

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138652/LO/2023

Date registered valid: 27 November 2023

Proposal: City Council Development Listed Building Consent for installation of Wi-Fi access points and associated cabling

Address: Glenbrook Chapel, 451 Victoria Avenue, Blackley, Manchester, M9 8PJ

Ward(s): Higher Blackley Ward

Applicant: Mr Finlay Walker, Manchester City Council

Agent (if any):

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 22 January 2024

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 11 December 2023.

Standard consultations:

Printed: 29 November 2023

Expired: 20 December 2023

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: Expired:

Press advert

Published: 5 December 2023

Expired: 19 December 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: No

Tree Preservation Order: NO

The existing building relates to a Grade II listed building designed in the late 1950's as a one-off building. The building is considered to be a good example of post war modern architecture, mainly of concrete construction, with a series of flat roofs.

The host building is set within extensive, landscaped grounds, containing a graveyard and remembrance garden, a separate site office, and three chapels within the Grade II listed building. The site is accessed from Victoria Ave (A6104), with a second access road via Chapel Lane off Blackley New Road.

The area surrounding the site is largely residential in character.

Description of Development

City Council Development Listed Building Consent for installation of Wi-Fi access points and associated cabling.

Consultations & Notification Responses

The occupiers of the surrounding area were consulted and a site notice was erected close to the site and no representations were received.

The Design and Conservation Team raised no objection to the proposal.

Historic England- Raised no objection to the proposal.

Issues

Policy

The below policy and guidance is considered relevant to the consideration of this application;

- Policies DM1, EN3 and SP1 of the Manchester Core Strategy;
- Saved policy DC19.1 of the Unitary Development Plan for the City of Manchester;
- National Planning Policy Framework (NPPF) (Section 16);

Issues

Heritage Impact

S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that: 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

Policy EN3 of the Core Strategy, likewise refers to the need for the consideration to be given to the impact of new developments on heritage assets, whilst saved Policy DC19.1 of the UDP seeks to preserve and enhance the setting of listed buildings and specifically states that listed building consent will not be granted for external or internal alterations or additions to a listed building, were in its opinion, there would be an adverse effect on its architectural or historic character.

Relevant to this application, Section

16 relates to Conserving and Enhancing the Historic Environment.

Paragraph 192 states that: 'In determining 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 193 states that:

'When considering the impact of a proposed development on the significance of a designated 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 196 advises further that:

'Where a development proposal will lead to less than substantial harm to the significance of designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use'.

The building is a Grade II listed asset, designated primarily due to its architectural and aesthetic interest, considered an exceptional example of a well-preserved and high-quality post-war building.

Whilst there will be a degree of harm through the installation of new equipment and the penetrations proposed, the proposed location of the equipment have been designed to avoid, minimise and mitigate cumulative harm to the Grade II listed building. These works will have a limited overall impact on the asset's special significance, mainly within altered or less significance spaces, with the harm otherwise justified and outweighed by the benefits that the scheme would deliver.

The only additional information sought as part of this application would be the material and finish of the proposed containment - which should ideally be in the form of painted metal conduits. PVC trunking will not be supported. A condition has been added to the consent.

Contingent on appropriate quality and finish of the proposed exposed conduits, the proposal is in accordance with the guidance within Section 16 of the NPPF, in particular consideration of paragraphs 200, 205, 206 and 208, Policy EN3 of the Core Strategy and saved UDP policy 19.

As such, it is believed the alterations are slight and of neutral, negligible impact. Overall, it is considered that the proposed alterations are negligible in terms of the significance of the building and does not have a significant impact upon architectural detailing.

In conclusion it is considered that in assessing the historic value of the building, coupled with any impact to visual amenity is sustainable. The work will have a neutral impact and will not cause more than slight harm.

It is believed that on balance, the proposed works will meet an established need and would still sustain the heritage significance of the listed building. It is considered that the works would cause less than substantial harm and on balance, when weighed against the public benefits that the proposal will deliver for the local community, the proposed development is considered acceptable.

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. In this instance this has included ongoing advice about the information required to be submitted to support the application and to address issues.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

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:

Location Plan, Ground floor Plan, 010023050052 Rev 01, 010023050052 Rev 01 Roof Plan, Design and Access Statement, Photographic Document and the Heritage Statement, stamped as received on the 27 November 2023.

Reason- To ensure that the development is acceptable to the City Council as Local Planning Authority, pursuant to saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

3) Prior to any works, all samples and specifications of material and finish of the proposed containment, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved materials shall then be implemented as part of the development.

Reason - To ensure that the appearance of the development is acceptable to the City Council as Local Planning Authority, pursuant to 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)

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA