MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139419/LO/2024
Date registered valid:	4 March 2024
Proposal:	Listed Building Consent for installation of new electrical equipment.
Address:	John Owens Building, University Of Manchester, Oxford Road, Manchester, M13 9PL
Ward(s):	Hulme Ward
Applicant:	Estates Design Services Group University of Manchester
Agent (if any):	Mr David Tye, Paul Butler Associates Ltd
Case officer:	Jack Naven Tel: 0161 219 2095 Email: jack.naven@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**25 April 2024**

Application Details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 13 March 2024

Standard consultations:
Printed: 7 March 2024 Expired: 28 March 2024

Neighbour notifications
Printed: 7 March 2024 Expired: 28 March 2024

Site notice
Posted: 15 March 2024 Expired: 7 April 2024

Press advert
Published: 12 March 2024 Expired: 26 March 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of Site/Area

Listed building: Grade II*

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application related to the John Owens building, which is part of the Grade II* listed group of educational buildings surrounding the Old Quadrangle at the core of the University of Manchester campus, a core that also includes the Beyer and Christie Buildings. These are of more than special significance due to their architectural, evidential, historic, and social interest and group value, making a significant contribution to the sense of place and history of this part of the city.

The building is located to the west side of Oxford Road, lying between Coupland Street to the north and Burlington Street to the south.

The building is of a restrained gothic style, the exterior is of high architectural significance, and construction on the building began in 1870. It was designed by Manchester architect Alfred Waterhouse, who had previously designed Manchester Town Hall in 1868, and would go on to design Owens College, which would subsequently become the University of Manchester.

It was the first of the buildings in this core to be constructed and was built in domestic scale and style, of 2 storeys plus basements and attics. The domestic scale may in part have been a response to the domestic character of the area at the time of construction which mainly comprised of residential villas set within garden.

The building has a projected gabled wing in the centre flanked by large canted entrance bays which have gabled porches with moulded 2-centred doorways and large 2-centred arched

windows of 3 stepped lancet lights rising into steep gables, and tall coupled arched windows in the flanks (some with stepped sills); the central wing has a canted 2-storey bay at the gable end with a niche at ground floor containing a carved shield, a large 5-light window at 1st floor and a tiled hipped roof, a clockface in the apex of the gable, side walls with gables, and a fleche on the roof. The outer wings differ in plan and elevation; all parts have various mullioned, arched, and arcaded windows, and small gabled dormers and tall stone chimneys.

Whilst the building has been altered to accommodate use as offices, some original features still survive internally.

Description of Development

The application seeks Listed Building Consent for the installation of new electrical equipment, services, and cabling, including new data and power cables and containment, new distribution board, and a new lighting control panel.

This is required to power and control lighting and external electrical plant being installed within the adjacent Old Quad which is being remodelled under permissions granted previously. The proposed installation will facilitate the effective and efficient control of new external lighting and infrastructure within the Old Quadrangle.

Consultations & Notification Responses

Heritage & Urban Design - Are supportive of the works.

Historic England (North West) - Provided no advice.

Publicity - Neighbour notification letters were sent to surrounding properties. A site notice and local press advert were also produced. At the time of writing this report, no representations have been received because of this publicity.

Policy

The effect of the proposal on the affected heritage assets has been considered under the following criteria.

The Adopted Core Strategy for the City of Manchester

Policy SP1 (Spatial Principles) advises that development in all parts of the City should protect and enhance the built environment.

Policy EN1 (Design Principles and Strategic Character Areas) advises that developer's will be expected to consider the City's heritage, including its listed buildings, conservation areas, archaeological remains and historic street pattern.

Policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

Policy CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected.

Policy DM1 (Development Management) advises that all development should be appropriately sited, scaled, formed, massed, and detailed with appropriate layout and materials and should have regard to the character of the surrounding area and effects on built heritage.

The Unitary Development Plan for the City of Manchester

Saved Policy DC19.1 (Listed Buildings) advises that in determining applications for listed building consent the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. The City Council will:

- Not permit any external or internal alteration or addition to a listed building where in its opinion, there would be an adverse effect on its architectural or historic character.

Places for Everyone

The **Places for Everyone** Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester.

The following policies are considered relevant to this application.

Policy JP-P1 (Sustainable Places) aims to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy and varied places, each having the following key attributes that all development, wherever appropriate, should be distinctive, with a clear identity, visually stimulating, socially inclusive, resilient, adaptable, durable, resource efficient, safe, supported by critical infrastructure, functional and convenient, incorporating accessibility, legible easy to move around, well connected, comfortable and inviting, incorporating high quality and well managed green infrastructure and public realm, well served by local shops, services and amenities.

Policy JP-S1 (Sustainable Development) aims to help tackle climate change, development should aim to maximise its economic, social, and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives. Preference will be given to using previously-developed (brownfield) land and vacant buildings to meet development needs. In bringing forward previously developed sites for development, particular attention will be paid to tackling land contamination and stability issues, ensuring that appropriate mitigation and remediation is implemented to enable sites to be brought back into use effectively.

Policy JP-P2 (Heritage) aims to proactively manage and work with partners to positively conserve, sustain and enhance its historic environment and heritage assets and their settings. Opportunities will be pursued to aid the promotion, enjoyment, understanding and interpretation of heritage assets, as a means of maximising wider public benefits and reinforcing Greater Manchester's distinct identity and sense of place. The policy requires development proposals affecting a designated heritage asset (or an archaeological site of national importance) and a conservation area to conserve those elements which contribute to its significance including those identified in any conservation area appraisal as making a positive contribution to the area. Harm to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal.

National Policy

Sections 16, 66 and 74 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings and conservation areas. Development decisions should, therefore, accord with

the requirements of the **NPPF** and to section **16 (Conserving and Enhancing the Historic Environment).**

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development". In order to meet this key planning objective, in this instance, the development should sustain and contribute to the stimulation of a thriving historic environment.

Paragraph 195 advises that heritage assets should be conserved in a manner appropriate to their significance.

Paragraph 200 advises that Local planning authorities should require an applicant to describe the significance of any heritage assets affected. The level of detail should be sufficient to understand the potential impact of the proposal on their significance.

Paragraph 201 advises that LPAs should ensure that any conflict between the heritage asset's conservation and any aspect of the proposal is avoided or minimised.

Paragraph 203 advises that in determining applications, LPA's should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality.
- The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 205 advises 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.

Paragraph 206 advises that any harm to or loss of a designated heritage asset should require clear and convincing justification. Substantial harm or loss should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional.

Paragraph 207 states 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 securing its optimum viable use.

Paragraph 208 advises that proposals of less than substantial harm to the significance of a designated heritage asset should be assessed against the wider public benefits of the proposal.

Section 12 (Achieving Well Designed Places) advises that the government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Issues

In determining whether the proposed works are acceptable, the main issue to consider is the impact these proposed works will have on the heritage asset itself.

Principle of Development

The principle of installing new electrical equipment is considered to be acceptable.

Impact on Heritage Asset

The proposed electrical installation has been designed to be sensitive to the heritage significance of the building, however, there will be some low amount of less than substantial harm that will be caused by these works.

The proposed wall within LG.029, which will be installed for the purposes of equipment mounting, including a new distribution board, lighting control panel, and relevant containment, would be considered to cause a very low amount of less than substantial harm. The plant room is not noted to have any historic features which would need to be removed or modified to allow for the installation.

The installation of 2no. data ducts and 6no. LV ducts below the iron grate, and other ducting to be installed below the iron grate would be considered to cause a low amount of less than substantial harm. This location has been chosen to route ducting as it has little impact on historic fabric compared with the alternatives considered and discounted. Alternative locations were discounted in the John Owen's Building and Beyer Building since glazed basement windows would have been required to be removed and blocked up in order to facilitate these works. The selected location for ducting for the Old Quad installation is an existing blocked opening which accommodates a ventilation fan and existing ducting. The ducting will be painted black in order to ensure that the installation is less noticeable, and to mitigate against any less than substantial harm caused by the installation of this ducting.

The introduction of two new compartment trunkings to run within the existing lower ground floor ceiling void would be considered to cause a low amount of less than substantial harm. New data cabling will be routed from the Basement Room LG.029 through the building and to the existing data cabinet in Lobby 034. Use of the void above the lowered ceiling is proposed throughout the length of the Lower Ground Floor corridor. Whilst the ceiling is lowered and modern, existing penetrations are used where possible.

Conclusion

In view of the above, this application is considered acceptable, as the works are considered to cause a low amount of less than substantial harm to the special interest and the historic character of the Grade II listed building. Any less than substantial harm is considered to be outweighed by the public benefit gained by the installation of electrical equipment, which will power the external plant being installed in the adjacent Old Quadrangle and will facilitate the effective and efficient control of new external lighting and infrastructure within the Old Quadrangle.

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

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning 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, received by Manchester City Council as the Local Planning Authority on 04 March 2024:

- Location Plan
- Proposed Lower GF Containment John Owens M14420-RPS-ZZ-B1-DR-E
- Heritage, Design and Access Statement

Received by Manchester City Council as the Local Planning Authority on 22 April 2024:

- Proposed Electrical Equipment LG.029

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy, and saved policies DC14 and DC18.1.

3) Black finishes shall be used on all ducts externally.

Reason - Because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is

required to protect the character and appearance of this building and to ensure consistency in accordance with policy and EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design
Historic England (North West)

Manchester Museum, Oxford Road, Manchester, M13 9PL
Alan Gilbert Learning Commons, University Of Manchester, Oxford Road, Manchester, M13 9PR

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
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) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: CENTRAL