

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 136840/LO/2023  
**Date registered valid:** 13 May 2023  
**Proposal:** Listed Building Consent for installation of new fire alarm system.  
**Address:** Victoria Baths, Hathersage Road, Manchester, M13 0FE  
**Ward(s):** Ardwick Ward

**Applicant:** Mr Tony Jones Manchester City Council  
**Agent (if any):** Mr Frank Duncan Sanderson Kepczyk Pearce Sanderson Ltd  
**Case officer:** Ian Jarvis  
Tel: 0161 234 4079  
Email: [ian.jarvis@manchester.gov.uk](mailto:ian.jarvis@manchester.gov.uk)

**Recommendation:** APPROVE  
**Date of recommendation:** 14 February 2024

## Application details

**Type of application:** Listed Building Consent

**Development type:** Listed building alteration

**Date of site visit:**

### Standard consultations:

Printed: 18 May 2023      Expired: 8 June 2023

### Neighbour notifications

Printed: 18 May 2023      Expired: 8 June 2023

### Site notice

Posted: 9 August 2023      Expired: 31 August 2023

### Press advert

Published: 23 May 2023      Expired: 6 June 2023

**Departure from Development Plan:** No

**Environmental Statement:** Not required

## Description of site/building

**Listed building:** Grade II\*

**Conservation area:** Not applicable

**Tree Preservation Order:** Not applicable

This application relates to Grade II\* listed building Victoria Baths which is widely recognised as Britain's finest historic municipal public baths. Having won BBC's Restoration programme in 2003. The building is fairly intact and very ornate with stained glass, decorative tiling, mosaic floors and striking pool halls. It is Grade II\* listed, has been partially restored and operates currently as a heritage visitor attraction and ad hoc other uses such as rooms for hire and as a location set for TV/film. The premises are operated by the Victoria Baths Trust, but the premises remain in the ownership of Manchester City Council.

The baths front Hathersage Road, with an area of lawn and basement lightwells between the front block and Hathersage Road. The back of pavement to Bax Road forms the boundaries to the west and north defined by the west wall of the building and a high brick wall enclosing the service yard north of the pool halls, which abuts the north wall of the plant room in the north-east corner of the site.

As part of the upkeep of the building, a Fire Risk Assessment was commissioned which identified defects in the current system which required addressing. As a result, this planning application has been made for the installation of a completely new fire alarm system capable of providing coverage to all areas and voids within the building. The proposals do not involve any additions or alterations to the Listed Building, other than siting of new fittings and extending fire alarm coverage to all areas. It was therefore deemed that the proposed works required Listed Building Consent only and did not require planning permission.

The proposed works comprise:

- Wiring to be installed in voids, risers and ceiling spaces to be kept hidden, or to follow established service routes, where this is not possible.
- Areas where wiring is difficult, or in historically sensitive areas, such as the fully tiled Turkish baths, or in rooms with no void access, a wireless system would be installed. This would consist of wireless fire devices connected on a local ring. The wireless devices would be fixed to the grout runs, to avoid damage to tiles and ceilings. In any areas where this is difficult, fittings will be fixed to timber screens/door surrounds.

The proposal has been advertised on site and in the press.

## **Consultations & Notification Responses**

Local residents/adjoining occupiers - No comments received.

Historic England - Support this proposal and welcome the sensitive approach being taken to the installation of the new system

Urban Design and Conservation - Made the following initial comments:

It would be useful to get more information on the approach to the rear range - toilets & club rooms at the back, as not much in regards to these spaces has been submitted as part of the LBC. Otherwise the heritage documentation is comprehensive, and should only be updated as per revised approach & further details as and when available.

It would also be useful to get information on how the equipment can be made less discrete - i.e. colour coded/encased depending on location. In that sense the specs - "all detector and sounder boxes are to be finished in white" / "MK Red Alert circular accessory boxes" / "MK Red alert boxes" may need revising.

There are concerns about the proposed PVC trunking where the cabling would be exposed - other than in basement. In other areas where wired system is required and exposed, copper trunking or similar (sensitive and more 'quality' finish) would be required. As a general rule, there should be no exposed cabling in areas other than basement and where concealed in the outbuildings (i.e. high-up and on tray).

New fixings (metal tie bands or 'P' clips, alarm boxes and other) to be affixed to mortar or in areas of previous interventions where possible - and as per the submitted supporting documents (D&A and Heritage Statements).

The applicant provided revised plans/details, to address these points, and UD&C commented as follows:

Contingent on works undertaken as per the submitted photographic survey and updated floorplans, as well as use of painted metal conduits where exposed, the proposed works can be supported. A condition is required in relation to the product specification and/or sample of the conduits.

## **Issues**

National Planning Policy Framework (December 2023) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
- b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. paragraph 126).

Section 16 'Conserving and enhancing the historic environment' states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

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.

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.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents

Policy SP1 identifies the City Council's Core Development Principles and states that 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
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy EN3 relates to heritage and states that, 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 in the City Centre.

New development must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character , setting and accessibility of areas and buildings of acknowledged importance, including scheduled monuments, listed buildings registered parks and gardens , conservation area and archaeological remains.

Policy DM 1 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 and 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.

- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is presently unallocated within the Manchester Unitary Development Plan.

Saved 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:

- 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;
- 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.

Impact of works - In principle, the proposed works are considered to be positive, as they will offer greater protection in the event of fire, to both occupants and the fabric of the building. The proposed works require more fittings, than the existing system, but these are necessary to increase fire protection coverage to all areas of the building. The scale of these works though, is considered to be relatively minor. Although the proposed works do not involve any opening up of the building fabric and it is considered that they would have some impact to the listed building, but that this would result in less than substantial harm, and that the harm is outweighed by the improvement to the fire protection measures, thereby according with the NPPF. The Product specifications required are including in the specified plans condition.

Although this would have some impact, it is considered that this would result in less than substantial harm, and that the harm is outweighed by the improvement to the fire protection system, and the benefit it will bring in regard to the on-going occupation of the property, thereby according with the NPPF.

To conclude, it is considered that the proposal would result in less than substantial harm upon the fabric of the listed building, with minimal impact on the existing structures and public areas, and that it would have a very small impact upon the building as a whole, whilst contributing to the continued use of the premises.

### **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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with this application for Listed Building Consent. In particular a site meeting was held to discuss the proposal and requested clarification, of the works proposed, has been provided by the applicant.

### **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:

Site location plan

Design and Access Statement dated April 2023

Heritage Impact Assessment dated April 2023

Electrical Survey Review document dated 13 June 2022

All stamped as received by the City Council, as Local Planning Authority, on 28 April 2023

Section 1 - Electrical Particular Specification document, dated June 2022

Xpander Engineering Product guide

Stamped as received by the City Council, as Local Planning Authority, on 13 May 2023

Email from Tony Jones, dated 14 June 2023, detailing product specifications of the fire alarm system

Drawings numbered B01 Basement, B01 Ground Floor, B01 First Floor, B01 Second Floor and B01 Roof Level

Victoria Baths 'Prepared for Performance Electrical' photographic survey, dated 6 October 2023

Victoria Baths 'Wireless Fire Alarm' photographic survey, dated 29 August 2023

All stamped as received by the City Council, as Local Planning Authority, on 6 November 2023

Email from Andrew Fyfe, dated 13 November 2023, confirming the use of black metal conduits

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, DM1 and EN3 of the Manchester Core Strategy and policy DC19.1 of the Unitary Development Plan for the City of Manchester.

## Appendix 1 – List of consultees & neighbours notified

Historic England (North West)  
Heritage & Urban Design

Room B Flat 250, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room B Flat 249, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room A Flat 249, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room C Flat 29, Victoria Point 1 Victoria Point, 44 Hathersage Road, Manchester, M13 0FR  
Room D Flat 28, Victoria Point 1 Victoria Point, 44 Hathersage Road, Manchester, M13 0FR  
Room C Flat 24, Victoria Point 1 Victoria Point, 44 Hathersage Road, Manchester, M13 0FR  
Room B Flat 7, Victoria Point 1 Victoria Point, 44 Hathersage Road, Manchester, M13 0FR  
Room B Flat 5, Victoria Point 1 Victoria Point, 44 Hathersage Road, Manchester, M13 0FR  
Room B Flat 4, Victoria Point 1 Victoria Point, 44 Hathersage Road, Manchester, M13 0FR  
Room C Flat 3, Victoria Point 1 Victoria Point, 44 Hathersage Road, Manchester, M13 0FR  
Room A Flat 26, Victoria Point 1 Victoria Point, 44 Hathersage Road, Manchester, M13 0FR  
Room A Flat 10, Victoria Point 1 Victoria Point, 44 Hathersage Road, Manchester, M13 0FR  
Room A Flat 6, Victoria Point 1 Victoria Point, 44 Hathersage Road, Manchester, M13 0FR  
Room A Flat 4, Victoria Point 1 Victoria Point, 44 Hathersage Road, Manchester, M13 0FR  
Flat 264 Victoria Point 6, Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Flat 262 Victoria Point 6, Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Flat 250 Victoria Point 6, Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Flat 243 Victoria Point 5, Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Flat 230 Victoria Point 5, Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Flat 229 Victoria Point 5, Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Flat 227 Victoria Point 5, Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Flat 214 Victoria Point 5, Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Flat 200 Victoria Point 5, Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Flat 188 Victoria Point 5, Victoria Point, 44 Hathersage Road, Manchester, M13 0FT  
Flat 180 Victoria Point 5, Victoria Point, 44 Hathersage Road, Manchester, M13 0FT  
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Flat 133 Victoria Point 5, Victoria Point, 44 Hathersage Road, Manchester, M13 0FT  
Flat 126 Victoria Point 5, Victoria Point, 44 Hathersage Road, Manchester, M13 0FT  
Flat 125 Victoria Point 5, Victoria Point, 44 Hathersage Road, Manchester, M13 0FT  
Flat 11 Victoria Point 1, Victoria Point, 44 Hathersage Road, Manchester, M13 0FR  
Room C Flat 248, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room B Flat 248, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room C Flat 22, Victoria Point 1 Victoria Point, 44 Hathersage Road, Manchester, M13 0FR  
Flat 260 Victoria Point 6, Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Flat 257 Victoria Point 6, Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Flat 256 Victoria Point 6, Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room A Flat 251, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Flat 251 Victoria Point 6, Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room C Flat 250, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room C Flat 30, Victoria Point 1 Victoria Point, 44 Hathersage Road, Manchester, M13 0FR  
Room A Flat 21, Victoria Point 1 Victoria Point, 44 Hathersage Road, Manchester, M13 0FR  
Flat 6 Victoria Point 1, Victoria Point, 44 Hathersage Road, Manchester, M13 0FR  
Flat 208 Victoria Point 5, Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Flat 203 Victoria Point 5, Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Flat 202 Victoria Point 5, Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Flat 205 Victoria Point 5, Victoria Point, 44 Hathersage Road, Manchester, M13 0FG

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Room B Flat 260, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room A Flat 260, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room C Flat 259, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room B Flat 259, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room D Flat 258, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room B Flat 256, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room B Flat 254, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room B Flat 253, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room D Flat 252, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room A Flat 252, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG  
Room B Flat 251, Victoria Point 6 Victoria Point, 44 Hathersage Road, Manchester, M13 0FG

## **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 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 (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH AREA