

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140056/JO/2024

Date registered valid: 7 June 2024

Proposal: Variation of condition 2 (approved dwgs) attached to application ref no. 138051/LO/2023 to add 3 additional wireless access points

Address: Dover Street Building , Dover Street, Manchester, M13 9GB

Ward(s): Hulme Ward

Applicant: University of Manchester

Agent (if any): Mr David Tye Paul Butler Associates Ltd

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **08/07/2024**

Application details

Type of application: Variation or Removal of Condition

Development type: Listed building alteration

Date of site visit:

Standard consultations:

Printed: 10 June 2024 Expired: 1 July 2024

Neighbour notifications

Printed: 10 June 2024 Expired: 1 July 2024

Site notice

Posted: Expired:

Press advert

Published: 18 June 2024 Expired: 2 July 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Dover Street building lies to the south of Dover Street and to the east of Portsmouth Street close to Oxford Road, Manchester. The building which is the subject of this application comprises of a former High School for Girls dating from 1881-6 which was converted for use by Manchester University in the mid twentieth century. The building and later extension which are included within this application are Grade II listed. It does not lie within a Conservation Area.

Listed building: Not applicable

Conservation area: n/a

Tree Preservation Order: n/a

Description of area

The area relates to the University of Manchester campus. The character of the area, whilst predominantly educational, comprises many different uses, including student accommodation, drinking, dining, hotel, museum and retail. There are is not covered by any conservation areas, but there are many different listed buildings across the campus.

Description of development

The proposed installation will comprise the installation of a series of access points (APs) which combine to provide a comprehensive WLAN for the building. The proposed APs are a small wall or ceiling mounted device that creates a WLAN once connected via an ethernet cable to a wired switch or communications hub. Each AP will project a Wi-Fi signal to a given area with each AP location being carefully selected by the technical network designer to provide a seamless WLAN throughout the application buildings.

Consultations & Notification Responses

Publicity - a notice was displayed at the site, informing passers-by of the development. A notice was placed in the local press, advertising the works as those affecting a listed building. Letters

were sent to surrounding occupiers notifying them of the development. No representations have been received as a result of this publicity.

Issues

The main policies that relate to this application are policies DM1 (Development Management), SP1 (Spatial Principles), EN3 (Heritage), CC9 (Design and Heritage) of the Manchester Core Strategy (2012) and saved policy DC19 (Listed Buildings) of the Unitary Development Plan for Manchester (1995).

Principle

The University of Manchester Network Transformation Project' is an initiative which seeks to install a contemporary wireless local area network (WLAN) across the entire University of Manchester estate including all buildings and rooms thereby ensuring complete wireless connectivity for staff, students, visitors and technical plant. At Dover Street the installations will upgrade existing provision whilst also filling gaps in the existing coverage. The proposals will allow staff, students and visitors full internet access thereby ensuring the accommodation continues to meet with user expectations and thereby helps secure the useability and long-term future of the listed buildings. The provision of complete and highspeed Wi-Fi connection is key to the university's offer and ability to function as an educational institution and it is considered that the development would provide a clear public benefit. Hence, the principle of the development is accepted. However, the impact of the works on the fabric of the listed building, together with its special appearance and character, must be considered. This is explored in greater detail below.

Impact on the listed building

The revised development would see the installation of three new, additional data points to the Dover Street Building. These would be installed to existing, modern dado trunking and risers. Therefore, the proposed works would have limited material impact on the Grade II listed asset. By reason of the position, quantum and design of the proposed new installations, the works would preserve the asset's special significance, giving great weight to its conservation. The amended plans would meet Policies DM1, EN3 and JP-P2 of the Local Plan and Section 16 of the NPPF, and thus are supported on heritage grounds.

Conclusion

In terms of the proposed Wi-Fi installations, the operational benefits are considered to outweigh the harm caused to the listed building, and have been designed and located to minimise harm to the listed building. Accordingly, the application is now considered acceptable and is recommended for approval.

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

Discussions have taken place with the applicant in a positive and proactive manner to seek resolution of issues arising in relation to dealing with the Listed Building Consent, and the proposal is considered acceptable.

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

1) The development must be begun not later than 15.12.2026

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:

Approved under 138051/LO/2023:

Submitted 10 September 2023:

Cover letter;

Site Location Plan prepared by Paul Butler Associates;

Heritage, Design and Access Statement prepared by Paul Butler Associates dated September 2023;

Data sheet: Aruba 510 Series, Campus Access Points;

Data sheet: University of Manchester Mounting Brackets: 5 Series D Ceiling Mount and 5 Series RA Wall Bracket;

Datasheet: Heavy Gauge Welded Conduit Tube (Class 4) 25mm;

Datasheet: Centaur 25 mm Steel Conduit Spacer Bar Saddle White.

EA0029-DOV-E-65-B1-001-T02, Dover Street, Basement Floor, WI-Fi Enhancement, Troup Bywaters and Anders.

EA0029-DOV-E-65-00-001-T02, Dover Street, Ground Floor, WI-Fi Enhancement, Troup Bywaters and Anders.

EA0029-DOV-E-65-01-001-T02, Dover Street, First Floor, WI-Fi Enhancement, Troup Bywaters and Anders.

EA0029-DOV-E-65-02-001-T02, Dover Street, Second Floor, WI-Fi Enhancement, Troup Bywaters and Anders.

Submitted 24 November 2023:

Dover Street Building ROC - Installation Pack, Issue 3, 22.08.2023.

Dover Street Building PEL Installation Proposal (dated 31st October 2023, revised since our site meeting).

Approved under 140056/JO/2024:

-Correspondence COVERING LETTER

-Supporting Information 2ND FLOOR WIFI SYSTEM ENHANCEMENT Public

-Supporting Information WIFI ADDITIONS

-Supporting Information 001 WIFI SYSTYEM ENHANCEMENT

Received by the City Council, as Local Planning Authority, on 20/05/2024

Heritage Statement HERITAGE ADDENDUM

Received by the City Council, as Local Planning Authority, on 06/06/2024

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policy DC19.1 (Listed Buildings) contained within the Unitary Development Plan for the City of Manchester, Policy DM1 (Development Management) of the Manchester Core Strategy and section 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

Vaughan House, Portsmouth Street, Manchester, M13 9GB

2 Portsmouth Street, Manchester, M13 9GB

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

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: CENTRAL