

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137014/VO/2023

Date registered valid: 18 May 2023

Proposal: City Council Development - Replacement of the glazed roof lantern to central entrance foyer.

Address: Manchester Art Gallery , Mosley Street, Manchester, M2 3JL

Ward(s): Deansgate Ward

Applicant: Manchester City Council

Agent (if any): Mr Neal Charlton Buttress

Case officer: Tony Mitchell
Tel: 0161 234 4776
Email: anthony.mitchell@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21 March 2024

Application details

Type of application: Regulation 3 Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 30 May 2023 Expired: 20 June 2023

Site notice

Posted: 30 May 2023 Expired: 20 June 2023

Press advert

Published: 6 June 2023 Expired: 20 June 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade I

Conservation area: George Street Conservation Area 1985

Tree Preservation Order: NA

Description of area

Manchester Art Gallery is situated in the heart of the city centre. It is bounded by Mosley Street, which is the site's principal entrance, Princess Street, George Street, and Nicholas Street. It occupies a whole city block, without direct neighbours. The Art Gallery is composed of 3 connected buildings, with the City Art Gallery facing onto Mosley Street, The Athenaeum along Princess Street and the later extension, connecting the two.

Manchester Art Gallery is the city art gallery, with the Athenaeum serving as an annex following a previous remodelling. Both buildings are owned by Manchester City Council, and are currently in use and open to the public.

The Art Gallery is Grade I Listed, and the Athenaeum is Grade II* Listed, and is located in the George Street Conservation Area. It also sits within close proximity to the Whitworth Street and Princess Street Conservation Area, St Peter's Square Conservation Area, Albert Square Conservation Area, and Upper King Street Conservation Area.

Description of development

The proposed works are for the replacement of the existing roof lantern on the roof of the main entrance hall of the gallery building to address safety and maintenance concerns.

The existing lantern will be removed and replaced by a new aluminium Lonsdale Spanguard self-supporting system with polyester powder coated finish. The glazing is proposed to be 28mm thick double glazed units comprising of a 6mm clear toughened outer pane, 16mm argon gas cavity and 6.8mm white laminated inner pane.

It is proposed to replace the existing glazed upstands and external louvres with a solid 28mm insulated aluminium sandwich panel, polyester powder coated externally and internally.

Consultations & Notification Responses

The proposal has been advertised in the press, notice displayed on site and neighbours notified. No representations have been received.

The following have been consulted and responded on the associated application for listed building consent reference 137015:

Historic England (North West) – No objection and supports the scheme.

National Amenity Societies – No comments received.

Issues

Policy Statutory duty Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to give special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest. Relevant policies Chapter 16 of the National Planning Policy Framework provides the guidance on how the statutory duty is to be put into practice. Paragraph 192 states that in determining applications, local planning authorities should take account of: • The desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation • The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, and • The desirability of new development making a positive contribution to local character and distinctiveness Regarding designated heritage assets, paragraph 193 states that 'great weight' should be given to their conservation and the more important the asset, the greater that weight should be; that significance can be lost through development within its setting. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 196 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 securing its optimum viable use.

Local development plan. Relevant in this case are: • Policy EN3 of the City Council's Local Development Framework Core Strategy, adopted July 2012. This states: 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. New developments 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 ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains. Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Saved policy DC18 of the Unitary Development Plan (Conservation Areas), which states that the council will seek to preserve and enhance the character of its designated conservation areas.

Saved Policy DC19 (Listed Buildings), which states: 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. The policy states furthermore that the council will not permit a change of use of a listed building where it would have a detrimental effect on its character or appearance; and not permit any external or internal alteration or addition where there would be an adverse effect on its architectural or historic character.

The impact of the proposed works upon the Character, significance and appearance of this grade I listed building.

The works would involve the removal and replacement of the existing glazed lantern in new and durable materials but in a manner that would reflect the existing layout in terms of subdivision and moulding details. Such a proposal, subject to a condition requiring final details of the removal of original fabric, design details of replacement materials and recording of historic fabric is considered on this occasion to be acceptable and would in the long term ensure that the internal fabric of the building and its collections would be preserved and protected by a more weathertight and durable structure albeit modern in a design that would closely match that of the original.

The proposed works will provide public benefit through improving visitor and staff experience, ensuring that the rooms and facilities in satisfactory condition and fit for modern occupation.

There are existing concerns over the safety of the existing lantern due to instability. The works will address these issues to make the entrance hall safe in the long-term.

It is considered that the benefits of the proposal would outweigh the less than substantial harm caused to the affected heritage asset by the above described works and are consistent with paragraphs 196 and 197 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement. The benefits of the proposals are that the proposal consists of works that would enhance the efficiency of the building and its character and appearance.

The proposal would not have an impact upon the character of the George Street Conservation Area 1985.

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 to seek solutions to problems arising in relation to dealing with the planning application. Concerns were raised during the processing of the application about the need to reduce the impact on the character of the listed building in terms of the level of intervention. Suggestions were made about ways in which the scheme could be revised such that it would be acceptable.

Condition(s) to be attached to decision for approval

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:

Supporting Information	18 May 2023		CONDITION REPORT		
Drawing - Visuals REPLACEMENT	18 May 2023	(09) 001	ATRIUM	ROOF	LANTERN
Drawing - Proposed ROOF PLAN VIEWS	18 May 2023	9518 (01) - 004, 006 & 010	TEMPORARY		
Drawing - Visuals REPLACEMENT	18 May 2023	(09) 002	ATRIUM	ROOF	LANTERN
Drawing - Proposed REPLACEMENT DESIGN.	15 Dec 2023	X4	ROOF	LANTERN	ALUMINIUM
Drawing - Location Plan	18 May 2023	90(001)	THE LOCATION PLAN		
Supporting Information	18 May 2023		COMBINED SPECIFICATION		
Drawing - Proposed REPLACEMENT	18 May 2023	9518 BA B1 R4 DR A (04)010 B	LANTERN		

Drawing Proposed MAG - BUT - 17 - RL - DR - A - 27 - 0001 P03 31/05/23

Drawing Proposed MAG - BUT - 17 - RL - DR - A - 00 - 4001 P03 31/05/23

Heritage Statement 6 January '24 Revision Freya Needham | Heritage Consultant QA + Issue

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.

Appendix 1 – List of consultees & neighbours notified

72 George Street, Manchester, M1 4HF
Basement, 28 - 32 Princess Street, Manchester, M1 4LB
28 - 32 Princess Street, Manchester, M1 4LB
Advertising Right BT Inlink Outside 74, Mosley Street, Manchester, M2 3LW
Suite 4B, 80 Mosley Street, Manchester, M2 3FX
Suite 4A, 80 Mosley Street, Manchester, M2 3FX
Flat At, 5 Nicholas Street, Manchester, M1 4HL
Ground Floor, Connaught Buildings, 58 - 60 George Street, Manchester, M1 4HF
Fifth To Seventh Floor, 58 Mosley Street, Manchester, M2 3HZ
3 Nicholas Street, Manchester, M1 4HL
1 Nicholas Street, Manchester, M1 4HL
Basement, Connaught Buildings, 58 - 60 George Street, Manchester, M1 4HF
12 Princess Street, Manchester, M1 7AN
Second Floor, 12 Princess Street, Manchester, M1 7AG
The Alan Hotel, 18 Princess Street, Manchester, M1 4LG
Third And Fourth Floor, 58 Mosley Street, Manchester, M2 3HZ
Seventh Floor, 75 Mosley Street, Manchester, M2 3HR
Second Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Apartment 206, The Arthouse, 43 George Street, Manchester, M1 4AB
Betfred, 14 Nicholas Street, Manchester, M1 4EJ
33 George Street, Manchester, M1 4HQ
5 Nicholas Street, Manchester, M1 4HL
Basement Room B, Abbey House, 74 Mosley Street, Manchester, M2 3WL
Ground Floor Unit 5, Abbey House, 74 Mosley Street, Manchester, M2 3FX
Basement To Third Floor, 79 Mosley Street, Manchester, M2 3LQ
Basement Room D, Abbey House, 74 Mosley Street, Manchester, M2 3WL
Apartment 406, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 5, 30 Princess Street, Manchester, M1 4DA
Apartment 26, 30 Princess Street, Manchester, M1 4DA
Apartment 22, 30 Princess Street, Manchester, M1 4DA
Apartment 21, 30 Princess Street, Manchester, M1 4DA
Apartment 16, 30 Princess Street, Manchester, M1 4DA
Apartment 6, 30 Princess Street, Manchester, M1 4DA
Apartment 4, 30 Princess Street, Manchester, M1 4DA
Apartment 30, 30 Princess Street, Manchester, M1 4DA
Apartment 31, 30 Princess Street, Manchester, M1 4DA
Apartment 25, 30 Princess Street, Manchester, M1 4DA
Apartment 7, 30 Princess Street, Manchester, M1 4DA
Suite 2A, 80 Mosley Street, Manchester, M2 3FX
Basement Room C, Abbey House, 74 Mosley Street, Manchester, M2 3WL
Cafe Nero, 80 Mosley Street, Manchester, M2 3FX
Suite 9, 80 Mosley Street, Manchester, M2 3FX
Ground Floor, 75 Mosley Street, Manchester, M2 3HR
Suite 5B, 80 Mosley Street, Manchester, M2 3FX
Flat 7, 58 - 60 George Street, Manchester, M1 4HF
Flat 5, 58 - 60 George Street, Manchester, M1 4HF
Flat 6, 58 - 60 George Street, Manchester, M1 4HF
Apartment 109, The Arthouse, 43 George Street, Manchester, M1 4AB
Ground Floor Unit 6, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Suite 6B, 80 Mosley Street, Manchester, M2 3FX

Suite 7B, 80 Mosley Street, Manchester, M2 3FX
First Floor, 58 Mosley Street, Manchester, M2 3HZ
Suite 1A, 80 Mosley Street, Manchester, M2 3FX
79 Mosley Street, Manchester, M2 3LQ
32 Princess Street, Manchester, M1 4LB
Apartment 104, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 105, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 110, The Arthouse, 43 George Street, Manchester, M1 4AB
Flat 3, 58 - 60 George Street, Manchester, M1 4HF
Flat 2, 58 - 60 George Street, Manchester, M1 4HF
First Floor And Second Floor, 58 - 60 George Street, Manchester, M1 4HF
Apartment 308, The Arthouse, 43 George Street, Manchester, M1 4AB
GREGGS, Ground Floor Unit 7, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Apartment 9, 30 Princess Street, Manchester, M1 4DA
Apartment 29, 30 Princess Street, Manchester, M1 4DA
Apartment 103, The Arthouse, 43 George Street, Manchester, M1 4AB
Basement Room A, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Suite 3A, 80 Mosley Street, Manchester, M2 3FX
Apartment 101, The Arthouse, 43 George Street, Manchester, M1 4AB
Fifth Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Fifth Floor, Abbey House, 32 Booth Street, Manchester, M2 4AB
Third Floor Inscape, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Fourth Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Third Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Abbey House, Mosley Street, Manchester, M2 3LW
First Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Suite 2B, 80 Mosley Street, Manchester, M2 3FX
Connaught Buildings, 58 - 60 George Street, Manchester, M1 4HF
Flat 4, 58 - 60 George Street, Manchester, M1 4HF
16 Princess Street, Manchester, M1 4NB
14 Princess Street, Manchester, M1 4NB
83 Princess Street, Manchester, M1 4HH
Suite 3B, 80 Mosley Street, Manchester, M2 3FX
Ban Di Bul Restaurant, 77 Princess Street, Manchester, M2 4EG
Apartment 410, The Arthouse, 43 George Street, Manchester, M1 4AB
First And Second Floor, 58 Mosley Street, Manchester, M2 3HZ
Obi Property Limited, 80 Mosley Street, Manchester, M2 3FX
Basement, The Arthouse, 43 George Street, Manchester, M1 4AB
Ground Floor, The Arthouse, 43 George Street, Manchester, M1 4AB
35A - 39A George Street, Manchester, M1 4HQ
77 Mosley Street, Manchester, M2 3LQ
Apartment 102, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 28, 30 Princess Street, Manchester, M1 4DA
Apartment 24, 30 Princess Street, Manchester, M1 4DA
Apartment 17, 30 Princess Street, Manchester, M1 4DA
Apartment 10, 30 Princess Street, Manchester, M1 4DA
Apartment 403, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 401, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 202, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 107, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 309, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 106, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 19, 30 Princess Street, Manchester, M1 4DA
Apartment 14, 30 Princess Street, Manchester, M1 4DA

Apartment 12, 30 Princess Street, Manchester, M1 4DA
Suite 8, 80 Mosley Street, Manchester, M2 3FX
Suite 5A, 80 Mosley Street, Manchester, M2 3FX
Apartment 112, The Arthouse, 43 George Street, Manchester, M1 4AB
Flat 8, 58 - 60 George Street, Manchester, M1 4HF
Apartment 306, The Arthouse, 43 George Street, Manchester, M1 4AB
80 Mosley Street, Manchester, M2 3FX
Apartment 409, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 111, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 23, 30 Princess Street, Manchester, M1 4DA
Apartment 108, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 32, 30 Princess Street, Manchester, M1 4DA
Apartment 27, 30 Princess Street, Manchester, M1 4DA
Apartment 20, 30 Princess Street, Manchester, M1 4DA
Apartment 11, 30 Princess Street, Manchester, M1 4DA
Unit 9, Abbey House, Mosley Street, Manchester, M2 3LW
Ground Floor, 58 Mosley Street, Manchester, M2 3HZ
Suite 6A, 80 Mosley Street, Manchester, M2 3FX
Suite 1B, 80 Mosley Street, Manchester, M2 3FX
Apartment 404, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 303, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 302, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 208, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 205, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 203, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 8, 30 Princess Street, Manchester, M1 4DA
Apartment 18, 30 Princess Street, Manchester, M1 4DA
Apartment 15, 30 Princess Street, Manchester, M1 4DA
Mezzanine Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Suite 7A, 80 Mosley Street, Manchester, M2 3FX
Basement And Ground Floor, 75 Mosley Street, Manchester, M2 3HR
Apartment 407, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 402, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 307, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 210, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 305, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 201, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 310, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 408, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 304, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 204, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 405, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 209, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 301, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 207, The Arthouse, 43 George Street, Manchester, M1 4AB
Flat 1, 58 - 60 George Street, Manchester, M1 4HF

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 - George Street Conservation Area 1985
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) -
Area Team Boundary - Name: CENTRAL