Application Number	Date of Appln	Committee Date	Ward
132890/LO/2022	18 Feb 2022	28 July 2022	Didsbury East Ward
133055/FO/2022	1 March 2022		

Proposal Listed Building Consent and full planning consent for the installation of air handling equipment at roof level in concealed valley gutter structure

Location The Stables, Wilmslow Road, Manchester, Manchester, M20 5PG

Applicant Mr Dharmesh Bhayani, Europium World UK Ltd, 2A Essex Avenue, Manchester, M20 6AN,

Agent Mr Adrian Pearson, BTP Architects, 486 Didsbury Road, Stockport, SK4 3BS

Executive Summary

The applicant has applied to install 7 no. external air handling units within the roof valley on the west end (unit 3) of the grade II listed stable block to provide air conditioning for the office(s) within. The works would include a steel deck, attached to the roof trusses below, which would run the length of the roof valley and support the air handling equipment, along with 1 no. rooflight to provide access for maintenance.

No objections have been received from local residents/businesses. The proposal, however, has been assessed against its impact on a listed building and it is considered the units due to their siting and associated works would be to the detriment of the Stables causing less than substantial harm to the designed heritage asset.

Members should note that the City Council has been notified of an appeal against non-determination. Members cannot now determine the application but a resolution is required as to what decision Committee would have made if Members were able to make a decision.

Description

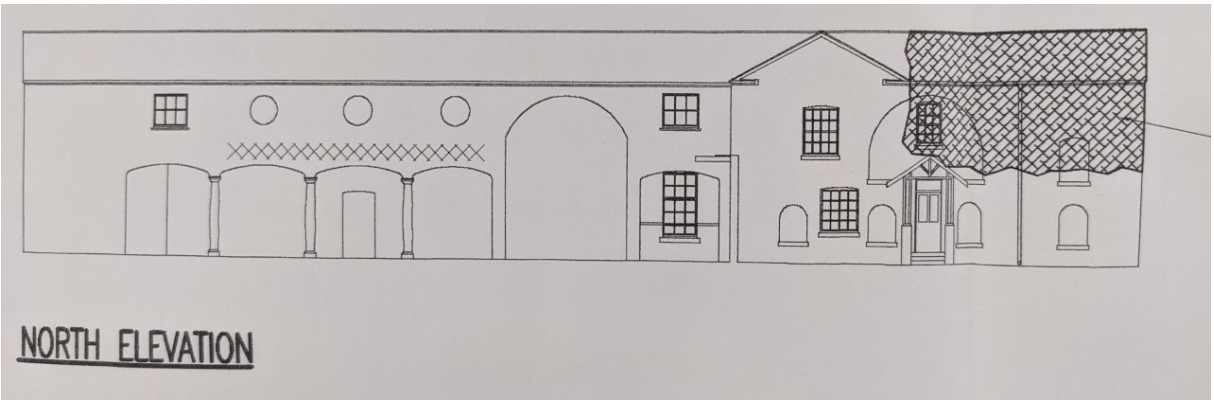
The Former Coach House and Stable Block, to the north of Parrs Wood House, also known as 'The Stables', was built in the late 18th Century and granted grade II listed status in 1974. It originally belonged to Parrs Wood House, a grade II* listed Georgian stuccoed country house to the south of the site, now forming part of Parrs Wood High School and Sixth Form. These buildings were set in landscaped grounds extending to both Wilmslow Road and Parrs Wood Lane.

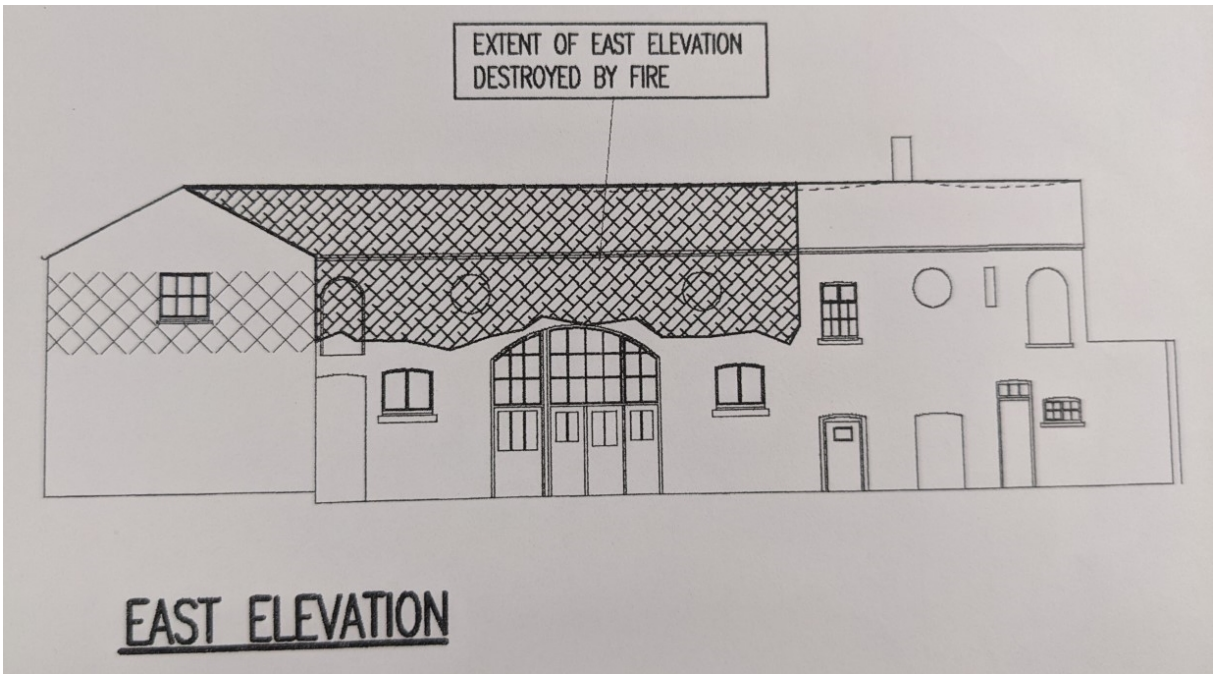
The Stables comprises of an L-shaped, two storey building of red brick, with the outer walls painted white, surrounding a cobbled courtyard. It features a slate roof, white timber multi-paned sash windows, porthole windows and, in the centre of the southern elevation, a large rounded archway. Car parking now sits to the north, south and west of the building, with greenhouses and landscaping remaining to the east.

Although the character of the area has changed over the past thirty years, the Stables remains a significant heritage asset and an important listed building worth preserving.

(Google Earth: Satellite image of the site outlined in red)

During the redevelopment of the area in the late 1990s, when the entertainment complex was being constructed, a large portion of the stable block burned down. At the time it was still under the ownership of the Manchester Corporation and the city architect drew up plans to re-build the damaged section with like-for-like materials to match the original as closely as possible. This was approved and the works carried out in the year 2000 – see plans and photos below.





(Image taken from the submitted Heritage Statement showing inner elevation of unit 3 - where the more recent brickwork is visible)

Relevant planning history:

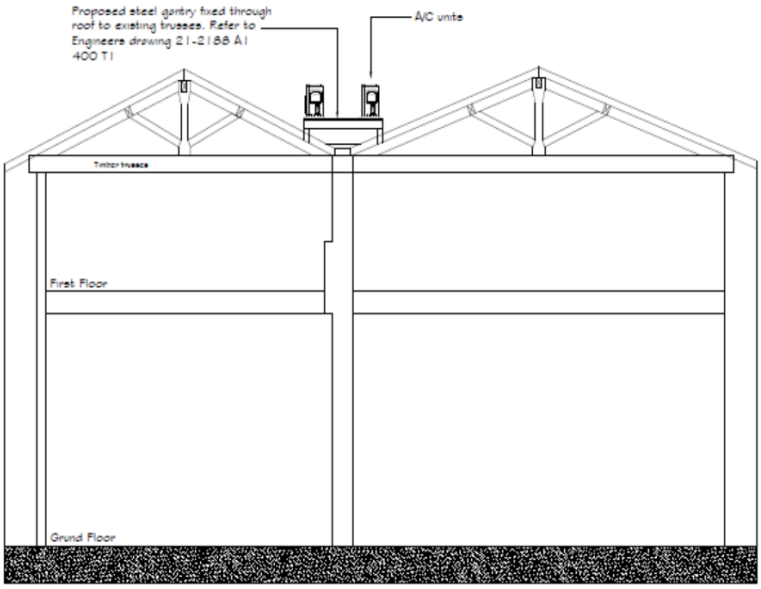
1987 – Permission granted for ‘alterations to improve children’s toilet facilities’ at Parrs Wood Rural Studies Centre (ref: 030134)
1998 – Permission granted for ‘alterations to existing building and demolition of part of adjacent wall’ (ref: 052866)
2003 – Permission granted for ‘demolition of outbuilding’ (ref: 066983) and ‘elevational alterations in association with use as a day nursery’ (ref: 066980)
2004 – Permission granted for ‘conversion and refurbishment of stables to form 2 storey office building’ (ref: 073153) and ‘associated use of 40 existing car parking spaces (ref: 073142)
2006 – Permission granted for ‘installation of 4no external air conditioning units to roof’ (ref: 077809)
2008 – Retrospective permission granted for ‘temporary planters and decking area within courtyard’ (ref: 087932)

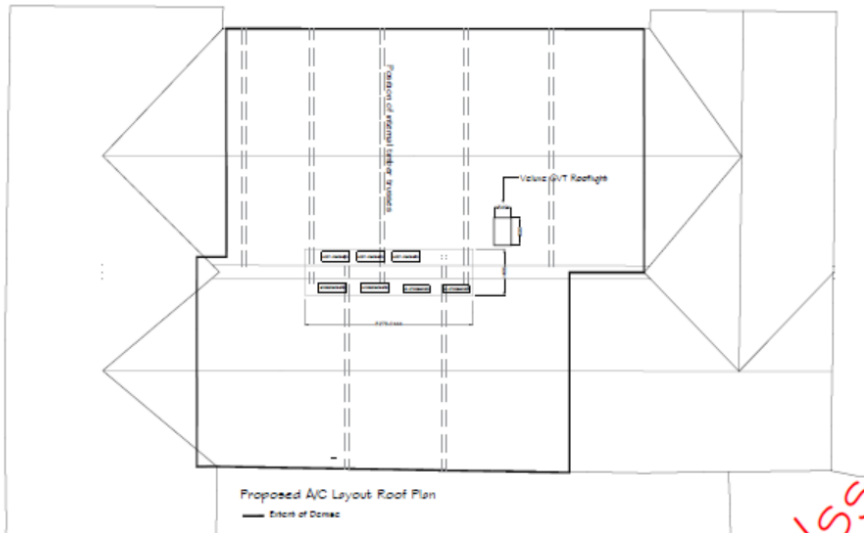
(Google Earth: Satellite image of the site, with location of works outlined in red green)

(Image taken from submitted Heritage Statement showing roof valley in August 2021)

The proposed works include the installation of 7no air conditioning units (2no ‘Samsung Outdoor Unit (AC052RXADKG/EU’, 3no ‘Samsung Outdoor Unit (AC071RXADKG/EU)’ and 2no ‘Samsung Outdoor Unit (AR12TXHZAWKXEU)’.

These would sit along a steel gantry/platform which in turn would be fixed to the roof trusses below, via steel posts. This would require the removal of roof slates and the addition of weather-proof flashings. A conservation-style Velux rooflight is also proposed for the roof valley, to facilitate access to the units for future maintenance.





Consultations

The public, via two site notices, one posted on the 7th March 2022 and the other posted on the 23rd March 2022, and an advertisement in the MEN, printed on the 8th March 2022 – No comments received.

Environmental Health – Reviewed the Noise Impact Assessment, which stated the sound power level would be 62-65 decibels emitted per air con unit. Given the nearest residential properties are over 180m away, EH did not object to their installation, provided the operation is confined to daytime only.

Policies

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

Those which are of particular relevance to the proposal are as follows:

Policy DM1 - Development Management
This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques.

Policy SP1 - Spatial Principles

Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy EN1 - Design Principles and Strategic Character Areas
This policy states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

Policy EN3 – Heritage
Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre. Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.
Historic sites and areas of particular heritage value should be both safeguarded for the future and, where possible, enhanced both for their own heritage merits and as part of wider heritage regeneration proposals. Conservation areas (see Figure 12.2) and buildings that are statutorily listed are protected under national legislation guidance. The Council maintains information on the City's heritage assets. It is expected that developers will carry out an appropriate appraisal of issues relating to heritage assets. Re-use of empty listed buildings will be encouraged subject to consideration of the building's special interest and significance.

Saved Unitary Development Plan (1995) policies of relevance:

Policy DC19 – Listed Buildings
Policy DC19.1 states that in determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, 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. In giving effect to this policy, the Council will:
a. not grant Listed building consent for the demolition of a listed building other than in the most exceptional circumstances, and in any case, not unless it is satisfied that every possible effort has been made to continue the present use or to find a suitable alternative use;
b. not permit a change of use of a listed building, where it would have a detrimental effect on the character or appearance of the building;
c. 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;
d. seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by the preservation of trees and landscape features;
e. permit demolition only where there are approved detailed plans for redevelopment and where there is evidence of a firm building contract;

f. not permit alterations to a listed building which would prevent the future use of any part of the building, in particular upper floors or basements, or where poor maintenance is likely to result.

National Planning Policy Framework (2021) - The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Chapter 16 – Conserving and enhancing the historic environment – Paragraphs of relevance include:

Paragraph 197 in Section 16 states that in determining planning applications, local planning authorities should take account of:
a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 199 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 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 202 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, where appropriate, securing its optimum viable use.

Paragraph 208 states that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

Other Material Considerations

Legislative Requirements - Sections 16(2) and 66(1) of the Planning (Listed Building and Conservation Areas) Act state that decision makers must have "special

regard to the desirability of preserving the building or setting or any features of special architectural or historic interest which it possesses."

Issues

Principle – The applicant references a previous consent as having established a precedent. A 2006 permission was granted for 4no air con units on a steel platform fixed within the roof valley. This permission pre-dates the National Planning Policy Framework, which was first published in 2012 and updated in 2021, as well as Manchester's Core Strategy Development Plan, also published in 2012. This permission was never implemented and expired in 2009.

Pre-application advice was provided to state that in terms of air-conditioning, a traditional air-con system with external condenser units would not be supported on a listed building as these can have a significant impact on the character and appearance of the building. The applicant was advised that there were conservation alternatives on the market which could have been explored and that where systems were essential that the units and extract terminals should be kept as simple and discreet as possible having sensitive regard to placement and minimal loss of fabric. The submitted proposal does not appear to have taken the officer's pre-application advice on board and the case officer informed the agent that the City Council could not support the application(s). No revised drawings or details of alternative schemes were received.

Siting and design – If the building was not listed, the siting of air con apparatus within a roof valley, out of sight from the ground and nearby public highways, would likely be supported, particularly given Environmental Health had no objection to their noise output in this location. However, due to the listed status, the siting and design of the proposed works is considered to be harmful by definition. Moreover, the selected plant consists of 7 no. large, white, traditional units which are not appropriate for a listed building. Though they would not be visible from the ground, this does not negate all harm. Fixing these to the roof trusses involves removal and alteration of listed fabric and is not expected to be easily removed in future. The steel gantry is described as lightweight, however, with the weight of 7 air con units, the structure as a whole would not be light. There is no methodology included, and little detail in relation to the actual fixings, but there is no doubt that the proposed works would be invasive. The submitted heritage impact assessment sets out that:
"It is acknowledged that adopting the approach highlighted above does comprise physical change to the external appearance of the listed building even though this will not be visible from ground level in any views."
"If the proposed location is not considered acceptable the installation could be provided through the use of condenser units fixed externally at ground level or at high level on the wall of the building. Locations for both options have been assessed but neither would provide a feasible alternative and would have a greater impact on the appearance and immediate setting of the listed building."

Though the assessment briefly mentions alternative locations for the apparatus, the assessment lacks detail and does not provide a clear justification as to why, for instance, siting the units on the ground within the internal courtyard (where it could

be surrounded by some form of screening) is not feasible, given this method would be less invasive and more easily reversed in future.

Heritage Impact – Paragraph 197 of the NPPF states: “in determining planning applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets”. This proposal neither sustains nor enhances The Stables, has already been in use as offices for many years in its current condition. Externally the appearance of the building has not significantly changed since it was first built and it looks to be in good condition. The works to convert it to its current B1 use in 2004 were sensitive to the original design and retained important features. When part of it was rebuilt, like-for-like, following the fire in 2000, appropriate materials were used and the original design replicated. The heritage impact assessment implies that because the air con units would be attached to non-original roof trusses, the impact upon the historic fabric is minimal. However, the rebuilt section of The Stables is still listed fabric and thus the impact must be considered.

Paragraph 200 of the NPPF states: “any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.” It is considered the proposed works cause less than significant harm to the designated heritage asset and the justification provided within the submitted heritage impact assessment is does not set out public benefit (or indeed the necessity for the interventions) to outweigh this harm with regards to the requirement of the national planning policy framework.

The reason given for the requirement of external air con units is states as follows: “Having obtained full access to the property, Europium World UK Ltd quickly became concerned as to the prevailing environmental conditions within the Stables, particularly at first floor. It must be assumed that when the building was converted for commercial use in the late 1990’s the comprehensive renewal of the roof finishes and structure included the introduction of high levels of modern insulation. Even in the colder months, this now results in excessive temperatures in the open plan office area at this level.” No temperature data has been provided but it is worth noting that, according to the planning history, The Stables has been in use as offices since 2004 and it is expected that many offices within historic buildings in Manchester do not benefit from air conditioning, but instead utilise natural ventilation, blinds and desk fans.

Public benefits – Paragraph 202 of the NPPF states that 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, where appropriate, securing its optimum viable use. No public benefit has been mentioned or discussed within the submitted heritage impact assessment. BTP have however discussed the merits of improving the office space for their clients by improving the internal temperature. Given The Stables is already in use as office(s) and has been for many years, the public benefit of improving a small amount of private office space for the applicant’s business is considered minimal. It has not been demonstrated how the proposed works would benefit the public or to

what degree, but it is clear that any benefit would not outweigh the harm caused and consent should be refused.

Conclusion

The proposal, its benefits and the degree of harm have been assessed against the National Planning Policy Framework, the Core Strategy and extant UDP policies. No objections were received, however the City Council cannot support the proposal given the lack of public benefits and the less than substantial harm that would be caused by the proposed intervention within the roof valley of the grade II listed stable block. Alternative methods of improving the conditions within the building have not been adequately explored; the agent/applicant have failed to provide a clear and convincing justification for the air conditioning units and steel platform; and it is not considered that the minimal public benefit gained by improving the private office would outweigh the less than substantial harm caused to listed fabric by these invasive works. The development is therefore contrary to section 16 of the NPPF, policy EN3 of the Core Strategy and saved policy DC19.1.c of the UDP.

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 the right to a fair hearing and to this end the Committee 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 of the application 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 – MINDED TO REFUSE (as the application is subject to an Appeal Against Non-Determination)

Article 35 Declaration

The proposal was assessed against the policies within the Manchester Core Strategy Development Plan Document and the guidance contained within the National Planning Policy Framework. The applicant was advised that the proposed air handling equipment and associated works would not be appropriate as it would cause substantial harm to the fabric of a listed building. As the nature of the proposal was considered to be unacceptable and the applicant has requested that the

proposal be determined in its current format, a solution that was acceptable to both the Local Planning Authority and the applicant could not be reached.

Reason for Refusal

1) The proposed alterations and additions to the roof to facilitate air conditioning systems would not preserve or enhance the Grade II designated heritage asset, causing less than substantial harm that cannot and has not been outweighed by public benefit, and is therefore considered to be contrary to Government Guidance contained in Sections 16 (2) and 66 of (Listed Buildings and Conservation Areas) Act 1990, Section 16 (Conserving and enhancing the Historic Environment) of the National Planning Policy Framework, the Core Strategy for the City of Manchester, in particular Policy EN3 (Heritage) and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City Of Manchester.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application references: 132890/LO/2022 and 133055/FO/2022 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

- Environmental Health

A map showing the neighbours notified of the application is attached at the end of the report.

- None (notified via site notice)

Representations were received from the following third parties:

- Environmental Health

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Email : constance.phillips@manchester.gov.uk