

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139408/LO/2024		
Date registered valid:	29 February 2024		
Proposal:	Listed Building Consent for installation of new electrical equipment.		
Address:	Manchester Art Gallery, Mosley Street, Manchester, M2 3JL		
Ward(s):	Deansgate		Ward
Applicant:	Mr Finlay Walker Manchester City Council		
Agent (if any):	Mr Finlay Walker Manchester City Council		
Case officer:	Max		Gibson
	Tel:	0161 219	6359
	Email: maximillian.gibson@manchester.gov.uk		
Recommendation:	Approve		
Date of recommendation:	17/04/2024		

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit:

Standard consultations:

Printed: 11 March 2024 Expired: 3 April 2024

Neighbour notifications

Printed: 11 March 2024 Expired: 3 April 2024

Site notice

Posted: 12 March 2024 Expired: 4 April 2024

Press advert

Published: 19 March 2024 Expired: 2 April 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The Grade I Listed City Art Gallery is located on Mosley Street in Manchester City Centre. It is set back from the road and reached by a series of stone steps. Adjoined to the Grade I building is the Grade II* Listed Athenaeum and a modern extension.

The City Art Gallery dates to 1824-35, and was designed by the prominent architect Sir Charles Barry. It has a distinctive Classical façade fronting onto Lower Mosely Street and channelled rusticated wings. It has two storeys and 11 bays on the principal façade and is faced with buff coloured sandstone and is executed in Greek Ionic style. It is a prominent but low lying building and appears as a single storey structure, its presence accentuated by the steps leading up to the central entrance.

The City Art Gallery was originally designed as the Royal Manchester Institution for the Promotion of Science, Literature and the Arts. It formally became the Manchester Art Gallery following an Act of Parliament in 1882.

Listed building: Grade I

Conservation area: George Street Conservation Area 1985

Tree Preservation Order:

Description of area

The art gallery is bounded by Mosley Street, Nicholas Street, George Street and Princess Street. It is located within the George Street Conservation Area, opposite the Upper King Street Conservation Area (Extension) and diagonally opposite the Albert Square Conservation Area. Surrounding listed buildings include a number of Grade II Listed buildings on Princess Street and George Street.

Description of development

The development relates to the installation of new electrical equipment associated with the update of the Wi-Fi service across

Consultations & Notification Responses

Publicity - a notice was displayed on site informing passers-by of the development. An advert 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.

Issues

The main policies that relate to this application are DM1 (Development Management), SP1 (Spatial Principles), EN3 (Heritage) and CC9 (Design and Heritage) of the Manchester Core Strategy (2012), saved policy DC19 (Listed Buildings) of the Unitary Development Plan (1995) and Section 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework.

Principle

The development relates to the installation of new Wi-Fi equipment to the Manchester Art Gallery, as part of a City Council programme of works to improve internet access at a number of Council-run locations. Good internet access is essential to the effective working nowadays and will help support the continued use of the Art Gallery as a business and futureproof its telecommunications infrastructure. The principle of the works is accepted pursuant to paragraph 203 of the NPPF, which supports development consistent with bringing designated heritage assets into their optimum viable use.

Impact on the listed building

The works would have minimal impact on the listed building, limited to new penetrations necessary to run cables associated with the new Wi-Fi points, together with the mounting of some new areas of trunking and Wi-Fi points. Where possible existing cabling, trays and trunking will be reutilised. The works are considered to amount to a low level of less than substantial harm.

The Wi-Fi access points themselves would be read as clearly modern interventions due to their contemporary form. This would create a small degree of less than substantial harm as the access points would not be in keeping with the building's historic character. However, when in visible locations, they would be discretely placed at high level in corners of rooms where other modern equipment, such as alarm sensors, are frequently placed. The access points themselves are small in size and would be white in colour to blend with the paintwork. Whilst many points, largely those on the ground and first floors would utilise existing fixing locations, the new access points would be mounted to the wall using a Velcro system, which should help minimise damage to the paintwork. On balance, the harm caused is considered to be outweighed by the benefit of improving the Wi-Fi signal throughout the building.

The second floor would see the greatest number of interventions, with all new cabling and penetrations. The cables and penetrations on this level would be placed behind suspended ceilings and false walls to minimise the visual impact of the works, thereby limiting any harm to the character or appearance of the listed building. An exception is a singular penetration on a mantelpiece, which would be situated to minimise the visibility.

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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application.

Condition(s) to be attached to decision for approval

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:

-Drawing - Proposed X6 DRAWINGS

-Design & Access Statement DESIGN AND ACCESS STATEMENT

-Supporting Information PHOTOGRAPHIC METHOD STATEMENT MANCHESTER ART GALLERY FIRST FLOOR

-Supporting Information PHOTOGRAPHIC METHOD STATEMENT MANCHESTER ART GALLERY GROUND FLOOR

-Supporting Information PHOTOGRAPHIC METHOD STATEMENT MANCHESTER ART GALLERY SECOND FLOOR AND ACCESS POINT

-Supporting Information PHOTOGRAPHIC METHOD STATEMENT MANCHESTER ART GALLERY BASEMENT LEVEL

-Heritage Statement HERITAGE STATEMENT

All received by the City Council, as Local Planning Authority, on 29/02/2024

-Correspondence EMAIL CONFIRMING INTERVENTIONS TO HISTORIC FABRIC received by the City Council, as Local Planning Authority, on 15/04/2024

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN1, EN3, CC9, SP1 and DM1 of the Core Strategy and saved policies DC18.1 and DC19.1.

3) Prior to the commencement of the development hereby approved, full and final specifications and details of any and all additional M&E services to the listed building not specified in the approved documents in condition 2 shall be submitted for approval in writing by the City Council as Local Planning Authority. This shall include scaled cross sections, floor plans, ceiling plans and elevations of the location, appearance and method of installation.

The approved details shall be implemented as part of the development and completed prior to first use of the development.

Reason - The proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

4) Any penetrations through basement walls shall be through the mortar joint only, as confirmed by the agent via email (Correspondence EMAIL CONFIRMING INTERVENTIONS TO HISTORIC FABRIC received by the City Council, as Local Planning Authority, on 15/04/2024).

Reason - The proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the historic fabric of this building in accordance with saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design
Historic England (North West)

Suite 5A, 80 Mosley Street, Manchester, M2 3FX
Basement, 28 - 32 Princess Street, Manchester, M1 4LB
The Alan Hotel, 18 Princess Street, Manchester, M1 4LG
Apartment 107, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 109, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 202, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 204, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 209, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 207, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 301, The Arthouse, 43 George Street, Manchester, M1 4AB
Ground Floor, Connaught Buildings, 58 - 60 George Street, Manchester, M1 4HF
12 Princess Street, Manchester, M1 7AN
Ground Floor Unit 5, Abbey House, 74 Mosley Street, Manchester, M2 3FX
80 Mosley Street, Manchester, M2 3FX
Apartment 302, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 205, The Arthouse, 43 George Street, Manchester, M1 4AB
Cafe Nero, 80 Mosley Street, Manchester, M2 3FX
Suite 8, 80 Mosley Street, Manchester, M2 3FX
Suite 7A, 80 Mosley Street, Manchester, M2 3FX
Apartment 201, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 208, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 407, The Arthouse, 43 George Street, Manchester, M1 4AB
33 George Street, Manchester, M1 4HQ
Third Floor Inscape, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Suite 9, 80 Mosley Street, Manchester, M2 3FX
Fourth Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Third Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Suite 7B, 80 Mosley Street, Manchester, M2 3FX
Suite 6B, 80 Mosley Street, Manchester, M2 3FX
GREGGS, Ground Floor Unit 7, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Advertising Right BT Inlink Outside 74, Mosley Street, Manchester, M2 3LW
Ground Floor Unit 6, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Mezzanine Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Unit 9, Abbey House, Mosley Street, Manchester, M2 3LW
28 - 32 Princess Street, Manchester, M1 4LB
Suite 2A, 80 Mosley Street, Manchester, M2 3FX
Suite 2B, 80 Mosley Street, Manchester, M2 3FX
Ground Floor, 75 Mosley Street, Manchester, M2 3HR
Fourth Floor, 75 Mosley Street, Manchester, M2 3HR
Apartment 408, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 403, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 103, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 401, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 304, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 306, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 308, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 410, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 405, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 309, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 305, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 404, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 108, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 406, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 203, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 303, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 310, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 402, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 409, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 307, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 111, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 106, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 206, The Arthouse, 43 George Street, Manchester, M1 4AB
Second Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Betfred, 14 Nicholas Street, Manchester, M1 4EJ
Apartment 210, The Arthouse, 43 George Street, Manchester, M1 4AB
First Floor And Second Floor, 58 - 60 George Street, Manchester, M1 4HF
Flat 4, 58 - 60 George Street, Manchester, M1 4HF
35A - 39A George Street, Manchester, M1 4HQ
Basement Room A, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Seventh Floor, 75 Mosley Street, Manchester, M2 3HR
Basement, The Arthouse, 43 George Street, Manchester, M1 4AB
Ground Floor, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 101, The Arthouse, 43 George Street, Manchester, M1 4AB
Basement And Ground Floor, 75 Mosley Street, Manchester, M2 3HR
Basement Room D, Abbey House, 74 Mosley Street, Manchester, M2 3WL
Apartment 104, The Arthouse, 43 George Street, Manchester, M1 4AB
Suite 3A, 80 Mosley Street, Manchester, M2 3FX
Fifth Floor, Abbey House, 32 Booth Street, Manchester, M2 4AB
Abbey House, Mosley Street, Manchester, M2 3LW
First Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
77A Mosley Street, Manchester, M2 3HR
Basement Room B, Abbey House, 74 Mosley Street, Manchester, M2 3WL
Suite 3B, 80 Mosley Street, Manchester, M2 3FX
83 Princess Street, Manchester, M1 4HH
3 Nicholas Street, Manchester, M1 4HL
1 Nicholas Street, Manchester, M1 4HL
Flat At, 5 Nicholas Street, Manchester, M1 4HL
Fifth Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Suite 4A, 80 Mosley Street, Manchester, M2 3FX
Flat 5, 58 - 60 George Street, Manchester, M1 4HF
Flat 8, 58 - 60 George Street, Manchester, M1 4HF
Flat 7, 58 - 60 George Street, Manchester, M1 4HF
Flat 6, 58 - 60 George Street, Manchester, M1 4HF
Ban Di Bul Restaurant, 77 Princess Street, Manchester, M2 4EG
Suite 1B, 80 Mosley Street, Manchester, M2 3FX
Suite 1A, 80 Mosley Street, Manchester, M2 3FX
Apartment 102, The Arthouse, 43 George Street, Manchester, M1 4AB
Connaught Buildings, 58 - 60 George Street, Manchester, M1 4HF
Flat 1, 58 - 60 George Street, Manchester, M1 4HF
Flat 2, 58 - 60 George Street, Manchester, M1 4HF
Flat 3, 58 - 60 George Street, Manchester, M1 4HF
Second Floor, 12 Princess Street, Manchester, M1 7AG
Obi Property Limited, 80 Mosley Street, Manchester, M2 3FX

72 George Street, Manchester, M1 4HF
Apartment 112, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 110, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 105, The Arthouse, 43 George Street, Manchester, M1 4AB
5 Nicholas Street, Manchester, M1 4HL
Basement, Connaught Buildings, 58 - 60 George Street, Manchester, M1 4HF
77 Mosley Street, Manchester, M2 3HR
14 Princess Street, Manchester, M1 4NB
16 Princess Street, Manchester, M1 4NB
5 Back George Street, Manchester, M1 4NA
Basement Room C, Abbey House, 74 Mosley Street, Manchester, M2 3WL
Suite 4B, 80 Mosley Street, Manchester, M2 3FX
Suite 6A, 80 Mosley Street, Manchester, M2 3FX
Suite 5B, 80 Mosley Street, Manchester, M2 3FX

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - George Street Conservation Area 1985
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: CENTRAL