

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139383/FO/2024

Date registered valid: 13 March 2024

Proposal: Replacement of 5no existing AC units and the installation of 18no additional roof mounted AC Units within existing dedicated roof plant area.

Address: Fourth Floor, Westminster House, 11 Portland Street, Manchester, M60 1HY

Ward(s): Piccadilly Ward

Applicant: Lloyds Banking Group

Agent (if any): Mr Peter Williams HLN Ltd

Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24th April 2024

Application Details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 28 March 2024

Standard consultations:

Printed: 20 March 2024 Expired: 12 April 2024

Neighbour notifications

Printed: 20 March 2024 Expired: 12 April 2024

Site notice

Posted: 2 April 2024 Expired: 23 April 2024

Press advert

Published: 26 March 2024 Expired: 9 April 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of Site/Area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to Westminster House is a 1970s office building situated in a prominent location in Manchester's city centre, bounded by Minshull Street, Portland Street and Aytoun Street. It is a nine-storey office building providing circa 15,100 sq. m lettable space, including A3 space at ground floor along Portland Street, and B1 office space along Aytoun Street and Minshull Street. Above this are eight storeys of B1 office accommodation.

The site is enclosed to the southeast by mature trees which line Major Street and the entrance to Major Street car park.

Description of Proposed Development

The proposal seeks permission for the replacement of 5no existing AC units and the installation of 18no additional roof mounted AC Units within existing dedicated roof plant area.

Related Applications

137739/FO/2023 - Installation of 3 no. louvered sections within existing glazed facade to the rear courtyard. Replacement of 14 no. air conditioning units and installation of 20 no. air conditioning units at roof level within the designated plant area.

Approved January 2024.

Consultations & Notification Responses

Environmental Health - Advised that a condition be added regarding plant equipment that would include a verification element to confirm the details of the submitted noise impact assessment and acoustic report.

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 due to this publicity.

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Saved policy **DC26** of the **UDP**;
- Policies **DM1**, **SP1**, **CC9**, **EN4** and **EN3** of the **Core Strategy**;
- **The Guide to Development in Manchester (SPD)**;
- **National Planning Policy Framework (NPPF)**

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:

Policy JP-P1 (Sustainable Places), Policy JP-S1 (Sustainable Development), Policy JP-S2 (Carbon and Energy), Policy JP-P5 (Education, Skills and Knowledge), and Policy JP-P6 (Health).

Issues

Principle of Development

The principle of having AC units in the locations is considered to be appropriate.

Visual Amenity

Consideration has been given to the siting of the unit in order to limit the impact when viewed from surrounding buildings, and the units are to be located alongside existing equipment. The unit would not be visible from street level as they are set back from the parapet. Given the existing air conditioning units in place in the proposed locations, it is not considered that the additional proposed air conditioning would have a significant negative affect of the visual amenity of the host building itself, or upon the surrounding street scene.

The replacement of the existing air conditioning units is not considered to have any impact of the visual amenity of the building itself or the surrounding street scene, as the units are of a similar size and design, and are located in the exact same place.

The number of units is less than previously approved under 137739/FO/2023.

Noise

A noise impact assessment and acoustic report were submitted along with the application. Whilst the information included in these documents was signed off as satisfactory by Manchester City Council's Environmental Health team, it was requested that a verification report be submitted post the installation of the equipment. This has been included as a condition.

Conclusion

Given the above, it is considered that the proposal is in accordance with the above policies and should be approved.

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

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, received by the Local Planning Authority on 27 February 2024:

- Location
- Proposed Major Street Elevation 50960488-HLN-XX-E6-M2-AR01-7206
- Proposed Major Street Elevation Mechanical Services 50960488-LBG-CP-E1-M2-ML-2701 C1
- Proposed Roof Mechanical Services Condenser Layout 50960488-LBG-CP-R1-M2-ML-2001 C2
- Design and Access Statement
- Acoustic Planning Report

Received by the Local Planning Authority on 13 March 2024:

- Proposed Portland Street and Minshull Street Section
- Proposed Plant Schedule Sheet 1 of 6
- Proposed Plant Schedule Sheet 2 of 6
- Proposed Plant Schedule Sheet 3 of 6
- Proposed Plant Schedule Sheet 4 of 6
- Proposed Plant Schedule Sheet 5 of 6
- Proposed Plant Schedule Sheet 6 of 6

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) a) Externally mounted ancillary plant, equipment, and servicing shall be selected and/or acoustically treated in accordance with the scheme outlined in the document 'Acoustic Planning Report' dated 19 December 2023, in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the equipment is brought into use.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policy DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

Appendix 1 – List of consultees & neighbours notified

Environmental Health

10 New York Street, Manchester, M1 4JD
PaddyPower, 44 Piccadilly Plaza, Manchester, M1 4AJ
Ground Floor, Westminster House, 11 Portland Street, Manchester, M1 3PL
Huxters, Minshull Street, Manchester, M1 3EF
Part Ground Floor, Saco House, 6 Minshull Street, Manchester, M1 3ED
Flat 310, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Aytoun Street Wing Ninth Floor, Westminster House, 11 Portland Street, Manchester, M1 3BH
Flat 216, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Fourth Floor, 9 Portland Street, Manchester, M1 3BE
Flat 402, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 704, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 109, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 401, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 107, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 502, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 318, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 209, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 409, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 215, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 416, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 218, The Grand, 1 Aytoun Street, Manchester, M1 3DA
4 Portland Street, Manchester, M1 4GS
Second Floor, Barlow House, 4 Minshull Street, Manchester, M1 3DZ
Flat 206, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 514, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 301, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 518, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 307, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 405, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 706, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 510, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Ground Floor, Westminster House, Aytoun Street, Manchester, M1 3DL
Flat 613, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Sixth Floor, 9 Portland Street, Manchester, M1 3BE
Third Floor, 9 Portland Street, Manchester, M1 3BE
Gourmet Society, Fifth Floor, 9 Portland Street, Manchester, M1 3BE
Flat 608, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 204, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 602, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 607, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 210, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 417, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 605, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 300, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 506, The Grand, 1 Aytoun Street, Manchester, M1 3DB
The Thrift Shop, 45 - 50 Piccadilly Plaza, Manchester, M1 4AJ
Seventh Floor, Westminster House, 11 Portland Street, Manchester, M1 3HU
Fifth Floor, Westminster House, 11 Portland Street, Manchester, M1 3HU
Barlow House, 4 Minshull Street, Manchester, M1 3DZ
Flat 504, The Grand, 1 Aytoun Street, Manchester, M1 3DB

Ground Floor Office, 7 Chatham Street, Manchester, M1 3AY
New College Group, Ground And First Floor, 9 Portland Street, Manchester, M1 3BE
Flat 200, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 110, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 703, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 315, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 713, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 505, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 103, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 308, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 313, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Second Floor, Westminster House, 11 Portland Street, Manchester, M60 1HY
Third Floor, Barlow House, 4 Minshull Street, Manchester, M1 3DZ
Saco House, 6 Minshull Street, Manchester, M1 3ED
Flat 203, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 212, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 201, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 412, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 701, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 309, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 404, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 710, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 312, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 205, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 411, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 104, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 601, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 305, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 304, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 712, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Ground Floor, Westminster House, Minshull Street, Manchester, M60 1HY
Second Floor, 4 Portland Street, Manchester, M1 4GS
First Floor, Barlow House, 4 Minshull Street, Manchester, M1 3DZ
Flat 711, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 702, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 311, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 611, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 108, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 214, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 408, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 415, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 517, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 112, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 403, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 511, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 400, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 418, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Manchester Souvenirs And News, Unit F4, City Tower, Piccadilly Plaza, Manchester, M1 4AL
Third Floor, Westminster House, 11 Portland Street, Manchester, M60 1HY
Ninth Floor, Westminster House, 11 Portland Street, Manchester, M1 3BH
First Floor, Westminster House, 11 Portland Street, Manchester, M1 3PL
Westminster House, Minshull Street, Manchester, M60 1HY
Flat 302, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 603, The Grand, 1 Aytoun Street, Manchester, M1 3DB

Flat 512, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 111, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 316, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 604, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 705, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 610, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 606, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 106, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 213, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 513, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 211, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 709, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 208, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 516, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 207, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 507, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Edwards, Westminster House, 11 Portland Street, Manchester, M1 3HU
Eighth Floor, Westminster House, 11 Portland Street, Manchester, M1 3BH
Fourth Floor, Barlow House, 4 Minshull Street, Manchester, M1 3DZ
Fifth Floor, Barlow House, 4 Minshull Street, Manchester, M1 3DZ
Flat 317, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 314, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Second Floor, 9 Portland Street, Manchester, M1 3BE
Flat 407, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 303, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 202, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 500, The Grand, 1 Aytoun Street, Manchester, M1 3DR
Flat 707, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 515, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 509, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 508, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 503, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 600, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 306, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 406, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 105, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Britannia Hotel, 35 Portland Street, Manchester, M1 3LA
Sixth Floor, Barlow House, 4 Minshull Street, Manchester, M1 3DZ
Flat 217, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 410, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 501, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 101, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 102, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 612, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 609, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 708, The Grand, 1 Aytoun Street, Manchester, M1 3DB
Flat 413, The Grand, 1 Aytoun Street, Manchester, M1 3DA
Flat 414, The Grand, 1 Aytoun Street, Manchester, M1 3DA

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

Area Team Boundary - Name: CENTRAL