Planning

Growth & Development

Delegated officer report for planning application

Application no.	140959/LO/2024
Date registered valid:	9 September 2024
Proposal:	Listed Building Consent for works to part of the basement comprising the installation of fireproof ceiling and blocking up of internal doorways
Address:	Victoria Mill, Lower Vickers Street, Manchester, M40 7LH
Ward(s):	Miles Platting & Newton Heath Ward
Applicant:	Signature Victoria Mill Ltd (In Administration)
Agent (if any):	Mr Don Murphy, Paul Butler Associates
Case officer:	Steven McCoombe Tel: 0161 234 4607 Email: steven.mccoombe@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	17 October 2024

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 25 September 2024

Standard consultations:
Printed: 20 September 2024 Expired: 11 October 2024

Neighbour notifications
Printed: 20 September 2024 Expired: 11 October 2024

Site notice
Posted: 25 September 2024 Expired: 16 October 2024

Press advert
Published: 24 September 2024 Expired: 15 October 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building and surroundings

The application site comprises the northern mill block of the Grade II* listed Victoria Mill. A former cotton spinning mill built between 1867 and 1873. The double mill is 6 stories high, constructed in red brick with some yellow brick detailing and slate roof.



The mill comprises two conjoined buildings forming a U-plan layout which creates a courtyard to the rear. There is a large area of car parking to the north and east of the Mill.

The building operates a mix of uses with residential use occupying the southern wing of the building, with the upper floors of the northern wing mid-conversion from office to apartments. The ground floor of the northern wing is currently occupied by the NHS.

The works subject to this application relate to internal works within the void between the basement and ground floor to part of the building.

The building is bounded by Rochdale Canal to the south, Victoria Mill Park to the west and residential properties within the Miles Platting area to the north and east.

The immediate area is principally residential in character, comprising a mixture of two storey terraced and semi-detached dwellinghouses.

Listed building: Yes – Grade II*

Conservation area: No

Tree Preservation Order: No

Background

Planning Permission (Ref: 119321) and Listed Building Consent (Ref: 119357) for the conversion of the upper floors of the northern part of the building from office to residential apartments was approved on 6 June 2018, with these consents having been partially implemented. The works ceased due to the developer falling into administration.

A number of discrepancies to the approved residential scheme have meant that had it been built out as approved, it would not have been safe, or in accordance with other requirements such as secure by design. A host of S.73 variation applications, along with new applications for planning permission and Listed Building Consent relating to the upper floor conversion works were submitted in July 2021 and approved in March 2022. Upper floor works are subsequently nearing completion.

A further issue which had not been considered previously was the need for fire protection between the ground floor office use and the upper floor residential use. Listed Building Consent 136174/LO/2023 for the works necessary to make the building fire safe was approved on 23 November 2023. However, since approval of this application, some additional basement chambers require similar fire safe works and for those spaces to be permanently blocked off, hence the current application.

Description of development

Listed Building Consent is required for fire protection work as part of internal alterations, as outlined above.

The application relates to small basement chambers located close to the chimney, in the northern part of the building in connection with the above application history and background. There are no historic brick arch ceilings within these chambers or any historic columns and column heads that would be affected by the proposed works.

The aim of the proposal is to provide fire protection between the basement floor spaces and the ground floor above to facilitate the conversion.

There is a building regulation requirement is to provide 90 minutes fire protection between basement and ground floor. In the brick arch areas of the building the Building Research Establishment (BRE) have confirmed that the historic brick arches with the addition of intumescent paint to the supporting cast iron and steelwork will provide 90 minutes fire protection. In these void areas there are no brick arches. The existing floor structure consists of

a mixture of historic concrete, modern composite metal deck, modern beam and block and modern timber joisted floors with some supporting steel beams. The fire resistance of these constructions cannot be verified. The proposed solution therefore is to install a fire rated ceiling and fire protect any supporting steelwork.

The masonry walls are to be repaired, in accordance with the repair strategy pursuant to discharge of condition 8 attached to Listed Building Consent 136174/LO/223, where necessary to achieve 90 minutes fire protection. The void further to the south on the plan extends beyond the extent of the building at ground floor and falls underneath the external part of the fire escape route from the main entrance. This void would be sealed off, no ceiling would be installed here as it is not underneath the ground floor. The centre of the void area is underneath the firefighting lift shaft and lobby. The perimeter walls to this area need to achieve 120 minutes fire protection (this will involve some repair to the existing masonry walls). Within this space a fire ceiling is also required. The level of the proposed ceiling will be set out to be tight up against the underside of the lowest steel beam to provide a level flat ceiling with the minimum void. All external and internal doorways and windows into these spaces would be infilled using 140mm blockwork to create fire sterile voids. The only exception to this is the central void underneath the lifts which would be fitted with a 2-hour fire rated door to allow maintenance access.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Historic England – No objection. The views of the Council's specialist conservation and archaeological advisers should be sought.

Policy

The below policy and guidance is considered relevant to the consideration of this application;

- Policies DM1, EN3, and SP1 of the Manchester Core Strategy;
- Saved policy DC19.1 of the Unitary Development Plan for the City of Manchester;
- Places for Everyone Greater Manchester Joint Development Plan
- National Planning Policy Framework (NPPF) (2021) – Section 16.

Issues

Heritage Impact

S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

Policy EN3 of the Core Strategy, likewise refers to the need for the consideration to be given to the impact of new developments on heritage assets, whilst saved Policy DC19.1 of the UDP seeks to preserve and enhance the setting of listed buildings and specifically states that listed building consent will not be granted for external or internal alterations or additions to a listed building, were in its opinion, there would be an adverse effect on its architectural or historic character.

Relevant to this application, Section 16 relates to Conserving and Enhancing the Historic Environment.

Paragraph 201 states that in determining applications:

> *'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'.*

Paragraph 205 states that:

> 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.

Paragraph 208 advises further that:

> 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.

In this case, the host building - Victoria Mill is a Grade II* Listed Building and is defined as being of outstanding national importance and of 'more than special interest'.

The application and wider works to the mill have been subject to continual discussions with the aim of balancing the impact of the proposed works on the historic fabric and areas of heritage value, with the requirements of the proposed conversion

The mill has already undergone changes when it was converted into offices and apartments in the late 20th century. Therefore, the mill no longer retains any fixtures, on the interior, that indicate previous industrial use. The only visible historic fabric on the floors are the jack-arches and the cast-iron columns with the octagonal capitals.

It is considered that the proposal would facilitate the re-use of vacant floorspace to provide a viable use for the building and would prevent any deterioration of the building.

The submitted photographs, drawings and Heritage Statement submitted confirms that the impact is on areas of the basement which have already altered to a degree. The proposed new ceiling would be installed underneath modern ceilings rather than historic brickwork and as such would have limited impact on the assets heritage value. Further, as the proposal only relates to internal works to a small part of the basement of the northern wing, any impact is limited to those parts where works are proposed.

The proposed blocking of openings is considered to have a minor impact and considered acceptable in order to provide the necessary fire protection and to allow the continued use of the upper spaces. The overall heritage impact is therefore believed to be minor and therefore acceptable.

In conclusion, it is believed that on balance, the proposed works would sustain the heritage significance of the listed building and would deliver public benefits by facilitating improvements to the fabric of a heritage asset to allow its long-term reuse and its contribution to the diversity of accommodation within the city. The proposed works are therefore considered acceptable.

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) The development 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents, received by the City Council a Local Planning Authority on 9 September 2024:

-Location Plan (Ref: AP01);
-Proposed Basement Layout Plan (Ref: AP11);
-Proposed Basement Fire Ceiling Extent (Ref: AP12);
-Existing and Proposed Basement Sections (Ref: AP20);

-Proposed Basement Ceiling Details (Ref: AP30 REV A);
-Heritage Addendum prepared by Paul Butler Associates;
-Design and Access Statement by Allison Pike Architects;
-Photographic Record.

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

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design
Historic England (North West)

Flat LG2, 12 Lower Vickers Street, Manchester, M40 7LL
Flat 210, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 206, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 312, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 512, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Second Floor, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LH
Victoria Mill Medical Practice, Ground Floor, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LH
Flat LG4, 12 Lower Vickers Street, Manchester, M40 7LL
Flat LG1, 12 Lower Vickers Street, Manchester, M40 7LL
Flat 7, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 403, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Fourth Floor, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 217, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 205, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Basement, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 11, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 216, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 104, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 15, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 113, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 116, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 105, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 315, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 508, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 509, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 208, Victoria Mill, 8 Lower Vickers Street, Manchester, M40 7NA
Flat 316, Victoria Mill, 8 Lower Vickers Street, Manchester, M40 7NA
Ground Floor Cafe, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LH
Flat LG8, 12 Lower Vickers Street, Manchester, M40 7LL
Flat LG5, 12 Lower Vickers Street, Manchester, M40 7LL
Flat 408, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 417, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 218, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 209, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 214, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 415, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 302, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 103, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 8, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 517, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 503, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 104, Victoria Mill, 8 Lower Vickers Street, Manchester, M40 7NA
Third Floor, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LH
Flat LG6, 12 Lower Vickers Street, Manchester, M40 7LL
Flat 203, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 316, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 309, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 513, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL

Flat 1, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 310, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 409, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 101, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 501, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 304, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 308, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 114, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 207, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 110, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 204, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 516, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 208, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 313, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 13, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 402, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 505, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 405, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 413, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 112, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat LG3, 12 Lower Vickers Street, Manchester, M40 7LL
Flat 202, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 305, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 6, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 317, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 511, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 9, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 507, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 401, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 102, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 215, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 14, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 515, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 504, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 213, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 107, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 108, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 109, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 318, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 418, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 508, Victoria Mill, 8 Lower Vickers Street, Manchester, M40 7NA
Flat 202, Victoria Mill, 8 Lower Vickers Street, Manchester, M40 7NA
Flat 4, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 117, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat LG7, 12 Lower Vickers Street, Manchester, M40 7LL
Flat 404, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 303, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 412, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 314, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 502, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 3, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 514, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 12, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 106, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ

Flat 115, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 2, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 10, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 416, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 406, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 5, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 201, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 111, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 518, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 506, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 212, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 510, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 301, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 307, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 311, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 414, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 411, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 211, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LJ
Flat 410, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 306, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL
Flat 407, Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LL

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Site of Biological Interest - Name: Rochdale Canal, Stott's Lane - Ducie Street Basin
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Hazard - Degussa Limited
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA