

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138393/LO/2023 & 138392/FO/2023

Date registered valid: 23 November 2023

Proposal: Listed Building Consent for installation of solar panels to roof (138393/LO/2023) and Installation of solar panels to roof (138392/FO/2023).

Address: Gregs Buildings, 1 Booth Street, Manchester, M2 4DU

Ward(s): Deansgate Ward

Applicant: Gregs Properties Ltd

Agent (if any): Emery Planning

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

Recommendation: Approve

Date of recommendation: 12/01/2024

Application details

Type of application: Listed Building Consent (138393/LO/2023) and Full Application Consent (138392/FO/2023)

Development type: Listed building alteration and Minor Other

Date of site visit:

Standard consultations:

Printed: 28 November 2023

Expired: 19 December 2023

Neighbour notifications

Printed: 28 November 2023

Expired: 19 December 2023

Site notice

Posted: 05/12/2023

Expired: 26/12/2023

Press advert

Published: 5 December 2023

Expired: 19 December 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The site concerns the rooftop of Greg's Buildings, a Grade II listed (03.10.74) 5-storey plus basement former Victorian textile warehouse built in 1847 at the junction of Booth Street and Tib Lane within the Upper King Street conservation area (04.11.70). It is constructed of light red brick with sandstone and ashlar dressings, and prominent quoins and cornice.

The original flat roof accommodated a cistern for firefighting purposes but now combines C20 flat and pitched roof extensions alongside original chimneys. The extensions previously provided a caretaker flat (now offices) with lift shaft further back.

The building has a 5-sided plan form and stands on an island site within a tight urban grain. It is bounded by Booth Street/Tib Lane to the south, Pall Mall to the west, Chancery Place to the east and Chancery Lane to the north. It is situated in the south of the conservation area abutting the Albert Square conservation area which extends north along Clarence Street and west along Tib Lane.

Listed building: Grade II

Conservation area: Upper King Street Conservation Area 1970

Tree Preservation Order: n/a

Description of area

The application building is Grade II listed and is within the Upper King Street Conservation Area. The lower ground floor houses a dental business, with office uses on the upper floors. The area surrounding the building is urban and contains a mix of uses, typical of a city centre - predominantly office, retail, restaurant and service activities.

Description of development

The development relates to the installation of 40no. photovoltaic panels to the roof of the Gregs Building.

Consultations & Notification Responses

Publicity - two notices, for the full planning permission and listed building consent applications respectively, were displayed on site to inform passers-by of the development. Two adverts were placed in the local press one advertising the development as a listed building consent and one as affecting a listed building and conservation area for the listed building consent and the full planning permission applications respectively. Letters were sent to surrounding occupiers notifying them of the development. No representations have been received as a result of this publicity.

Manchester Aerodrome Safeguarding Officer - no objections, informative requested: The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

Manchester Royal Infirmary Helipad Manager - no comments to make

Issues

Principle

The proposed development relates to the installation of 40no. photovoltaic cells to the roof of the Gregs Building. The proposal will help to minimise CO2 emissions in Manchester. The installation of low and zero carbon energy sources is supported by policy EN4 of the Manchester Core Strategy (2012), which encourages retrofit projects that would help improve energy efficiency and provide low and zero carbon energy supplies to existing buildings. However, as the installation would be on a listed building and within a conservation area, it is necessary to consider any harm that would be caused to the special character and appearance of these designated heritage assets by the proposal, an assessment of which is undertaken below.

Impact on the listed building

The value of the building stems from its status as an early fireproofed textile warehouse, its palazzo architecture, transition to office accommodation and associations with the Greg family.

The roof, with the exception of the chimneys, has been altered. Although the significance of the roof has been occluded by the later additions, these nonetheless have some pedigree being 40-60 years old and are noted in the listing description (as attics). Moreover, the building's legibility is understood in context with its roof wherein surviving original chimneys contribute to its significance.

The solar PVs, by virtue of their modern, reflective materiality and stark geometry read in context with the chimneys, would appear as a clearly modern and incongruous addition to the roof and hence would fail to preserve or enhance the appearance of character of the building. Therefore, it is considered that the development would result in a moderate degree of less than substantial harm to the listed building.

However, it is accepted that the narrowness of most streets and width of the cornice makes it little visible from ground level. The most visible site of development is the 3-metre high flat-roof mansard extension on this southwestern corner which is built to the edge of the cornice and stands prominently above it. It is the most exposed part of the building addressing the junction

of Booth Street, Tib Lane, Pall Mall and Clarence Street, the latter connecting the site with Albert Square 95-metres to the southwest.

To mitigate the visual impact of this PV array on the listed building, it would be set back from the edge of the mansard roof. This should ensure the array on the mansard roof is not visible from any public vantage point. Furthermore, to ensure they do not obscure part of the original chimney stack behind the mansard roof, thus diluting its significance, the tilt of the panels at this location has been reduced to 10 degrees, which is the minimum required for the array to function correctly.

The flat roof of the former lift shaft is set further northwest and higher than the mansard roof. To mitigate against the possibility of the array being visible from Clarence Street / Albert Square and to a lesser extent from Chancery Place, the array would be tilted at 10 degrees to minimise the protrusion from the rooftop.

The PVs proposed on the two inside pitched roofs of the former caretaker's flat and on a flat roof below parapet level would be sited in visually discreet locations which pose no risk of harm to the character or setting of the heritage assets from any viewpoint within the street scene.

The development would result in a moderate degree of less than substantial harm to the listed building. The siting and orientation of the arrays, thereby ensuring they are not visible from within the street scene, should mitigate against this harm. Furthermore, the harm is considered, in this instance, to be outweighed by the public benefits of

Impact on the conservation area

By virtue of their siting and orientation, the panels would not be visible from street-level public vantage points within the conservation area. Therefore, it is considered there would be no harm to the conservation area.

Visual amenity

As elucidated above, the PV panels have been sited so as to ensure they are not visible from any street-level public vantage points. There would be some views of the roof from neighbouring buildings and the modern appearance of the PV panels would appear incongruous in the context of historic building. However, it is accepted that rooftops often incorporate service areas and that the sight of service equipment on roofs is not an uncommon one. Therefore, the harm to visual amenity when viewed from nearby buildings is not considered to be great enough to warrant a refusal. Therefore, it is considered that there would be no significant harm to the visual amenity of either building or wider street scene.

Public safety

Owing to their light-reflective nature, PV panels could pose a risk to aircraft flying overhead. The Manchester Airport Aerodrome Safety Office, together with the MRI Helipad manager, were both consulted regarding the application. No objections were raised by either party, although the former requested an informative regarding the use of cranes and other tall equipment associated with the installation of the panels. This informative is attached to this 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

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 OR Reasons for recommendation to refuse (138393/LO/2023)

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:

-Design & Access Statement DESIGN AND ACCESS STATEMENT

-Supporting Information SAVING INDICATIONS

-Heritage Statement HERITAGE STATEMENT

All received by the City Council, as Local Planning Authority, on 23/10/2023

-Supporting Information 004A FIXING DETAILS - FLAT AND PITCH ROOFS

-Drawing - Existing & Proposed 002D SITE PLANS

-Drawing - Existing & Proposed 003C SECTIONS

All received by the City Council, as Local Planning Authority, on 09/01/2024

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.

3) Prior to the commencement of the development hereby approved, a method statement for the installation of the PV arrays shall be submitted to and approved in writing by the City

Council, as Local Planning Authority. This should include details of any new penetrations into listed building fabric for cabling, inverters, and any battery storage, and means of connecting to new or existing energy infrastructure within the building. Details of how historic fabric will be protected during installation works should also be included.

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

Reason - To ensure that the development is acceptable in the interest conservation and heritage pursuant to policies SP1, DM1, CC9 and EN3 of the Manchester Core Strategy (2012) and saved policy DC19 of the Unitary Development Plan.

4) Prior to the removal of the PV panels hereby approved, a method statement for the removal and reinstatement of any elements of the roof removed as part of the development shall be submitted to and agreed in writing by the City Council, as Local Planning Authority.

The approved details shall be implemented within one month of the use ceasing and thereafter retained and maintained in accordance with this scheme.

Reason - In the interests of the protection of a designate heritage asset because 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 policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse (138392/FO/2023)

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 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

-Design & Access Statement DESIGN AND ACCESS STATEMENT

-Supporting Information SAVING INDICATIONS

-Heritage Statement HERITAGE STATEMENT

All received by the City Council, as Local Planning Authority, on 23/10/2023

-Supporting Information 004A FIXING DETAILS - FLAT AND PITCH ROOFS

-Drawing - Existing & Proposed 002D SITE PLANS

-Drawing - Existing & Proposed 003C SECTIONS

All received by the City Council, as Local Planning Authority, on 09/01/2024

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.

Informatives

1) The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

The Mall Advanced Dental Care, Gregs Buildings, 1 Booth Street, Manchester, M2 4DU
Fourth Floor, Clarence House, 2 Clarence Street, Manchester, M2 4DW
First Floor, Clarence House, 2 Clarence Street, Manchester, M2 4DW
Sixth Floor, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
Fifth Floor, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
Fifth Floor, Gregs Buildings, 1 Booth Street, Manchester, M2 4DU
Fourth Floor, Gregs Buildings, 1 Booth Street, Manchester, M2 4DU
Third Floor, Gregs Buildings, 1 Booth Street, Manchester, M2 4DU
First Floor, Gregs Buildings, 1 Booth Street, Manchester, M2 4DU
First To Fourth Floor, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
LIVERPOOL VICTORIA FRIENDLY, Ninth Floor, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
Atlas Chambers, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
Fourth Floor, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
Ground Floor, Gregs Buildings, 1 Booth Street, Manchester, M2 4DU
Second Floor, Gregs Buildings, 1 Booth Street, Manchester, M2 4DU
Basement And Ground Floor, 84 King Street, Manchester, M2 4WQ
Ground Floor, Clarence House, 2 Clarence Street, Manchester, M2 4DW
Kyocera Document Solutions, 3 - 7 Booth Street, Manchester, M2 4DU
Seventh Floor, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
Flight Club, Ground Floor, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
Eighth Floor, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
Clarence House, 2 Clarence Street, Manchester, M2 4DW
86 King Street, Manchester, M2 4WQ
50 Pall Mall, Manchester, M2 1AQ
Flat 23, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 24, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 25, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 31, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 32, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 33, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 14, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 15, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 16, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 22, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 43, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 41, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 42, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 21, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 12, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 11, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
First Floor, 86 King Street, Manchester, M2 4WQ
SYMATRIX LTD, Second Floor, 86 King Street, Manchester, M2 4WQ
84 King Street, Manchester, M2 4WQ
Third Floor, Clarence House, 2 Clarence Street, Manchester, M2 4DW
Second Floor, Clarence House, 2 Clarence Street, Manchester, M2 4DW
Fifth Floor, Clarence House, 2 Clarence Street, Manchester, M2 4DW

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

Conservation Area - Upper King Street Conservation Area 1970

Area Team Boundary - Name: CENTRAL