the south western elevation and lack of maintenance, the existing timber window frames have rotted and the glazed units have failed beyond repair. Condensation is also understood to regularly form on the windows panes and heat is lost from the apartment.

The proposed window frames comprise soft wood timber, and represent a direct copy match the existing windows in terms of fenestration pattern, frame section sizes and colour. A condition has been included to ensure the window finish matches those of existing windows elsewhere within the host building.

On balance, the proposed works will meet an established need and would still sustain the heritage significance of the listed building. It considered that less than substantial harm would be caused and on balance when weighed against the public benefits that the proposal will deliver in terms increased energy efficiency the well-being of occupiers. The proposed development is therefore considered acceptable and would have minimal impact to the character and appearance of Victoria Mill or the surrounding area.

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

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in 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:

Drawings numbered 001/B and 003/B received by the City Council as Local Planning Authority on 28 April 2021.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy.

3) The materials and finish to be used on the windows hereby permitted, shall match those of the existing building in type, size, colour and texture.

Reason - To ensure the character and appearance of the host building is not adversely affected pursuant to saved policies DC19.1 of the Unitary Development Plan for the City of Manchester, policies EN3, DM1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

Appendix 1 – List of consultees & neighbours notified

Flat 512, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 518, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 215, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 106, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 6, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 508, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 415, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 305, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 516, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 410, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 406, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 216, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 211, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 203, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 505, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 316, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 307, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
11 Stanbury Walk, Manchester, M40 7LY
Flat 210, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 313, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 213, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 201, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 112, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 2, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 416, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 314, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Basement, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
First Floor, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LH
Flat 214, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 315, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 310, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 306, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 517, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 511, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 417, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 413, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 312, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 309, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
13 Stanbury Walk, Manchester, M40 7LY
Second Floor, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LH
1 Denver Avenue, Manchester, M40 7LZ
1 Stanbury Walk, Manchester, M40 7LY
Flat 503, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 217, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 412, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 402, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 411, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 504, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 404, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 304, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL

Flat 204, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 104, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Third Floor, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LH
Victoria Mill Medical Practice, Ground Floor, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LH
Flat 115, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 7, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 4, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 501, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 311, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
15 Stanbury Walk, Manchester, M40 7LY
5 Stanbury Walk, Manchester, M40 7LY
Fourth Floor, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 208, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 117, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 111, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 12, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 408, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 302, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 116, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 109, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 101, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 14, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 303, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
3 Stanbury Walk, Manchester, M40 7LY
Flat 218, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 102, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 10, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 5, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 401, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 317, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 513, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 509, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 507, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 414, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 318, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
9 Stanbury Walk, Manchester, M40 7LY
Ground Floor Cafe, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LH
Flat 212, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 205, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 110, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 301, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 510, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 308, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 515, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 209, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 206, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 207, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 113, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 107, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 103, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 9, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 514, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 506, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL

Flat 502, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 418, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 202, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 13, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 11, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 407, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 405, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 403, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
7 Stanbury Walk, Manchester, M40 7LY
Flat 3, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 114, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 108, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 105, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 8, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 15, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ

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
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1