

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126084/FO/2020

Date registered valid: 3 March 2020

Proposal: Part retrospective application for the installation of steel railings and gate to the ground floor of the Mulberry Street elevation.

Address: Trinity Court , 16 John Dalton Street, Manchester, M2 6HY

Ward(s): Deansgate Ward

Applicant: Mr William Parry Helical 5 Hannover Square, London, W1S 1HQ

Agent (if any): Mr Christopher Wells OMI Architects 31 Blackfriars Road, Salford, M3 7AQ

Case officer: Rebecca Hadfield
Tel: 0161 234 4071
Email: r.hadfield@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24 April 2020

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 10 March 2020 Expired: 31 March 2020

Neighbour notifications

Printed: 10 March 2020 Expired: 31 March 2020

Site notice

Posted: 11 March 2020 Expired: 1 April 2020

Press advert

Published: 17 March 2020 Expired: 7 April 2020

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Albert Square (Extension) Conservation Area 1985

Tree Preservation Order:

Description of area

The Site - This application relates to an 8 storey building known as Trinity Court that is located at 16 John Dalton Street in the City Centre. The building is not listed but is within the Albert Square Conservation Area. The Grade II listed St. Mary's Church building is adjacent to the rear of the building on Mulberry Street. The surrounding area is mixed commercial in character.

Description of development

This application seeks consent (part retrospective) for the installation of steel railings and gates to the ground floor of the Mulberry Street elevation.

The design of the railings and gates will match the railings installed during the original refurbishment of Trinity Court. This proposal will provide a new secure line to the rear of the building. The proposed gates will include emergency egress push bars to allow for occupants to escape during an emergency.

Consultations & Notification Responses

Publicity - The application was advertised on site and in the local press.

Neighbours - were notified - No representations have been received

Greater Manchester Police - Have confirmed that they have no objections to the proposal.

Highway Services - confirmed that they have no objection to the proposals, and that the proposals would not have an impact on the approved pedestrian access, circulation or the external highway network. Highways also advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway, and that the applicant should be advised that any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams.

Having discussed the response received from Highway Services with the applicants agent confirmed that the gates are escape routes only. The gates open in the direction of escape to satisfy Building Regulation Requirements. The applicants agent discussed the proposal with the approved inspector and it was deemed that this scenario wouldn't cause safety issues for pedestrians. The gate exit would also be adequately signed and lit, and would have signage to both sides stating 'exit' on the inside and 'fire exit keep clear' to the inside.

Highway Services subsequently confirmed their acceptance of the above explanation.

An informative regarding any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will be attached.

Issues

The main issues for consideration relate to the impact of the proposals on amenity, security and highway safety. The main policies that relate to the proposal are Policies SP1 (Spatial Principles) EN3 (Heritage), CC9 (Design and Heritage), EN1 (Design Principles and Strategic Character Areas) and DM1 (Development Management) of the Adopted Core Strategy for the City of Manchester and saved policies DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Amenity - The railings and gates have been designed so as to relate to the upper floor windows which is acceptable. It is considered that the effect of these works would have a minimal visual impact on the Mulberry Street elevation, and as such it is not considered that they would be detrimental to the appearance of the building.

On balance it is considered that the external alterations proposed to the Mulberry Street elevation are acceptable and would not adversely affect visual amenity within the area, views from within the Albert Square Conservation Area or the setting of the adjacent Grade II listed building.

Security - Greater Manchester Police have confirmed that they have no issues with the proposal.

Highway Safety - Having discussed the response received from Highway Services with the applicants agent confirmed that the gates are escape routes only. The gates open in the direction of escape to satisfy Building Regulation Requirements. The applicants agent discussed the proposal with the approved inspector and it was deemed that this scenario wouldn't cause safety issues for pedestrians. The gate exit would also be adequately signed and lit, and would have signage to both sides stating 'exit' on the inside and 'fire exit keep clear' to the inside.

Highway Services subsequently confirmed their acceptance of the above explanation.

An informative regarding any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will be attached.

Given the above, the proposals are considered to be in accordance with Policies SP1, EN3, CC9, EN1 and DM1 of the Adopted Core Strategy for the City of Manchester and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

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 with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. No such problems have arisen on this application

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

1) The elements of the development hereby approved that are not retrospective 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:

-Location Plan - L0010-B, stamped as received by the Local Planning Authority on 03 Feb 2020.
-Drawing numbered L1090-B, stamped as received by the Local Planning Authority on 03 February 2020.

- Drawing numbered L0290-B, stamped as received by the Local Planning Authority on 03 February 2020.
- Drawing numbered L1700 REV A, stamped as received by the Local Planning Authority on 03 March 2020.
- Drawing numbered L1095 REV A, stamped as received by the Local Planning Authority on 03 March 2020.
- Drawing numbered A2302 REV A, stamped as received by the Local Planning Authority on 03 March 2020.
- Drawing numbered A2301 REV A, stamped as received by the Local Planning Authority on 03 March 2020.
- Drawing numbered A2300 REV B, stamped as received by the Local Planning Authority on 03 March 2020.
- Design & Access Statement, stamped as received by the Local Planning Authority on 03 March 2020.
- OMI Architects letter dated 3 March 2020, stamped as received by the Local Planning Authority on 03 March 2020.
- Drawing numbered A2303 REV A, stamped as received by the Local Planning Authority on 04 March 2020.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, EN3, CC9, EN1 and DM1 of the Adopted Core Strategy for the City of Manchester and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

Informatives

1) Any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Contact Manchester 0161 234 5004.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Greater Manchester Police

Ground Floor And First Floor, Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR
Second Floor, Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR
Fourth Floor, Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR
First Floor, 34 John Dalton Street, Manchester, M2 6LE
Basement And Ground Floor, Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR
Second Floor Rear, 14 John Dalton Street, Manchester, M2 6JP
Second Floor Front, 14 John Dalton Street, Manchester, M2 6JP
Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR
Third Floor, Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR
Ground Floor Unit 2, Trinity Court, 16 John Dalton Street, Manchester, M2 6HY
14 John Dalton Street, Manchester, M2 6JP
Third Floor, 34 John Dalton Street, Manchester, M2 6LE
Ground Floor Unit 1, Trinity Court, 16 John Dalton Street, Manchester, M2 6HY
28 - 30 John Dalton Street, Manchester, M2 6HQ
34 John Dalton Street, Manchester, M2 6LE
Second Floor, 34 John Dalton Street, Manchester, M2 6LE
17 Mulberry Street, Manchester, M2 6LN

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 - Albert Square (Extension) Conservation Area 1985
Area Team Boundary - Name: CITY1