MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	125311/JO/2019
Date registered valid:	14 November 2019
Proposal:	Variation of condition application to allow for amendments to approved plans (condition 2) to allow for 1 additional bedroom within apartment 1 and amendments to the wording of other conditions attached to previously approved planning application 112565/FO/2016
Address:	First Floor , 103 Portland Street, Manchester, M1 6DF
Ward(s):	Piccadilly Ward
Applicant:	Mr Eu Weng Ang 6 Semington View, Worsley, M28 3UZ
Agent (if any):	Mr Eu Ang 6 Semington View, Manchester, M28 3UZ
Case officer:	Carolyn Parry Tel: 0161 234 4022 Email: c.parry@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	2 June 2020

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Dwellings

Date of site visit:

Standard consultations:
Printed: 20 November 2019 Expired: 11 December 2019

Neighbour notifications
Printed: 20 November 2019 Expired: 11 December 2019

Site notice
Posted: Expired:

Press advert
Published: 26 November 2019 Expired: 17 December 2019

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Whitworth Street Conservation Area 1985

Tree Preservation Order:

The Site - This application relates to a building located at 103 Portland Street in the City Centre. The building is Grade II listed and is surrounded by other Grade II listed buildings. The site is within the Whitworth Street Conservation Area. The first floor was last used as office space but has been vacant for over 10 years. The rest of the upper 5 floors are in residential use. The ground floor of the building is in commercial use. The area surrounding the application site is predominantly residential and commercial in nature.

In 2017, planning permission and listed building consent were granted under application 112565 and 112566 for the change of use and conversion of existing vacant office space at first floor level into 4 no. residential apartments (Use Class C3) together with the installation of new vents within the internal lightwell. Of the 4 apartments, 2 were approved to be 1-bed apartments and 2 were approved to be 2-bed apartments.

The apartments would be arranged according to existing partitions as many existing partitions are proposed to be retained as possible. Elsewhere some new partitions are needed to further subdivide the space.

The existing floor within the first floor would be overboarded as a floating floor, except for the terrazzo floor in the existing toilets that would retained and exposed. The existing ceilings would be underdrawn throughout in order to achieve acoustic and fire requirements, with recesses in the underdrawing made around the existing columns in order to accommodate the decorative

column heads. The internal walls on the external face of the building would be drylined which would allow for a reasonable thermal performance upgrade.

Internally, secondary glazing is proposed on all the windows. The majority of windows would use a sliding secondary glazing system, however there are a few windows where this would not be possible so the secondary glazing would consist of a hinged system. The secondary glazing windows would be painted white on the inside but dark grey on the outward looking frames.

No external alterations were proposed at the building, other than the new grilles proposed within the internal lightwell that is not visible from surrounding streets.

New cycle parking was proposed in the ground floor area.

Refuse would be stored within the purpose built refuse storage area within the ground floor loading area. This where the existing apartments in the building (currently 16 no.) store their refuse.

The scheme was developed following an extensive redesign further to a set of previous applications that were submitted and subsequently withdrawn. The approved scheme responded to the LPA's previous comments by, amongst other things, reusing as many of the existing partitions as possible, keeping the existing toilets on the floor that would be incorporated into apartments 1 and 2 and retaining existing doors in existing positions.

The Proposal - Planning permission is now sought for a slight variation of the original approved scheme to allow for 1 extra bedroom to be installed within Apartment 1 which was originally a 1-bed apartment. This would make it a 2-bed apartment. The apartment would front onto Portland Street, near to the building's Princess Street junction. The new bedroom would be located within part of an area that was approved as a large kitchen/living space.

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. 1 representation was received from Councillor Lyons who stated that a resident within the building wanted assurances about soundproofing between floors.

Highway Services - No objections

Environmental Health - Happy with the proposed amendment as long as the glazing to be installed in the new bedroom adheres to the standards agreed in the approved acoustic report for the original application.

Greater Manchester Police - No representations received

Issues

The following text was written for the report for approved application 112565:

The proposed change of use - The conversion of the first floor of the building into residential apartments is considered to be acceptable as it would not adversely affect amenity within the area and would be consistent with the majority use of the building which is residential apartments. As stated above, the first floor was last used as office space but has been vacant

for over 10 years. The applicant's agent has stated that the space has been marketed as offices but seeing as it is only 1 floor in a building where the rest of the upper floors are in residential use, there have been no takers for the office space so the applicant believes that this avenue is now exhausted. Therefore, an alternative use if now proposed. The use of the first floor as apartments to match the rest of the upper floors within the building is considered to be acceptable.

The impact of the works on the character and appearance of the listed building - The works proposed in order to facilitate the conversion of the first floor into 4 apartments is considered to be acceptable as it is felt that it would not adversely affect the character or appearance of the listed building. As stated above, the scheme has been developed following extensive redesign further to a set of previous applications that were submitted and subsequently withdrawn. The current scheme has responded to the LPA's previous comments by, amongst other things, reusing as many of the existing partitions as possible, keeping the existing toilets on the floor that would be incorporated into apartments 1 and 2 and retaining existing doors in existing positions. The secondary glazing proposed has been modified since first submission to now propose mostly a sliding system as opposed to a bulkier hinged system. The grilles proposed for the internal lightwell elevations are necessary for the mechanical ventilation of the apartments. The internal lightwell is not visible from anywhere outside the building so this is acceptable. The proposed works are now considered to be acceptable in terms of their impact on the listed building.

It should be noted that due to no elevational alterations being proposed as part of the conversion (other than the grilles in the internal lightwell that would not be seen from outside the site), the works would not have any adverse impact on the appearance and character of the Whitworth Street Conservation Area.

Access - The ground floor of the property is considerably higher than the external pavement level, the difference being approximately 1.3m. The ground floor is accessed by 2 stepped entrances. The applicant has provided information regarding the options they have looked at in order to make full access into the ground floor possible. A ramp would not be possible due to the large level difference and the length of ramp required. A platform lift would also not be possible due to the significant alterations that would be needed at the listed building with particular emphasis on the door surrounds and the external elevation. The entrance is a key feature on the Portland Street elevation, the description of which forms part of the listing description. It has been considered by the applicant that the extent of alterations required to install a platform lift would be unduly detrimental to the listed building. The LPA, in this instance, agrees that the changes necessary to achieve full access into the building would be substantial and given that only 4 apartments are being applied for, the depth of the required change seems disproportionate to the scheme being applied for. Other floors of the building have already received planning permission for conversion to residential apartments and they have not sought to change the access methods into the building. Previous applications for a change of use to apartments have been accepted without full access being made.

Refuse - There are already 16 apartments in the building which would rise to 20 if the proposed scheme is implemented. The applicant has calculated the required waste provision for the 20 apartments and has confirmed that the number of bins needed for all the apartments would be met by utilising the existing refuse store within the loading bay access off Princess Street. A new food waste bin would be added to the refuse store as there is currently no provision for food waste. The commercial units in the ground floor of the building store their bins elsewhere. The refuse store accessed off the loading bay area is only used by the residential occupiers and this would remain the case.

Security - Greater Manchester Police were consulted on the application and made a number of recommendations that the applicant has tried to address. The comments made about the type of cycle parking proposed within the reception area have been satisfactorily dealt with. The entry system as existing at the building uses numeric keypads whereas the Police asked for this to be changed to either a FOB or swipe card system as in their experience numeric keypads are not as safe and can lead to unauthorised access. The applicant responded to this request saying that as the system is existing and is in use already for the other apartments, it is not proposed to be renewed at this time, however a different system would be considered if it was altered in the future. The Police have responded by saying that in this instance they will accept the existing system, but when the system is replaced in the future, a better system needs to be installed using a FOB or swipe card system.

Highway considerations - No on-site car parking is existing/proposed at the building but this is typical of many developments within the City Centre. The existing reception in the building contains some cycle parking but some new cycle parking is proposed as a result of the extra apartments now proposed. This is welcomed.

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 and DM1 of the Core Strategy and saved policies DC18.1 and DC19.1 of the Unitary Development Plan.

Update for current application - The change proposed which involves the addition of an extra bedroom into Apartment 1 is acceptable as it is a very minor alterations that would not have an adverse impact on the listed building. The apartment would now become a 2-bedroom apartment and as the apartment would be 62.6 sq.m in area, it would be within the acceptable size limits for a 2-bed 3-person apartment in terms of the national space standards.

The query about soundproofing between floors was discussed with Environmental Health who stated that this is a building regulations issues. As above though, this is proposed to be dealt with by underdrawing the existing ceilings within the 1st floor.

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 polices 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 hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings

2407-02-01, stamped as received by the Local Planning Authority on 21 June 2016

2407-02-02 Rev B, received via email on 6 February 2017

2407-02-06 Rev E, received via email on 3 February 2017

2407-02-07, stamped as received by the Local Planning Authority on 19 August 2016

2407-02-09, stamped as received by the Local Planning Authority on 19 August 2016

2407-02-10, received via email on 20 January 2017

E2-888-027 Rev A and E2-888-013 Rev A, received by the Local Planning Authority on 30 October 2019

E2-888-008 Rev A, received by the Local Planning Authority on 26 November 2019

E2-888-004 Rev D, received via email on 30 April 2020

The submitted revised acoustic report by ADC Acoustics (ref. ARR/PPN/C/2707.01 Rev A), received via email on 20 January 2017, as supplemented by the agent's email of 3 June 2020 regarding the glazing for the new additional bedroom in apartment 1

The submitted waste management strategy contained within the Design and Access Statement Rev A, received via email on 10 November 2016

The agent's email of 6 February regarding the type of cycle stands that will be used at the application site.

The agent's email of 26 January 2017 in relation to the doors to the new apartments being to BS PAS 24.

Point 4 of the agent's letter of 10 November 2016

The cast iron grille detail for use in the internal lightwell, received via email on 23 December 2016

The Construction Management Plan prepared by E2 Arch Design, received by email by the Local Planning Authority on 20 December 2019

The agent's email of 20 December 2019 regarding there being no external plant

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.

2) The development shall include no externally mounted plant or equipment. If any such installations are required, a separate application shall be submitted for planning permission.

Reason - In the interests of residential amenity, pursuant to policy DM1 of the Core Strategy.

3) Construction of the development shall be carried out in accordance with the Construction Management Plan prepared by E2 Arch Design, received by email by the Local Planning Authority on 20 December 2019.

Reason - To ensure an acceptable development during the construction phase, pursuant to policy DM1 of the Core Strategy.

4) The apartments hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/aparthotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1995, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/aparthotels do not commence without prior approval, pursuant to Core Strategy policies SP1 and DM1 and to ensure the permanent retention of the accommodation for normal residential purposes.

5) The refuse store at the development shall be carried out in accordance with drawings E2-888-027 Rev A and E2-888-008 Rev A.

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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Flat 4, Portland House, 103A Portland Street, Manchester, M1 6DF
Flat 3, Portland House, 103A Portland Street, Manchester, M1 6DF
Flat 2, Portland House, 103A Portland Street, Manchester, M1 6DF
Flat 1, Portland House, 103A Portland Street, Manchester, M1 6DF
Basement, M1 Building, 50 Princess Street, Manchester, M1 6HR
Flat 7, Portland House, 103A Portland Street, Manchester, M1 6DF
Flat 15, Portland House, 103A Portland Street, Manchester, M1 6DF
Flat 13, Portland House, 103A Portland Street, Manchester, M1 6DF
Flat 10, Portland House, 103A Portland Street, Manchester, M1 6DF
Flat 8, Portland House, 103A Portland Street, Manchester, M1 6DF
Flat 5, Portland House, 103A Portland Street, Manchester, M1 6DF
Flat 6, Portland House, 103A Portland Street, Manchester, M1 6DF
Flat 14, Portland House, 103A Portland Street, Manchester, M1 6DF
Flat 11, Portland House, 103A Portland Street, Manchester, M1 6DF
Flat 12, Portland House, 103A Portland Street, Manchester, M1 6DF
Flat 9, Portland House, 103A Portland Street, Manchester, M1 6DF
Basement, 103 Portland Street, Manchester, M1 6DF
Ground Floor, 103 Portland Street, Manchester, M1 6DF
103 Portland Street, Manchester, M1 6DF
Flat 16, Portland House, 103A Portland Street, Manchester, M1 6DF
Flat 17, Portland House, 103A Portland Street, Manchester, M1 6DF
Flat 18, Portland House, 103A Portland Street, Manchester, M1 6DF
Flat 19, Portland House, 103A Portland Street, Manchester, M1 6DF
Flat 20, Portland House, 103A Portland Street, Manchester, M1 6DF
Sub Basement, 103 Portland Street, Manchester, M1 6DF
M1 Building, 50 Princess Street, Manchester, M1 6HR
Flat 1, M1 Building, 50 Princess Street, Manchester, M1 6HR

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