

Planning

Growth & Development

Delegated officer report for planning application

Application no.	136734/LO/2023 & 136733/FO/2023		
Date registered valid:	12 May 2023		
Proposal:	Installation of photovoltaic panels at rooftop level.		
Address:	33 Dale Street, Manchester, M1 2HE		
Ward(s):	Piccadilly		Ward
Applicant:	easyHotel Manchester Limited		
Agent (if any):	Mr Michael Clements NTR Planning		
Case officer:	Max		Gibson
	Tel:	0161 219	6359
	Email: maximillian.gibson@manchester.gov.uk		
Recommendation:	Approve		
Date of recommendation:	30/11/2023		

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit:

Standard consultations:

Printed: 22 May 2023 Expired: 12 June 2023

Neighbour notifications

Printed: 22 May 2023 Expired: 12 June 2023

Site notice

Posted: Expired:

Press advert

Published: 30 May 2023 Expired: 13 June 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The building is located at 33 Dale Street and is currently used as a hotel and operated by Easy Hotel. It is five storeys high with a basement and is bounded by Dale Street, Port Street, a cleared site and Newton Street. It is Grade II Listed and was constructed during the early 1850s as a shipping warehouse. It is of a simple and restrained classical style and sits on a 'flat iron' shaped site.

A number of features remain internally including original columns and beams, highly significant roof trusses and staircases and some 1930s features particularly around the Dale Street entrance. The building is in good condition after an extensive refurbishment carried out recently. It had been largely or wholly vacant for at least six years before being used as a hotel.

The site is within the Stevenson Square Conservation Area and Grade II Listed buildings at 50 Newton Street, 35 Dale Street, 8-16 Newton Street, 45-47 Hilton Street, 15 Newton Street, 17 Newton Street, 21 Newton Street, 29-31 Dale Street, 34 Dale Street, 45-47 Newton Street and 49 Newton Street surround the site. The Stevenson Square Conservation Area is characterised by the quality of buildings, the closely woven network of narrow streets intersecting at right angles and the moderately tall buildings located hard up to back of pavement, which create a varied and interesting tapestry of built form.

Listed building: Grade II

Conservation area: Stevenson Square Conservation Area 1987

Tree Preservation Order:

Description of area

Other uses in the immediate area include a hostel, office buildings, a residential building, creative industries, shops, bars and restaurants. The nearest residential properties are at 40 Port Street, immediately opposite the cleared site currently used as car parking to the rear of the property.

Description of development

The development relates to the installation of a PV array on the Eastern rooftop of 33 Dale Street.

Consultations & Notification Responses

Publicity - a notice was displayed on site informing passers-by of the development. Letters were sent to surrounding occupiers notifying them of the development. A notice was posted in the local press advertising the works as those affecting a listed building and conservation area. No representations have been received as a result of this publicity.

Manchester Airport Aerodrome Safeguarding – no objections
Helipad Manager – no comments

Issues

The main policies that relate to this application are policies DM1 (Development Management), SP1 (Spatial Principles), EN3 (Heritage), EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development) and CC9 (Design and Heritage), saved policies DC18 (Conservation Areas) and DC19 (Listed Buildings) of the Unitary Development Plan for Manchester (1995) and Sections 2 (Achieving sustainable development) and 14 (Meeting the challenge of climate change, flooding and coastal change) of the National Planning Policy Framework.

Principle

The application seeks the installation of PV panels on the eastern section of sloped roof of the Easy Hotel that fronts Port Street. The proposal will help to minimise CO2 emissions in Manchester. The installation of low and zero carbon energy sources is supported by policy EN4 of the Manchester Core Strategy (2012), which encourages retrofit projects that would help improve energy efficiency and provide low and zero carbon energy supplies to existing buildings. Given the above, the principle of the development is considered acceptable.

However, as the installation would be on a listed building and within a conservation area, it is necessary to consider any harm that would be caused to the special character and appearance of these designated heritage assets by the proposal, an assessment of which is undertaken below.

Impact on the listed building

The proposed works would be to the roof of the building. The PV panels would be mounted to the roof using brackets affixed to the wooden roof beams that form the roof's underlying structure.

To install the PV panel brackets, some slates would need to be lifted and replaced with new slates. The new slates would have a slot that allows the brackets to be affixed to the wooden beam, pass through the slate covering to stand proud of the roof level.

This method would ensure minimal disturbance to the roof's slates, allowing the panels to sit above the majority of the roof area they would cover. The method is reversible, and the applicant has confirmed that the existing slates would be stored for reinstatement.

The proposed works would cause a material change to both the character and appearance of the listed building. The combined size, sleek glazed materials, profile, and framing detail of the arrays would represent an incongruous element and clearly be read as a modern intervention, to the eastern elevation of the building. This would materially alter the appearance of the building.

It is considered that this would amount to a moderate degree of less than substantial harm to the listed building. However, this harm is considered to be outweighed by the public benefit of introducing a zero-emission power source.

Impact on the conservation area

By virtue of the PV panels' position and orientation, together with the height of 33 Dale Street, the arrays under consideration are not visible from any public vantage point within or outside of the conservation area. There would be some limited views from the upper floors of the buildings across Port Street. However, the panels would be viewed from these areas in the context of the other roof mounted plant, which are also clearly modern interventions to the buildings roof.

Given the above, it is considered that the development would have a neutral impact on the character and appearance of the Stevenson Square conservation area and any less than substantial harm to the conservation area would be of a very low degree. Any harm caused would be significantly outweighed by the provision of a zero-emission energy source for 33 Dale Street.

Conclusion

The proposed installation of PV panels would cause a moderate degree of less than substantial harm to 33 Dale Street due to the introduction of an incongruous modern element to the building's elevations and the removal of, and intervention into, historic fabric. On balance, it is considered that this harm is outweighed by the public benefit of providing a zero-emission energy source for the building, thereby aiding the reduction of CO2 emissions in Manchester's City Centre.

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 for approval OR Reasons for recommendation to refuse 136734/LO/2023

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 only be carried out in accordance with the following drawings and documents:

-Drawing - Proposed 005 A NW AND SW ELEVATIONS NEWTON AND DALE STREET received by the City Council, as Local Planning Authority, on 12/04/2023

-Drawing - Proposed 006 B SE ELEVATION PORT STREET

-Drawing - Existing & Proposed 002 B ROOF PLAN

received by the City Council, as Local Planning Authority, on 07/11/2023

-Design & Access Statement REV B DESIGN AND ACCESS STATEMENT

-Heritage Statement REV B HERITAGE STATEMENT

received by the City Council, as Local Planning Authority, on 30/11/2023

Reason - to ensure the development is carried out in accordance with the approved plans pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012)

3) Prior to the commencement of the development hereby approved, a method statement for the installation of the PV arrays shall be submitted to and approved in writing by the City Council, as Local Planning Authority. This should include details of any new penetrations into listed building fabric for cabling, inverters, and any battery storage, and means of connecting to new or existing energy infrastructure within the building. Details of how historic fabric will be protected during installation works should also be included.

The approved details shall be implemented as part of the development and completed prior to the first use of the development.

Reason - To ensure that the development is acceptable in the interests conservation and heritage pursuant to policies SP1, DM1, CC9 and EN3 of the Manchester Core Strategy (2012) and saved policy DC19 of the Unitary Development Plan.

4) Prior to the removal of the PV panels hereby approved, a method statement for the removal and reinstatement of any elements of the roof removed as part of the development shall be submitted to and agreed in writing by the City Council, as Local Planning Authority.

The approved details shall be implemented within one month of the use ceasing and thereafter retained and maintained in accordance with this scheme.

Reason - In the interests of the protection of a designate heritage asset 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 for approval OR Reasons for recommendation to refuse 136733/FO/2023

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 only be carried out in accordance with the following drawings and documents:

-Drawing - Proposed 005 A NW AND SW ELEVATIONS NEWTON AND DALE STREET received by the City Council, as Local Planning Authority, on 12/04/2023

-Drawing - Proposed 006 B SE ELEVATION PORT STREET

-Drawing - Existing & Proposed 002 B ROOF PLAN

received by the City Council, as Local Planning Authority, on 07/11/2023

-Design & Access Statement REV B DESIGN AND ACCESS STATEMENT

-Heritage Statement REV B HERITAGE STATEMENT

received by the City Council, as Local Planning Authority, on 30/11/2023

Reason - to ensure the development is carried out in accordance with the approved plans pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012)

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

Basement, Hilton House, 26 - 28 Hilton Street, Manchester, M1 2EH
20 Hilton Street, Manchester, M1 1FR
50 Newton Street, Manchester, M1 2EA
Fourth Floor, 33A Dale Street, Manchester, M1 2HE
45 - 47 Newton Street, Manchester, M1 1FT
Basement, 50 Newton Street, Manchester, M1 2EA
Basement Floor, 41A Newton Street, Manchester, M1 1FT
CTI DIGITAL LTD, Fifth Floor, 31 Dale Street, Manchester, M1 1EY
First And Second Floor, 31 Dale Street, Manchester, M1 1EY
Ground Floor, 31 Dale Street, Manchester, M1 1EY
Love Creative Ltd, Third Floor, 31 Dale Street, Manchester, M1 1EY
Fourth Floor, 45 - 47 Newton Street, Manchester, M1 1FT
Third Floor, 45 - 47 Newton Street, Manchester, M1 1FT
Fourth Floor, 35 Dale Street, Manchester, M1 2HF
Hilton House, 26 - 28 Hilton Street, Manchester, M1 2EH
Third Floor, 16 Newton Street, Manchester, M1 2AE
Second Floor, 45 - 47 Newton Street, Manchester, M1 1FT
Second Floor, 35 Dale Street, Manchester, M1 2HF
Ground Floor, 35 Dale Street, Manchester, M1 2HF
Basement, 45 - 47 Newton Street, Manchester, M1 1FT
31 Dale Street, Manchester, M1 1EY
Flat 15, 1 Tariff Street, Manchester, M1 2FF
Flat 7, 1 Tariff Street, Manchester, M1 2FF
Flat 4, 1 Tariff Street, Manchester, M1 2FF
Flat 17, 1 Tariff Street, Manchester, M1 2FF
Flat 12, 1 Tariff Street, Manchester, M1 2FF
Flat 9, 1 Tariff Street, Manchester, M1 2FF
Basement, Dale House, 35 Dale Street, Manchester, M1 2HF
Fourth Floor, 31 Dale Street, Manchester, M1 1EY
Ground Floor, 45 Newton Street, Manchester, M1 1FT
Flat 8, 1 Tariff Street, Manchester, M1 2FF
Fourth Floor, Dale House, 35 Dale Street, Manchester, M1 2HF
V1BE, 37 Dale Street, Manchester, M1 2HF
Ground Floor, 16 Newton Street, Manchester, M1 2AE
1A Tariff Street, Manchester, M1 2FF
Beatnikz Republic, Ground Floor, Dale House, 35 Dale Street, Manchester, M1 2HF
Third Floor, Dale House, 35 Dale Street, Manchester, M1 2HF
First Floor, Dale House, 35 Dale Street, Manchester, M1 2HF
Second Floor, Dale House, 35 Dale Street, Manchester, M1 2HF
Third Floor, 35 Dale Street, Manchester, M1 2HF
Fifth Floor, Dale House, 35 Dale Street, Manchester, M1 2HF
Flat 23, 1 Tariff Street, Manchester, M1 2FF
First Floor, 35 Dale Street, Manchester, M1 2HF
First Floor, Hilton House, 26 - 28 Hilton Street, Manchester, M1 2EH
Basement, 33A Dale Street, Manchester, M1 2HE
Flat 21, 1 Tariff Street, Manchester, M1 2FF
Flat 18, 1 Tariff Street, Manchester, M1 2FF
Flat 24, 1 Tariff Street, Manchester, M1 2FF
Flat 20, 1 Tariff Street, Manchester, M1 2FF
41 Newton Street, Manchester, M1 1FT

VS MANCHESTER LTD, Basement, 36 Dale Street, Manchester, M1 2HN
47 Newton Street, Manchester, M1 1FT
16 Newton Street, Manchester, M1 2AE
First Floor, 45 - 47 Newton Street, Manchester, M1 1FT
Flat 6, 1 Tariff Street, Manchester, M1 2FF
Flat 13, 1 Tariff Street, Manchester, M1 2FF
Second Floor, 16 Newton Street, Manchester, M1 2AE
41A Newton Street, Manchester, M1 1FT
49A Newton Street, Manchester, M1 1FT
Flat 16, 1 Tariff Street, Manchester, M1 2FF
Flat 2, 1 Tariff Street, Manchester, M1 2FF
Flat 22, 1 Tariff Street, Manchester, M1 2FF
Flat 10, 1 Tariff Street, Manchester, M1 2FF
Fourth Floor, 16 Newton Street, Manchester, M1 2AE
Basement, 49A Newton Street, Manchester, M1 1FT
Contract Options, Ground Floor, 47 Newton Street, Manchester, M1 1FT
Flat 14, 1 Tariff Street, Manchester, M1 2FF
Flat 5, 1 Tariff Street, Manchester, M1 2FF
First Floor, 16 Newton Street, Manchester, M1 2AE
Flat 19, 1 Tariff Street, Manchester, M1 2FF
33A Dale Street, Manchester, M1 2HE
45 Newton Street, Manchester, M1 1FT
Flat 1, 1 Tariff Street, Manchester, M1 2FF
Flat 11, 1 Tariff Street, Manchester, M1 2FF
Flat 3, 1 Tariff Street, Manchester, M1 2FF

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
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
Conservation Area - Stevenson Square Conservation Area 1987
Area Team Boundary - Name: CENTRAL