

Planning

Growth & Development

Delegated officer report for planning application

Application no. 143586/NMC/2025
Date registered valid: 29 July 2025
Proposal: Non material amendment to application ref no 139026/FO/2024 to amend the finish to the facades of the penthouse.
Address: Chatsworth House, 19 Lever Street, Manchester, M1 1BY
Ward(s): Piccadilly Ward

Applicant: Mr Robert Barnes Lc Building Consultants
Agent (if any): Mr Robert Barnes Lc Building Consultants
Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 07-08-25

Application details

Type of application: Non-Material Change Application
Development type: Notifications
Date of site visit: N/A

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Stevenson Square Conservation Area 1987

Tree Preservation Order: Not applicable

The application relates to a 9 (including penthouse) storey T shaped building bounded by Dale Street, Lever Street, Spear Street and Back Piccadilly. The building is located within the Stevenson Square Conservation Area and is situated across from Grade II Listed buildings at 8, 10, 12 and 14 Lever Street, 22 Dale Street and Sevendale House (also Lever Street). The building is in use as residential accommodation above ground floor commercial uses. The building facades are faced in concrete with small mosaic tile dressings to the 3 staircores and penthouse.

Architecturally there is particular interest in the form of the splayed windows and the overall style of the building which sees off site fabricated, moulded and articulated concrete panels in a repeated staggered format. The tiled elements act as a visual frame to the principle facade elements which are plainer in design. The small format tiles in a varied but complementary palette of monochrome colours are typical of this period of building. Overall, based primarily on its architectural interest and landmark quality, the building is considered to be an important local Non Designated Heritage Asset (NDHA) in its own right, meriting conservation consistent with its significance.

Due to the quality of its construction and relative intactness, the building is considered a very good representative of its building type, that is a 1970s modernist commercial development at the core of the city centre, contributing to the city's distinctive identity and sense of place. The mosaic tiles contribute to the architectural interest of Chatsworth House.

The mosaic tiling appears to be in a poor condition with several sections missing. A survey has identified failing sections. It is noted that over time the building has been exposed to some extreme weather conditions, particularly on the South West elevation on Back Piccadilly. Water egress has occurred which has caused the reinforcement bars within the in-site poured concrete to rust. The effect of the rusted re-bar has caused visible spalling on the internal and external surfaces. Internally the concrete has spalled in large areas and has exposed the extremely corroded metals. The same impact has occurred externally but instead of visible spalling on the concrete, the tiles are being pushed out and in many cases, have loosened and fallen to the external ground level.

The exterior of the penthouse apartment is in a particularly poor condition and consequently the interior suffers from issues with damp and mould. Part of the approved proposals was to upgrade the external walls to the penthouse apartment which would comprise, removal of the existing damaged tiled finish, the installation of new insulation, waterproof layer and render and the reapplication of mosaic tiles to match the existing on top.

Description of development

Consent was sought under application ref no 139026/FO/2024 for elevational alterations relating to repair and refurbishment of existing external mosaic tiling. The consent was subject to a condition that approved samples and specifications of the replacement tiles, flashing detail and cills were to be agreed prior to the works commencing.

Since the granting of consent the applicants have spend considerable time trying to source replacement tiles to apply to the upgraded penthouse façade. Officers eventually agreed given that the penthouse facades have minimal visibility from surrounding streets, that it was not feasible or given the level of visibility, necessary to replace the tiles on a like for like basis and an alternative tile design was agreed. Officers were also mindful of the need to ensure that the living conditions of the penthouse owner were improved in a timely manner.

Consultations & Notification Responses

None

Issues

Principle of the Proposed Amendments

It is accepted that the applicants are unable to secure a warranty for the approved recladding works if they were to apply any additional items on top of the render. Given that the affected penthouse facades have minimal visibility from surrounding streets it accepted on balance that the proposed render finish to match the colour of the tiles on the remainder of the building would be acceptable.

Conditions 2 (Approved Dwgs) and 3 (Materials) are to be updated to reflect the changes

The proposed amendments are considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority. The City Council is satisfied that the proposed changes will have no material impact upon the previously approved scheme and the works will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

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

- 1) Reason 1: Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority. The City Council is satisfied that the proposed changes will have no material impact upon the previously approved scheme and the works will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development
 - 2) Reason 2: The re-wording of condition is required to remove the requirement to apply tiling to the rendered enclosure to the penthouse apartment due to the applicants being unable to secure a warranty for the approved recladding works if they were to apply any additional items on top of the render
- 2) The development hereby approved shall be carried out in accordance with the following drawings and documents:
- (a) Site Location Plan PL001 stamped as received on 27-03-24; and
 - (b) Dwgs PL002, PL004 and BR 002 Rev D

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies DM1, EN3 and CC9, saved UDP Policies DC18.1 and 19.1 and Places for Everyone Policy JP-P2

3) Prior to the commencement of the development hereby approved samples and specifications of the replacement tiles to the main building facade, the render colour to the penthouse, flashing detail and cills shall be submitted for approval in writing by the City Council as local planning authority. The approved details shall be implemented as part of the development.

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 pursuant to Core Strategy Policies DM1, EN3 and CC9, saved UDP Policies DC18.1 and DC19.1 and Places for Everyone Policy JP-P2

Appendix 1 – List of consultees & neighbours notified

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

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Conservation Area - Stevenson Square Conservation Area 1987

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: CENTRAL