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Planning Department
Manchester City Council
PO Box 532 Town Hall
Manchester
M60 2LA

13 November 2013

Our ref: HSP/LEA/MC0492

Your ref:

Dear Sir

Application for Planning Permission and Listed Building Consent for a Satellite Dish – 101 Princess Street, Manchester, M1 6DD

Planning, Design and Access Statement

We are instructed on behalf of our client Inspired Gaming (UK) Limited ('The Applicant') to submit applications for both planning permission and listed building consent for the erection of a satellite dish on the roof of 101 Princess Street, Manchester.

101 Princess Street is a Grade II Listed Building on the southern edge of Manchester City Centre, located within the Whitworth Street Conservation Area.

The description of development comprises:

> *'Erection of satellite dish (Type 845 84cm Elliptical Receive-Only Antenna System) on south-east side of plant room / stairwell access on roof of 101 Princess Street, incorporating cabling through the riser to the fourth floor'*

This joint application has been submitted electronically via the Planning Portal (ref. PP- 03003514).

The following documents have been submitted in support of the applications:

- Planning Application and Listed Building Consent application forms (signed and dated);
- Land ownership certificate (signed and dated);
- Site location plan at scale 1:1250;
- Planning application fee – signed cheque made payable to Manchester City Council in the amount of £195.00 (delivered by hand on 13/11/13);
- Design and Access Statement prepared by Gerald Eve LLP;
- Heritage Statement prepared by JDA Architects;
- Plans and drawings prepared by JDA Architects;
    - Ref. 784 A 001 Elevations; and
    - Ref: 784 A 002 Rev A Roof plan, elevation and section;
- Site Survey Report prepared by SIS (incorporating annotated photographs); and
- Satellite dish specification sheet.

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Pre-application discussions

Discussions have taken place with Emily Greaves of the City Council Planning Department regarding the proposal, and the following positive response was provided:

> *"The siting of the dish in a well screened location is positive and the proposal is likely to be acceptable, although your application would need to explain the reasons why the installation is required and further information would be required to fully demonstrate the impact on the character and appearance of the listed building."*

Full information is provided within this letter and the associated drawings, Heritage Statement, Specification details, and SIS Site Survey Report to explain and justify the proposal as requested.

Clarification is awaited from Manchester City Council regarding Permitted Development Rights in accordance with Part 25 of the Town and Country Planning (GPD) Order 1995 (as amended), for buildings 15m high or more in designated areas. An extract of Part 25 is attached for information, and the following is confirmed with reference to the proposal:

- This will be the only antenna on the building;
- The size of the antenna is not more than 130 cm in any linear dimension (not including any projecting feed element, reinforcing rim, mounting and brackets);
- The antenna is not to be fitted onto a chimney stack;
- The antenna is to be mounted on the existing plant room roof in the centre of the roof and will not project above this;
- The antenna is not to be installed on a chimney, wall, or a roof slope which faces onto, and is visible from, a road or a Broads waterway.

In order to benefit from Permitted Development Rights, the cubic capacity of each individual antenna must also not be more than 35 litres. The client has confirmed that the cubic capacity of the dish itself is less than 35 litres, however, if the projecting feed element is taken into account, then the cubic capacity would be considerably more than 35 litres. As the client urgently needs to progress with the installation of the satellite dish for operational purposes, a planning application has also been submitted in order to ensure that the lawfulness of the dish is not challenged at a later date.

Inspired Gaming (UK) Limited

Inspired Gaming (UK) Limited operates from office space on the fourth floor of 101 Princess Street. The proposed satellite dish is a critical business requirement for our client so that it can receive live broadcast of its virtual racing products for support and technical assistance purposes in order that it can monitor the quality and reliability of the content.

It is noted that the first, second and third floors of the Grade II Listed 101 Princess Street are currently vacant. The granting of the two applications for a satellite dish would enable the continued operation of our client from the property.

The Site

101 Princess Street is located on the southern side of the City Centre, and is bounded by Princess Street to the south west, Silver Street to the north west, Abingdon Street to the north east and Major Street to the south east.

The building is Grade II Listed, and over 20 metres high. The listing description is provided within the Heritage Statement.

The roof is accessed by an enclosed stairway which projects upwards at roof level, closest to but not visible from the Silver Street elevation at street level.

The Proposal

The erection of a Type 845 84cm Elliptical Receive-Only Antenna System on the eastern side of the stairwell access on the roof of 101 Princess Street is proposed. The full specification of the satellite dish is provided in the submitted documentation.

The dish is proposed to be mounted on the side of the stairwell access wall, and will not project over the top of the existing wall.

The cabling will be brought through the roof of the building through the existing riser and through the ceiling void to the receiver location as shown in the annotated photographs on pages 14 to 18 of the SIS Site Survey Report. The cable route is also described on page 8 of the SIS Site Survey Report.

Original listed building fabric is not expected to be impacted by the proposal, and due to the 20 metre height of the building, the dish will not be visible from street level.

Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act (2004) indicates the proposal for planning permission should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this instance, the Development Plan comprises:

- Saved policies from the Manchester Unitary Development Plan (1995); and
- Manchester Local Development Framework Core Strategy (July 2012).

Manchester Unitary Development Plan (1995)
Manchester City Council continues to prepare its new Local Development Framework (LDF) following the adoption of its Core Strategy in July 2012. Until the new LDF is fully adopted, the Council has 'saved' a number of policies from its Unitary Development Plan (UDP) against which applications for planning permission should be considered. In accordance with the National Planning Policy Framework (NPPF), due weight may be given to saved Local Plan Policies according to their degree of consistency with national policy objectives (Paragraph 215, NPPF). As already identified, the site lies within a UDP City Centre small area and the relevant saved UDP policies have been considered below.

Policy RC 20 Area 17 Princess Street/Whitworth Street/Portland Street/Aytoun Street – the application site is located in the north-west of the City Centre Area 17. The Policy states that:

> "*The Princess Street frontage is part of one of the City's most characterful street scenes, with important listed buildings, often with severe vacancy problems. Here any use consistent with the aim of conserving the character of the built form will be encouraged.*"

As the proposed satellite dish is to be located away from the edges of the roof, facing into the centre of the building, and due to the height of the building of over 20 metres, it will not be possible

to view the dish from street level. The proposal therefore aims to conserve the character of the built form whilst providing a continued use for the majority of the fourth floor of the building.

Policy DC17.1 Telecommunications – the policy confirms that applications for telecommunications will normally be approved if the Council can be satisfied that the development has been sited and designed to minimise its impact on residential amenity and in environmentally sensitive areas. The satellite dish for this proposal has been sited in the best possible location to minimise impact on the application building and the surrounding area.

Policy DC18.1 Conservation Areas – the Council will give particularly careful consideration to development proposals within Conservation Areas and will seek to preserve and enhance the character of Conservation Areas. The following noted issues are relevant to this proposal:

i) The relationship of new structures to neighbouring buildings and spaces; and;
ii) The effect of major changes to the appearance of existing buildings.

It is expected that in respect to neighbouring buildings, the proposed satellite dish would only be visible from roof level, and it would not be visible from street level, and it would therefore have very minimal impact on adjacent buildings. The dish is not considered to be a major alteration to 101 Princess Street. It is only visible at roof level, and even at roof level the plant room/stairwell provides total screening from the north-west, and elements of screening from the south west and north east. The dish is expected to have minimal impact on the existing building.

Policy DC19 Listed Buildings – in determining applications for listed building consent or planning applications for listed buildings, the Council:

> "…will have regard to the desirability of securing the continued use of such buildings" and
>
> "…would not permit any addition to a listed building where there would be an adverse effect on its architectural or historic character;"

As previously confirmed, the satellite dish is urgently required by the applicant to meet a critical operation requirement. The granting of the submitted applications would enable the continued use of the fourth floor of 101 Princess Street by Inspired Gaming (UK) Limited. The satellite dish is a removable structure, and through its central positioning on the roof of the building onto an existing structure, there is considered to be minimal impact on the character of the listed building.

The Heritage Statement provided by JDA Architects sets out the detail of the building as a heritage asset and confirms that it was built in 1869 in a Palazzo style as a merchant warehouse, although the building fell into disrepair following the Cotton slump after the 1920's. The Statement assesses the proposal against National Planning Policy Framework policies and concludes that:

> *"Having reviewed the relevant literature we submit that the proposal will allow for the enhanced commercial use of the building while having little impact upon the building's heritage assets and wider area."*

The proposal is considered to comply with the relevant policies of the Manchester Unitary Development Plan and is agreed to have little or minimal impact on 101 Princess Street and the surrounding Conservation Area.

Manchester Local Development Framework Core Strategy (July 2012)
The relevant Core Strategy policies have been considered below.

Policy CC9 Design and Heritage - development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments.

As set out above, the siting of the satellite dish in the centre of the roof has been designed to preserve the assets of the listed building and surrounding area.

Policy EN3 Heritage - New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including listed buildings and conservation areas. Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

The proposed satellite dish is proposed to be sited in a roof-top location which minimises its impact on both the listed building and the surrounding Conservation Area, and it's erection will enable our client to continue to operate from the building.

Policy DM1 Development Management – requires that a number of criteria are considered in relation to new development. The following are considered relevant to the satellite dish proposal. Appropriate siting, layout, scale, form, massing, materials and detail, along with the impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should also have regard to the character of the surrounding area.

The proposed size and location of the satellite dish at 101 Princess Street is considered to satisfy the policy objectives identified above and within both the Core Strategy and Development Plan as a whole.

Overall

The proposal for a satellite dish on the roof of 101 Princess Street is urgently required by the applicant, and this statement concludes as follows:

- The siting of the satellite dish minimises the effect of the proposal both on the listed building and on the surrounding Conservation Area, and this is confirmed by the Heritage Statement;
- The 20 metre height of the building is such that views of the proposed satellite dish will not be possible; and
- The use of the existing plant room / stair overrun to attach and screen the dish provides a well designed proposal.
- The continued use of the fourth floor of this listed building by Inspired Gaming (UK) Limited would be secured through the granting of Planning Permission and Listed Building Consent.

The proposed development is considered to accord with the Development Plan and the heritage objectives set out within the National Planning Policy Framework. Furthermore, there are no other material considerations that would prevent planning permission and listed building consent from being granted.

We trust that this submission contains all the relevant information to enable the validation of the applications. If you have any queries, please do not hesitate to contact Harry Spawton or Louise Armstrong of this office.

Yours faithfully

Gerald Eve LLP

Gerald Eve LLP

PART 25

OTHER TELECOMMUNICATIONS DEVELOPMENT

Class A

3B–2179 **Permitted development**

A. The installation, alteration or replacement on any building or other structure of a height of 15 metres or more of a microwave antenna and any structure intended for the support of a microwave antenna.

Development not permitted

[A.1 Development is not permitted by Class A if—

(a) the building is a dwellinghouse or the building or structure is within the curtilage of a dwellinghouse;

(b) it would consist of development of a kind described in paragraph A of Part 24;

(c) it would consist of the installation, alteration or replacement of system apparatus within the meaning of section 8(6) of the Road Traffic (Driver Licensing and Information Systems) Act 1989 (definitions of driver information systems etc);

(d) it would result in the presence on the building or structure of more than four antennas;

(e) in the case of an antenna installed on a chimney, the length of the antenna would exceed 60cm;

(f) in all other cases, the length of the antenna would exceed 130cm;

(g) it would consist of the installation of an antenna with a cubic capacity in excess of 35 litres;

(h) the highest part of the antenna or its supporting structure would be more than three metres higher than the highest part of the building or structure on which it is installed or is to be installed;

(i) in the case of article 1(5) land, it would consist of the installation of an antenna—

(i) on a chimney, wall or roof slope which faces onto, and is visible from, a highway;

(ii) in the Broads, on a chimney, wall or roof slope which faces onto, and is visible from, a waterway.]

Conditions

A.2 Development is permitted by Class A subject to the following conditions—

(a) the antenna shall, so far as is practicable, be sited so as to minimise its effect on the external appearance of the building or structure on which it is installed;

[(b) an antenna no longer needed for reception or transmission purposes shall be removed from the building or structure as soon as reasonably practicable.]

[A.3 The length of an antenna is to be measured in any linear direction, and shall exclude any projecting feed element, reinforcing rim, mounting or brackets.]

[A.3 For the purposes of Class A—

(a) the length of an antenna is to be measured in any linear direction, and shall exclude any projecting feed element, reinforcing rim, mountings or brackets;

[(b) the maximum number of antenna for the purpose of paragraph A1.(d) includes any small antenna permitted under Class A of Part 24.]

Permitted Development

B. The installation, alteration or replacement on any building or other structure of a height of less than 15 metres of a [microwave antenna].

Development not permitted

[B.1 Development is not permitted by Class B if—

(a) the building is a dwellinghouse or other structure within the curtilage of a dwellinghouse;

(b) it would consist of development of a kind described in paragraph A of Part 24;