

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126445/FO/2020

Date registered valid: 7 April 2020

Proposal: Creation of new external terrace to rear of building and relocation of existing refuse store and associated works

Address: London Warehouse , Ducie Street, Manchester, M1 2TP

Ward(s): Piccadilly Ward

Applicant: Go Native Ltd C/o Agent

Agent (if any): Ms Katie Wray Deloitte LLP 2 Hardman Street, Spinningfields, Manchester, M3 3HF

Case officer: Carolyn Parry
Tel: 0161 234 4022
Email: c.parry@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 11 July 2020

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 14 April 2020 Expired: 5 May 2020

Neighbour notifications

Printed: 14 April 2020 Expired: 5 May 2020

Site notice

Posted: 14 April 2020 Expired: 5 May 2020

Press advert

Published: 21 April 2020 Expired: 12 May 2020

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area:

Tree Preservation Order:

The Site - This application relates to a building known as London Warehouse that is located on Ducie Street in the City Centre and is Grade II listed. The building is in use as serviced apartments with various commercial uses at ground level. There is a surface level car park to the rear, within the grounds of the building. The building has recently undergone a refurbishment. The site is surrounded by various other commercial and residential uses. There is another serviced apartment building opposite and other hotels in the local area. The site is close to Piccadilly train station.

The Proposal – Planning permission is sought for creation of a new external terrace to the rear of the building and the relocation of the existing refuse store and associated works.

Following the recent refurbishment and rebranding works, the ground floor had been occupied by Bistrottheque, who operated the commercial offer at this level; comprising a bar, restaurant, café, meeting rooms and cinema. The ground floor also includes a fitness facility operated by Blok Gym. Bistrottheque have recently vacated the building as it was no longer viable for them to operate the ground floor space. The Applicant, continues to operate the upper floors and has taken over the operation of the ground floor space. They are committed to ensuring that this space continues to operate, contributing to the viable use and enjoyment of this listed building. Identifying opportunities to strengthen and support this is key and the Applicant has identified an opportunity to expand and support the ground floor operations by activating an underutilised area of the Site through the creation of an external terrace.

This application seeks approval for the introduction of an external terrace to the rear of the building. This area currently forms part of the building's service area including the refuse store, which is located along the southwestern elevation of the building. The existing surface treatment of this external space comprises stone cobbles which would not be affected as part of these proposals.

The proposed new terrace would be constructed of a 40m x 5.5m floating timber raft with self-levelling pedestals to provide stability. The new terrace would be accessed from the internal lower ground floor level. The terrace would be entirely free-standing and would not be attached to the listed building.

The terrace would provide space for freestanding tables, chairs, and umbrellas, as an extension of the ground floor offer with freestanding planters around the edge to create some low level screening. It is intended for the space to be available for use in line with the current opening hours for the restaurant use within the building of 9am to 11pm Monday to Friday and 11am to 11pm Saturday to Sunday.

The new terrace would provide additional amenity space for hotel guests, customers and visitors. It would be utilised by restaurant, bar, café and meeting room users. The layout would allow the terrace areas to be temporarily sub-divided so they could be accessed directly from the existing raised terraces. This would improve the offer at ground floor level and support the viable use of the listed building.

Alongside the creation of the terrace, the Applicant seeks to relocate the existing refuse store from the rear of the building to the southeast corner of the Site, further away from the building. This location would allow all of the elevations of the building to be fully appreciated. The cobbles would also be reinstated in the current location of the bin store. The size and capacity of the bin store would not alter and would continue to be in accordance with Manchester City Council's guidance.

In order to maximise the useable internal space associated with the new terrace, the proposals would involve the removal of the non-original brick filled seating in the lower ground floor area, installed as part of the recent refurbishment works. Once removed this area would be tiled on a like-for-like basis – this tiling is also non-original.

Consultations & Notification Responses

Publicity - The application was advertised in the local press and on site as one affecting a listed building. 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.

Highway Services - The application seeks consent for the creation of new external terrace to rear of building and relocation of existing refuse store and associated works at London Warehouse, Ducie Street, Manchester, M1 2TP.

The site is adjacent to the junction of the adopted highway Ducie Street, in the ward of Piccadilly.

Adjacent to the site is a traffic restriction of no waiting at anytime, alongside pay and display bays.

HIGHWAYS RESPONSE

Pedestrian and disabled access will remain as existing via the Ducie Street entrance to the front of the building and via the rear near the car park, this is acceptable to us.

An on-site car park is provided as existing, using the existing private access route, leading from Ducie Street, this is acceptable to Highways. In order to reduce car dependency, Highways would recommend that sustainable and active travel is encouraged to and from the site.

EXTERNAL TERRACED AREA

The creation of a new external terrace to rear of building and boundary alterations are within the site boundary and will not impact on the adopted highway, this is acceptable to Highways.

REFUSE AND SERVICING

In relation to waste management, a suitably sized bin store is to be provided within a storage area on-site to the rear of the building.

All servicing requirements are proposed to take place via the existing private access route, leading from Ducie Street, to the rear of the site, as per existing arrangement, this is acceptable to Highways.

Further clarification, including swept path analysis, is required based on a standard 11.5m refuse vehicle in order to display the proposed routing around the site, including access and egress, whilst remaining in forward gear and taking into account conflict with other vehicle users on site. Further details are required as to the frequency of refuse collection and specific location for loading/unloading.

It is recommended that a full servicing plan is provided by the applicant in order to ensure the effective management of vehicular movements to and from the site.

CONSTRUCTION/ FIT OUT MANAGEMENT

Given the scale of the development we do not anticipate a significant impact, however detail should be sought from the applicant in relation to any proposed construction or fit-out arrangements, where there is an impact on the highway.

The applicant should be advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Environmental Health - The times proposed for the use of the external area are acceptable.

The relocation of the bin store is acceptable.

Greater Manchester Police - Having looked at the plans we would have the following comments:

- The success of this proposal will be largely dependent on effective management of the facility, especially at peak times. A zero tolerance policy should be adopted with customers who behave inappropriately.
- Arrangements should be put in place for clearing and cleaning the terraced area at the end of business.

Issues

Visual amenity and the impact of the work on the listed building - The external works proposed are considered to be acceptable. The terrace would be located to the rear of the building so would not be visible from surrounding streets. There is already an existing terrace located to the rear of the building so the principle of having a terrace here is already established. The existing terrace is smaller in size though and just on one level. It is considered that the proposal would not adversely affect visual amenity within the area or the character and appearance of the listed building so is acceptable. The relocation of the bin store away from the area proposed for the new terrace is also considered to be acceptable. The structure would not be attached to the listed building as it would be freestanding, so listed building consent is not required. The reinstatement of the cobbles under the existing bin store location is acceptable. A specification has been provided. All materials to be used for the works, including the cobbles reinstatement, have been conditioned.

Residential amenity - The terraces would be operated to ensure that existing residential amenity is maintained and that the introduction of the enlarged external terrace would not result in any noise disruption to both visitors and nearby residential premises. The opening hours would be limited from 9am to 11pm as a maximum and there would be no fixed music installations on the terrace. An Operational Management Strategy was submitted with the application. This has been conditioned.

Highways considerations – Highways have requested that a servicing plan is conditioned to ensure the safe manoeuvring of vehicles within the site once the bin store is relocated.

Access - The terrace structure would be fully accessible.

Waste - The existing bin store which has provision for general and recyclable waste would be relocated as part of the proposal. It would not be reduced in size. This is acceptable.

Security – An operating strategy has been provided which explains how the proposal would be kept safe and secure. This has been conditioned

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 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

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.

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 in accordance with the following drawings and documents:

Drawings

AHA/PLC/ST/0001 Rev P1

AHA/PLC/ST/0002

AHA/PLC/ST/102 Rev P1

all received by the Local Planning Authority on 9 March 2020

AHA/PLC/GS/902 Rev P1

AHA/PLC/GS/001 Rev P1

AHA/PLC/GA/Terrace Rev P2

all received by the Local Planning Authority on 30 June 2020

AHA/PLC/GS/002 Rev P2, received by the Local Planning Authority on 8 July 2020

AHA/PLC/DET/515 Rev P1, received by the Local Planning Authority on 16 June 2020

The Ducie Street Warehouse Building Operational Management Strategy

The agent's email of 17 June 2020 with regard to the method statement for the reinstatement of the cobbles

The agent's email of 11 May 2020 in relation to adherence to the comments made by GMP

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 external terrace area shall not be used outside of the following hours:-

09.00 to 23.00 Monday to Saturday

11.00 to 22.00 on Sundays

11.00 to 23.00 on Bank Holidays

For the avoidance of doubt, no amplified sound and no music of any type shall be played on the external terrace at any time.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

4) (a) Notwithstanding the details submitted with the application, prior to the commencement of development the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

A programme for the issue of samples and specifications of all materials to be used on all parts of the terrace structure and the cobbles to be used for the reinstatement works. The programme shall include timings for the submission of samples and specifications of all materials to be used and a strategy for quality control management.

(b) All samples and specifications shall then be submitted to and approved in writing by the City Council as local planning authority in accordance with the programme as agreed for part a) of this condition.

The development shall be carried out in accordance with the approved materials.

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.

5) Prior to the new terrace and relocated bin store hereby approved first becoming operational, a full servicing plan shall be submitted to and approved in writing by the City Council as Local Planning Authority. The plan shall show how the safe and effective management of vehicular movements to, from and within the site shall be maintained following the implementation of the approved development. Servicing operations at the site shall take place thereafter in accordance with the approved details.

Reason – In the interests of highway and pedestrian safety, pursuant to policy DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Urban Design & Conservation
Greater Manchester Police

McColls, 22 Ducie Street, Manchester, M1 2DP
Staycity Manchester, 8B Gateway House, Piccadilly Station Approach, Manchester, M1 2GH
3 Gateway House, Piccadilly Station Approach, Manchester, M1 2GH
CAFFÈ NERO, Tower Unit A, Gateway House, Piccadilly Station Approach, Manchester, M1 2GH
The Place Apartment Hotel, Ducie Street, Manchester, M1 2TP
Apartment 20, Bridge House, 26 Ducie Street, Manchester, M1 2DQ
Apartment 13, Bridge House, 26 Ducie Street, Manchester, M1 2DQ
Apartment 11, Bridge House, 26 Ducie Street, Manchester, M1 2DQ
Apartment 25, Bridge House, 26 Ducie Street, Manchester, M1 2DQ
Apartment 23, Bridge House, 26 Ducie Street, Manchester, M1 2DQ
Apartment 18, Bridge House, 26 Ducie Street, Manchester, M1 2DQ
Apartment 16, Bridge House, 26 Ducie Street, Manchester, M1 2DQ
5 Gateway House, Piccadilly Station Approach, Manchester, M1 2GH
Flat 19, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 14, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 13, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 5, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Apartment 24, Bridge House, 26 Ducie Street, Manchester, M1 2DQ
6 - 7 Gateway House, Piccadilly Station Approach, Manchester, M1 2GH
Flat 9, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Apartment 10, Bridge House, 26 Ducie Street, Manchester, M1 2DQ
Flat 23, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 21, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 20, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 15, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 8, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 4, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 3, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 2, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 22, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 18, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 17, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Cex, 1 Gateway House, Piccadilly Station Approach, Manchester, M1 2GH
Park And Shine Hand Car Wash, Ducie Street, Manchester, M1 2GH
Flat 7, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 1, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Apartment 19, Bridge House, 26 Ducie Street, Manchester, M1 2DQ
Apartment 17, Bridge House, 26 Ducie Street, Manchester, M1 2DQ
Apartment 15, Bridge House, 26 Ducie Street, Manchester, M1 2DQ
Apartment 14, Bridge House, 26 Ducie Street, Manchester, M1 2DQ
Apartment 12, Bridge House, 26 Ducie Street, Manchester, M1 2DQ
Barnardo's, 4 Gateway House, Piccadilly Station Approach, Manchester, M1 2GH
2 Gateway House, Piccadilly Station Approach, Manchester, M1 2GH
8A Gateway House, Piccadilly Station Approach, Manchester, M1 2GH
8 Gateway House, Piccadilly Station Approach, Manchester, M1 2GH
Flat 16, Navigation House, 20 Ducie Street, Manchester, M1 2DP

Flat 12, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 10, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 6, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 25, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 24, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Flat 11, Navigation House, 20 Ducie Street, Manchester, M1 2DP
Apartment 22, Bridge House, 26 Ducie Street, Manchester, M1 2DQ
Apartment 21, Bridge House, 26 Ducie Street, Manchester, M1 2DQ

Appendix 2 – Planning constraints

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(a) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: CITY2