

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/1164

Date registered valid: 13 December 2024

Proposal: Discharge of conditions 4 (materials), 6 (sound and fire separation), 9 (new window), 13 (rainwater goods), 16 (boundary treatment), 17 (metal work), 18 (roof insulation), and 22 (damp/rot works) attached to listed building consent 126095/LO/2020.

Address: Former Fenton House, 2 Higher Ardwick, Manchester, M12 6BZ

Ward(s): Ardwick Ward

Applicant: Tahir Land Investments Manchester Ltd

Agent (if any): Mr Saghir Hussain, Create It Studio Architects

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 4 March 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:

Printed: 16 December 2024

Expired: 9 January 2025

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 24 December 2024

Expired: 17 January 2025

Press advert

Published: 24 December 2024

Expired: 14 January 2025

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

UDC- CDN/24/1164

Discharge of conditions 3 (programme of works timeframe), 4 (materials), 5 (location of works plan), 6 (sound and separation), 7 (cornices), 8 (rooflight), 9 (new window), 10 (removal of section of wall), 13 (rainwater goods), 16 (boundary treatment), 17 (metal work), 18 (roof insulation), 20 (internal and external joinery repairs) and 22 (damp/rot works) attached to listed building consent 126095/LO/2020.

CDN/24/1109

Application to discharge Conditions 3 (Materials), 7 (Acoustic Insulation), 15 (Boundary Treatment) and 16 (Yard Wall Design) attached to planning permission 126094/FO/2020.

There seems to be an introduction of vents to both gable ends and the rear elevation. The submission states that these will be in cast iron to a traditional pattern and painted the same colour as the render, which could be accepted provided they are not too large and visually intrusive. The dimensions of these has not been specified and they should be the minimum size possible. Can we see and agree the sizes.

The proposed railing design now seems acceptable and is of a more appropriate quality and reflective of the style and design seen for this period of property. The colour has now been analysed which is helpful and identifies a number of paint layers over the years. The chosen colour of a deep dark blue RAL 5011 Steel Blue reflects an identified historic colour scheme as is therefore acceptable. The rainwater goods are also proposed in this colour which is also acceptable. There is however one reference to a lighter blue colour RAL 5002 which I think has been added in error.

The proposed cast iron rainwater goods are acceptable and as with many of the other materials, there is a note referring to the submission or presentation of samples, which they are happy to view on site.

Sample brick type seems ok in principle, but a sample as with the pointing and render repairs will need to be seen.

Window repairs and the proposed secondary glazing seems acceptable and a sample on site will need to be seen.

Timber and damp treatment. The latest report advises that there was no longer any evidence of rot and that the repairs had been successful.

According to the submission, roof works and new conservation rooflights have been installed and it would be good to inspect on site when reviewing the samples.

The proposed light fittings seem of a period design and whilst they appear a somewhat standard product, they are on balance acceptable.

21.01.2025 The design of the vents is ok but the size needs to be confirmed as there are many on the elevations and cumulatively, they could have an impact. The agent advises that he wants them as small as possible but confirmation of the actual size is needed.

Samples of the brick, together with pointing - it was difficult to see this on site as the gates were locked shut, but from a glimpsed view the rear wall was built and seemed to look ok. It may be helpful to get the applicant or agent to send a few good photos of the brickwork and repointing.

The render repairs also seemed ok.

The new window frames were presented below and look good with very slim frames and glazing bars. (Photos below) There weren't any detailed window repairs to look at and the applicant said that they were not wanting to install the proposed secondary glazing and said that tenants preferred thick curtains. From a heritage aspect this is a less harmful solution and is acceptable.

The installed roof works and new conservation rooflights seemed ok from a distance.



The applicant mentioned altering a staircase window to make it open on an actuator to purge smoke from the stairwell. The detailing and section need to match what has been agreed and details of this will need to be seen.

The applicant showed the staircase installation and the moulding detail applied to the side which looks good.



The new moulded panelled door in the agreed colour also looks good.



Samples of door architraves below are ok.





Handrail sample is ok



Gate post pivot block which looks ok and will be set in the ground and not visible.



Issues

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 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

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

Condition no.4 (materials)

4) The information within the Material schedule ref: A1225-Z100-A-01 rev B dated 18.04.2023 (notwithstanding any reference to aluminium rainwater goods) was considered, as part of application ref: CDN/23/0065. These details and been considered in conjunction with the updated information submitted on 13th December 2024, including Document 1 Product Details for the Proposed Courtyard Bricks, Cast Iron Rainwater Goods, External Lighting and Railings; Introduction and Schedule of Information for Condition Compliance Prepared November 2024 - Version 3; Agent email 20th January 2025 clarifying colour to be used as RAL 5011 Steel Blue and not RAL 5002; and Agent email 3rd March 2025 confirming vent/grill size and colouration, and are considered to be acceptable.

On the basis that the development is implemented in accordance with the materials referenced in the documentation and the content of the email specified above, condition no.4 is discharged.

Condition no. 6 (sound and fire separation)

6) The detailed designs of measures the sound and fire separation between floors , and M & E measures, and their location set out on the plans set out below was considered previously to be satisfactory (as part of application ref: CDN/23/0065):

- Proposed emergency lighting, lighting and Fire Alarm Level 1 plan ref: 22541(63)001 rev. P2;
 - Proposed emergency lighting, lighting and Fire Alarm Level 2 plan ref: 22541(63)002 rev. P2;
 - Proposed above ground drainage Level 1 plan ref: 22541(52) 001 rev. P2;
 - Proposed above ground drainage Level 2 plan ref: 22541(52) 002 rev. P2;
 - Proposed above ground drainage Level 3 & 4 plan ref: 22541(52) 003 rev. P2;
 - Proposed above heating services Level 1 plan ref: 22541(56) 001 rev. P2;
 - Proposed above heating services Level 2 plan ref: 22541(56) 002 rev. P2;
 - Proposed above heating services Level 3 & 4 plan ref: 22541(56) 003 rev. P2;
 - Proposed above ventilation layout Level 2 plan ref: 22541(56) 002 rev. P2;
 - Proposed above ventilation layout Level 3 &4 plan ref: 22541(57) 003 rev. P2;
 - Proposed water services Level 1 plan ref: 22541 (53) 001 rev. P2;
 - Proposed water services Level 2 plan ref: 22541 (53) 002 rev. P2;
 - Proposed water services Level 3 & 4 plan ref: 22541 (53) 003 rev. P2;
 - Proposed small power/data/telecoms level 1 plan ref: 22541(62)001 rev. P2;
 - Proposed small power/data/telecoms level 2 plan ref: 22541(62)002 rev. P2;
 - Proposed small power/data/telecoms level 3 &4 plan ref: 22541(62)003 rev. P2.
 - Document 5 - Details of general clauses , specifications and method statements
 - Document 7 - Room by room schedule of works document specification and method statement
- These details have now been considered in conjunction with the information submitted on 13th December 2024, Plan 1 – Elevations showing location of flues and vents received 20th January

2025, and gent email 3rd March 2025 confirming vent/grill size and colouration have been examined and are considered to be satisfactory. On the basis that the development is implemented in accordance with the measures referenced in the documentation and the content of the email specified above, and that any new internal cabling is not surface mounted, and is concealed within existing voids, and in the spaces above the ceilings and below the floors, condition no.6 is discharged

Condition no. 9 (new window)

9) The content of Document nos. 5, 7 and 11, together with details shown on annotations referencing works to windows and window replacement on Proposed north and east elevations Plan ref: A1225(02) AP006 rev.G and Proposed west and south elevations Plan ref: A1225(02) AP006 rev.G; Window elevation view (internal) and vertical cross section; proposed window type details plan rf: FH/CC/Dwg 13 ; Conservation rooflight cross section rev. A were reviewed previously (as part of application ref: CDN/23/0065). This was considered to be an acceptable approach in dealing with each window and looking at repairs, part reinstatement and new windows (as part of application ref: CDN/23/0065). These details have now been considered in conjunction with the information submitted on 13th December 2024, including Introduction and Schedule of Information for Condition Compliance Prepared November 2024 – Version 3; Document 11: Window and Door Schedule; and Document 4: Information on Proposed Secondary Glazing for sash windows. [excluding existing windows with functioning shutters] and are considered to be acceptable from a visual perspective. On the basis that the development is implemented in accordance with the measures referenced received on 13th December 2024 (informed by the information considered as part of CDN/23/0065) in the documentation above, condition no.9 is discharged.

Condition no. 13 (rainwater goods)

13) The contents of Document nos. 5, and 7 and details on the External elevation remedial works - south and west elevations Plan ref: FH/CC/Dwg 6A; and External elevation remedial works - north and east elevations Plan ref: FH/CC/Dwg 6B, proposed parapet gutter cross section and information within the Material schedule ref: A1225-Z100-A-01 rev B dated 18.04.2023 (notwithstanding any reference to aluminium rainwater goods) were reviewed previously (as part of application ref: CDN/23/0065) in regard to rainwater goods. The material to be used for all the rainwater goods was revised to be cast iron. These details have now been considered in conjunction with the information submitted on 13th December 2024, including Introduction and Schedule of Information for Condition Compliance Prepared November 2024 – Version 3; Document 1 Product Details for the Proposed Courtyard Bricks, Cast Iron Rainwater Goods, External Lighting and Railings , and Agent email 20th January 2025 clarifying colour to be used as RAL 5011 Steel Blue and not RAL 5002, has been reviewed and is considered to be acceptable. On the basis that the development is implemented in accordance with the measures referenced received on 13th December 2024 (informed by the information considered as part of CDN/23/0065) in the documentation above, condition no.13 is discharged.

Condition no.16 (boundary treatment)

16) The railing design to the Higher Ardwick / Harkness Street frontage and the boundary wall detail to Dolphin Place shown on plan ref: Railing and Boundary Wall design plan ref: A1125(02)AP011 rev. and external door wall and gate proposal details plan ref: FH/CC/Dwg 9B and means of enclosure and landscaping proposals plan ref: FH/CC/Dwg 9A (solely in regard to the proposed boundary treatment) were considered previously (as part of application ref: CDN/23/0065). These details have now been considered in conjunction with

the detailed information submitted on 13th December 2024, including Introduction and Schedule of Information for Condition Compliance Prepared November 2024 – Version 3; Proposed railings to boundary plan and Document 1 Product Details for the Proposed Courtyard Bricks, Cast Iron Rainwater Goods, External Lighting and Railings, and Agent email 20th January 2025 clarifying colour to be used as RAL 5011 Steel Blue and not RAL 5002. On the basis that the development is implemented in accordance with the measures referenced in the documentation received on 13th December 2024 (informed by the information considered as part of CDN/23/0065) above, condition no.16 is discharged.

Condition no.17 (metal work)

17) The information submitted on 13th December 2024, including Introduction and Schedule of Information for Condition Compliance Prepared November 2024 – Version 3; and Document 1 Product Details for the Proposed Courtyard Bricks, Cast Iron Rainwater Goods, External Lighting and Railings, Agent email 20th January 2025 clarifying colour to be used as RAL 5011 Steel Blue for rainwater goods and railings, and Agent email 3rd March 2025 confirming vent/grill size and colouration to match the render has been reviewed and is considered to be acceptable. On the basis that the development is implemented in accordance with the measures referenced in the documentation above, condition no.17 is discharged.

Condition no. 18 (roof insulation)

18) The information submitted on 13th December 2024, including Introduction and Schedule of Information for Condition Compliance Prepared November 2024 – Version 3; Condition no. 18 - Document 2 Details and Method statement for Condition Compliance Details for Roof Insulation and Insulation of roof space plan has been reviewed and is considered to be acceptable. On the basis that the development is implemented in accordance with the measures referenced in the documentation above, condition no.18 is discharged.

Condition no. 22 (damp/rot works)

22) The contents of Document nos. 1, 5, 6C and 7 together with details shown on the External elevation remedial works – south and west elevations Plan ref: FH/CC/Dwg 6A: External elevation remedial works – north and east elevations Plan ref: FH/CC/Dwg 6B were reviewed (as part of application ref: CDN/23/0065). It was noted that a timber treatment specialist for historic buildings had been engaged and had inspected Fenton House, and that a preliminary report on the damage to the listed building caused by damp ingress had been compiled. Furthermore, that in ongoing discussions with the timber treatment specialist for historic buildings, it had been agreed that the improvements to the watertightness of the building, should be allowed to take effect. This was on the basis that the conclusion of the preliminary report was that a substantial amount of historic fabric would be lost if treatment work is undertaken whilst the building was wet, and water ingress was continuing.

It was further noted that a prolonged period was to be allowed for the building to dry out internally on completion of the urgent roof/rainwater goods etc works that had been carried out to tackle water ingress, and that the above works had been successful in halting the spread of rot and successfully causing it to die back. In addition, that the owner had confirmed that the work on the timber areas affected by dry rot and other areas had been treated and rot affected timbers had been replaced with matching replacement timbers installed, on the basis that work was urgently necessary to secure the preservation of the listed building. A timber treatment specialist returned to inspect the property in September/October 2024 and examine damp affected areas following the re-roofing of the building and the extensive period that has now been allowed for the building to dry out. The brief for the exercise was that although the preliminary report indicated that a substantial amount of historic fabric would potentially be lost,

this conclusion was to be critically reviewed in accordance with the objective of retaining a maximum amount/quantity of existing historic fabric. The conclusions of the inspection were that there was no longer any evidence of rot present in the timberwork of the listed building and the repair/piecing-in of new timbers to replace infected timbers had been successful.

On this basis and the content of Document 6 - for the Timber Condition Treatment Report, condition no.22 is discharged.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH AREA