Planning

Growth & Development

Delegated officer report for planning application

Application no.	135522/FO/2022
	135523/LO/2022
Date registered valid:	19 December 2022
Proposal:	135522/FO/2022 - Installation of additional A/C unit, extract flue, and refurbishment works to the shop and remote store.
	135523/LO/2022 - Listed Building Consent for the installation of an additional A/C unit, extract flue, and refurbishment works to the shop and remote store.
Address:	Greggs Concourse Kiosk, Victoria Station, Long Millgate, Manchester, M3 1WY
Ward(s):	Deansgate Ward
Applicant:	Mrs Sara Humphries Greggs
Agent (if any):	
Case officer:	Emily Booth Tel: 0161 234 4193 Email: emily.booth@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	10 March 2023

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 24 January 2023

Standard consultations:
Printed: 6 January 2023 Expired: 27 January 2023

Neighbour notifications
No neighbour notifications have been printed and sent.

Site notice
Posted: 09 January 2023 Expired: 01 February 2023

Press advert
Published: 10 January 2023 Expired: 31 January 2023

Departure from Development Plan: No

Environmental Statement: Not required

<u>Description of site/building</u>

Listed building: Grade II

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

This application relates to Manchester Victoria Station. The station is located to the north of the city centre, bounded to the west and southwest by Hunts Bank and Victoria Station Approach, to the south-east by Long Millgate and Corporation Street to the east by Cheetham Hill Road.

The Manchester Arena complex adjoins and links internally to the station to the north.

Manchester Victoria Station opened in 1844, built as a joint venture by the Manchester and Leeds Railway Company (M&L) and designed by Robert Stephenson. The station was extended in 1909 to provide a total of 17 platforms. The Neo-Baroque 'Victoria Buildings' constructed at this time, formed the station's new frontage to Victoria Station Approach.

Another significant intervention was the construction of the Manchester Arena in 1995, on the site of a substantial element of former platforms and roof.

Further significant redevelopment works were recently completed at the station, consisting of a £44m transformation of the station including extensive refurbishment and a new contemporary roof structure. These works were granted planning permission and listed building consent (ref: 100355/FO/2012/C1 and 100356/LO/2012/C1) on 4th January 2013.

The unit subject of this application is a remote building constructed in 2016 and sited on the concourse of the station. It faces the internal elevation of the Victoria Station Approach of the original parts of the train station buildings and the Metrolink platforms are to the rear.

Description of development

Planning permission and Listed Building Consent are sought for the following works:

- The installation of an additional air-conditions condenser on the rear elevation of the unit.
- The installation of a new oven extract on the flat roof of the standalone unit.

Consultations & Notification Responses

Publicity –

Application referenced 135522/FO/2022 - The application was advertised in the local press as affecting a listed building, a site notice was displayed on site and letters were sent to surrounding occupiers. No replies have been received.

Application referenced 135523/LO/2022 - The application was advertised in the local press as an application for listed building consent, a site notice was displayed on site and letters were sent to surrounding occupiers. No replies have been received.

Environmental Health - Recommended condition to require the submission of schemes to control noise and fumes and odours.

Transport For Greater Manchester - Confirmed that they have no objection to this application but advised the applicant to refer to the details of working safely near Metrolink.

Network Rail – Confirmed that they have no comments.

Issues

Issues and Policy

Visual Amenity - The Adopted Core Strategy for the City of Manchester

Policy EN1 (Design Principles and Strategic Character Areas) advises that developer's will be expected to consider the City's heritage, including its listed buildings, conservation areas, archaeological remains and historic street pattern.

Policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

Policy CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected.

Policy SP1 (Spatial Principles) advises that development in all parts of the City should protect and enhance the built environment.

Policy DM1 (Development Management) advises that all development should be appropriately sited, scaled, formed, massed and detailed with appropriate layout and materials and should have regard to the character of the surrounding area and effects on built heritage.

The Unitary Development Plan for the City of Manchester

Saved Policy DC18.1 (Conservation Areas) states that the Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering issues including the effect of signs and advertisements.

Saved Policy DC19.1 (Listed Buildings) advises that in determining applications for listed building consent 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 City 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.

National Policy

Sections 16, 66 and 74 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings and conservation areas. Development decisions should, therefore, accord with the requirements of the NPPF and to section 16 (Conserving and Enhancing the Historic Environment).

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development". In order to meet this key planning objective, in this instance, the development should sustain and contribute to the stimulation of a thriving historic environment.

Paragraph 197 states that in determining planning 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.

Paragraph 194 advises that local planning authorities should require an applicant to submit sufficient information to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 200 advises that any harm to or loss of a designated heritage asset should require clear and convincing justification. Substantial harm or loss should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional.

Paragraph 201 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.

Section 12 (Achieving Well Designed Places) advises that the government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable

development, is indivisible from good planning, and should contribute positively to making places better for people.

Visual Amenity -

Under these criteria the effect of the proposal on the affected heritage assets has been considered:

The installation of the new AC cassette to the rear would have a degree of impact on the appreciation and appearance of the designated heritage asset, as it would increase the accumulation of equipment attached to the rear of this unit. The cumulative harm to the aesthetic and architectural interest of the Grade II listed building would be less than substantial, but nonetheless material.

To mitigate the impact, the new AC unit would be finished to match the existing fabric and a screen would be installed due to the long views available from the Metrolink platforms and is seen in views with the original fabric of the station.

The flue would be routed through the unit and would be a minimal alteration to the roof.

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 works would allow the expansion of the existing business and would therefore contribute to the economic success of the listed building.

Given the above, the works are considered to be consistent with the above identified policies.

Amenity Including Residential Amenity -

The conditions recommended by our Environmental Health Service would be applied to the application to ensure that this would not cause disturbance and fumes and odours would be controlled.

Given the above, it is considered that the proposals are acceptable in terms of residential amenity and the amenity of surrounding occupiers in accordance with policies CC4, CC7, SP1 and DM1 of the Adopted Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

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 polices 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:

Article 35 Declaration

Condition(s) to be attached to decision of application referenced 135523/LO/2022 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 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:

The location plan received by the City Council as local planning authority on 19 December 2022

The drawing entitled Greggs, Victoria Station Manchester M3 1WY including elevations and sections received by the City Council as local planning authority on 19 December 2022

The drawings referenced:

RPEN/S3526/08

received by the City Council as local planning authority on 18 November 2022

RPEN/S3526/04
RPEN/S3526/04.01
RPEN/S3526/05 Rev A
RPEN/S3526/06

received by the City Council as local planning authority on 19 December 2022

The Heritage, Design and Access Statement Addendum signed by Greggs received by the City Council as local planning authority on 19 December 2022

The specification sheet referenced 5-4. Noise Criterion Curves received by the City Council as local planning authority on 19 December 2022

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN3, CC9, SP1 and DM1 of the Core Strategy.

Condition(s) to be attached to decision of application referenced 135522/FO/2022 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:

The location plan received by the City Council as local planning authority on 19 December 2022

The drawings referenced:

RPEN/S3526/08

received by the City Council as local planning authority on 18 November 2022

RPEN/S3526/04
RPEN/S3526/04.01
RPEN/S3526/05 Rev A
RPEN/S3526/06

received by the City Council as local planning authority on 19 December 2022

The drawing entitled 'Greggs Victoria Station Manchester M3 1WY' including elevations and sections received by the City Council as local planning authority on 1 March 2023

The Heritage, Design and Access Statement Addendum signed by Greggs received by the City Council as local planning authority on 19 December 2022

The specification sheet referenced 5-4. Noise Criterion Curves received by the City Council as local planning authority on 19 December 2022

The email from Greggs dated 6 March 2023

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN3, CC9, SP1 and DM1 of the Core Strategy.

3) a) The externally mounted equipment hereby approved shall be acoustically treated in accordance with a scheme designed so as to achieve a rating level of 10dB (LAeq) above the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use of the approved equipment the scheme shall be submitted to and approved in writing by the City Council as local planning authority prior to the installation of the plant in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use of the approved equipment commences.

b) A verification report shall be submitted to and approved in writing by the City Council as local planning authority within 1 months of the first operation of the equipment hereby approved to validate that the work undertaken in this development conforms to the recommendations and requirements in the approved acoustic report (a). 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. Any non-conformity with the recommendations in the report shall be fully resolved within 3 months of the first operation of the generator hereby approved.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy.

4) a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use to which these works hereby approved relate commences.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Before the use to which these works hereby approved relate commences, confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been fully implemented.

c) The equipment shall then be operated and maintained only in accordance with the above approved documents for the duration of the use.

Reason - To ensure an acceptable development in the interests of residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan.

5) Notwithstanding the information detailed within Condition 2 of this application, details of the materials, finishes and colour/colours of the screen that would screen all existing and proposed air-conditioning equipment (as shown on the drawing entitled 'Greggs Victoria Station Manchester M3 1WY' received by the City Council as local planning authority on 1 March 2023) including samples shall be submitted to and agreed in writing by the City Council as local planning authority prior to the installation of the additional air-conditioning cassette hereby approved.

The approved screen shall be installed within a week of the installation of the additional air-conditioning cassette hereby approved and shall be carried out fully and only in accordance with the approved information. The existing and hereby approved equipment shall be screened for as long as it is in situ.

Reason - In the interests of visual amenity, and 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 of application referenced 135523/LO/2022 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 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:

The location plan received by the City Council as local planning authority on 19 December 2022

The drawings referenced:

RPEN/S3526/08

received by the City Council as local planning authority on 18 November 2022

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The specification sheet referenced 5-4. Noise Criterion Curves received by the City Council as local planning authority on 19 December 2022

The email from Greggs dated 6 March 2023

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN3, CC9, SP1 and DM1 of the Core Strategy.

3) Notwithstanding the information detailed within Condition 2 of this application, details of the materials, finishes and colour/colours of the screen that would screen all existing and proposed air-conditioning equipment (as shown on the drawing entitled 'Greggs Victoria Station Manchester M3 1WY' received by the City Council as local planning authority on 1 March 2023) including samples shall be submitted to and agreed in writing by the City Council as local planning authority prior to the installation of the additional air-conditioning cassette hereby approved.

The approved screen shall be installed within a week of the installation of the additional air-conditioning cassette hereby approved and shall be carried out fully and only in accordance with

the approved information. The existing and hereby approved equipment shall be screened for as long as it is in situ.

Reason - In the interests of visual amenity, and 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.

4) The flue and the air-conditioning units shall be coloured grey to match the fabric on which they would be located within 1 month of the installation of these items.

Reason - In the interests of visual amenity, and 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.

Appendix 1 – List of consultees & neighbours notified

Urban Design & Conservation

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