

Application Number	Date of Appln	Committee Date	Ward
126504/LO/2020	13th Nov 2020		Piccadilly Ward

Proposal LISTED BUILDING CONSENT for installation of replacement walk in fridge and freezer within existing basement kitchen area and installation of 2 no. new external air conditioning condenser units within plant area to rear of building and new associated louvred screen enclosure following removal of existing railings on Back Piccadilly

Location 49 Piccadilly, Manchester, M1 2AP

Applicant Mr Billy Kelly , JD Wetherspoon plc, Wetherspoon House, Reads Crescent, Watford, WD24 1QL,

Agent Mr Harrison Ince, Harrison Ince Architects Ltd, Sunhouse, 2-4 Little Peter Street, Manchester, M15 4PS

Description

The Site - This application relates to a building located at 49 Piccadilly in the City Centre that is occupied by a J D Wetherspoons Public House. The building is Grade II listed and is within the Stevenson Square Conservation Area. The area surrounding the application site is primarily commercial in nature.

The Proposal - Listed Building Consent is sought for the installation of 2 no. new external air conditioning condenser units within an existing plant area to the rear of building facing Back Piccadilly at ground level and the installation of a new louvred screen around the plant area housing the existing and new condenser units to replace the existing railings. The condenser units are linked to the installation of a new fridge and freezer at basement level inside the building to serve the pub kitchen that are also being applied for under this permission. The louvred screen would be finished in black.

A parallel application for planning permission is being considered.

Consultations

Publicity - The application was advertised in the local press and on site as one affecting a conservation area and listed building consent. No representations have been received as a result of this publicity.

Neighbours - Occupiers of properties surrounding the application site were notified of the proposal. No representations have been received.

Issues

Visual amenity and the effect of the works on the character and appearance of the listed building - The proposed condenser units are necessary to facilitate the operation of a new walk in fridge and freezer proposed for the pub kitchen inside the building. The units would be located within an existing plant enclosure to the rear of the building. As part of the works the existing plant on the rear of the building would be rationalised and tidied up so that all the existing and new plant would fit inside the new louvred screen that is proposed to mask the plant. The rear elevation of the building is within a back street known as Back Piccadilly and there are several other installations of this type on the rear elevation of adjacent building and also on the application building as there is a large vertical flue for example up the entire rear elevation. It is considered that the new screening would go some way to improving the current situation as all the external condensers would be screened from view via a new black louvred screen. Elements of the walls where plant is moved etc would be made good. Conditions regarding a specification of repairs for the walls and a sample of the louvred enclosure have been attached to the approval. On balance, the external works are considered to be acceptable as it is felt that they would not adversely affect visual amenity in the area or the character and appearance of the listed building. Views of the site from within the conservation area would be improved by the proposal.

The new fridge and freezer would be free standing features that would not cause any damage or interventions to the internal area of the listed building so these works are considered to be acceptable also.

Security - In relation to the comments received from Greater Manchester Police, the applicant has stated that there is a CCTV camera to the rear of the property. Currently it is mounted to the lift shaft pointing towards the condensers and the rear fire escapes.

Noise impact and amenity- Environmental Health have reviewed the acoustic report that was submitted with the application and this is acceptable, however a verification condition is requested so that the plant noise levels are tested post installation.

Manchester Core Strategy - The Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11 July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

For the above reasons, the proposal is considered to be acceptable and consistent with policies SP1, CC9, EN3 and DM1 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan.

Negotiations - Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

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 the right to a fair hearing and to this end the Committee 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 approval of the application is proportionate to the wider benefits of approval 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

Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

Conditions to be attached to the decision

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

AP01

received by the Local Planning Authority on 13 November 2020

AV02

received by the Local Planning Authority on 3 February 2021

AX02 - A
AL01 - B
AV01 - B

all received by the Local Planning Authority on 8 March 2021

The Mechanical Services Plant Noise Impact Assessment by Spectrum Acoustic Consultants, ref. RK3013/20294/Rev 0, dated 13 October 2020

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) Prior to the installation of the new louvred screen enclosure around the external plant and equipment on Back Piccadilly, full details including a manufacturers specification and sample of the proposed screening shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason - To ensure an acceptable development at the listed building, pursuant to policy DM1 of the Core Strategy.

4) Following removal of the external plant and equipment from the rear wall of the building that is to be relocated to inside the new screened enclosure and the removal of the existing railings on the low brick wall on Back Piccadilly, a full method statement and specification for the repair works to the brick/mortar/coping on the rear elevation of the application building and the low brick wall shall be submitted to and approved in writing by the City Council as Local Planning Authority. The repair works shall be carried out in accordance with the approved details within a timescale to be agreed with the Local Planning Authority.

Reason - To ensure an acceptable development at the listed building, pursuant to policy DM1 of the Core Strategy.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 126504/LO/2020 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Urban Design & Conservation

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Relevant Contact Officer :	Carolyn Parry
Telephone number :	0161 234 4022
Email :	carolyn.parry@manchester.gov.uk

