MANCHESTER
CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138047/LO/2023
Date registered valid:	11 September 2023
Proposal:	Listed Building Consent for the installation of Wi-fi equipment and associated works.
Address:	188 Oxford Road, Manchester, M13 9GP
Ward(s):	Hulme Ward
Applicant:	University of Manchester
Agent (if any):	Mr David Tye Paul Butler Associates Ltd
Case officer:	David Brettell Tel: 0161 234 4556 Email: dave.brettell@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 15.12.2023

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit:

Standard consultations:
Printed: 12 September 2023 Expired: 3 October 2023

Neighbour notifications
Printed: 12 September 2023 Expired: 3 October 2023

Site notice
Posted: Expired:

Press advert
Published: 19 September 2023 Expired: 3 October 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area:

Tree Preservation Order:

Description of area

Waterloo Place, the building grouping to which this application relates, is located to the west side of Oxford Road, lying between the Alliance Manchester Business School located on Booth St West to the north and Bridgeford Street to the south. The building which is subject of this application include a row of seven former terraced houses.

Description of development

The University of Manchester Network Transformation Project' is an initiative which seeks to install a contemporary wireless local area network (WLAN) across the entire University of Manchester estate including all buildings and rooms thereby ensuring complete wireless connectivity for staff, students, visitors and technical plant. At Waterloo Place the installations will upgrade existing provision whilst also filling gaps in the existing coverage.

The proposed installation will comprise the installation of a series of access points (APs) which combine to provide a comprehensive WLAN for the building. The proposed APs are a small wall or ceiling mounted device that creates a WLAN once connected via an ethernet cable to a wired switch or communications hub. Each AP will project a Wi-Fi signal to a given area with each AP location being carefully selected by the technical network designer to provide a seamless WLAN throughout the application buildings.

The proposals will allow staff, students and visitors full internet access thereby ensuring the accommodation continues to meet with user expectations and thereby helps secure the useability and long-term future of the listed buildings.

Consultations & Notification Responses

Press advert and site notice- no comments received.

Neighbours – no comments received.

UDC – Initial issues have been discussed and resolved concerning WiFi proposals

Issues

In order to fully consider the proposals, in relation to relevant planning policy, the following references are made.

Relevant National Policy

The National Planning Policy Framework (NPPF) set's out the Government's planning policies for England and how these are expected to apply. In particular, the proposed development should be considered in relation to the following policies, or parts thereof:

The proposed development is considered to be consistent with sections 1, and 12 of the NPPF for the reasons outlined below.

Section 1 - Building a strong and competitive economy- The proposals would support the use of a designated heritage asset to provide a high-quality internet access.

Section 12 Conserving and enhancing the historic environment, Paragraph 131 - This advises 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.

Relevant Local Policies

Core Strategy

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.

The adopted Core Strategy contains a number of Strategic Spatial Objectives that form the basis of the policies contained therein. Those which are of relevance to the current restaurant scheme are as follows:

SO1. Spatial Principles - These provide a framework within which the sustainable development of the City can contribute to halting climate change.

SO2. Economy - This supports a significant further improvement of the City's economic performance and spread the benefits of this growth across the City to reduce economic, environmental and social disparities, and to help create inclusive sustainable communities.

CC9 - Design and Heritage- The proposed Wi-Fi installations would are appropriately located, so as to minimise harm and would be appropriate to the context and the character of the building.

Policy EN3 Heritage - This policy 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. 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 of acknowledged importance.

Policy DM 1- Development Management - sets out the requirements for developments and outlines a range of general issues that all development should have regard to. Of these the following issues are or relevance to this proposal:
* appropriate siting, layout, scale, form, massing, materials and detail,
* adequacy of internal accommodation and amenity space,
* impact on the surrounding areas in terms of the design, scale and appearance of the proposed development,
* that 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,
* accessibility to buildings, neighbourhoods and sustainable transport modes,
* impact on safety, crime prevention and health; adequacy of internal accommodation, external amenity space, refuse storage and collection, vehicular access and car parking, and
* impact on biodiversity, landscape, archaeological or built heritage,

Saved UDP Policies

Policy DC19.1 Listed Buildings - In determining applications for listed building consent, or development involving buildings of special architectural or historic merit, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings.

Issues.

Initial concerns were raised regarding the installation of some fittings. In particular the Conservation Officer on visiting the building believed the installation proposal might be improved where feasible by revising some parts of the installation proposal by reducing the amount of visible conduit/cabling and repositioning some APs to less sensitive positions within the interior of the listed building.

These issues have now been resolved with Urban Design and Conservation by submission of a revised installation proposal.

In terms of the proposed Wi-Fi installations, the operational benefits are considered to outweigh the harm caused to the listed building, and have been designed and located to minimise harm to the listed building. Accordingly, the application is now considered acceptable and is recommended for approval.

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

Discussions have taken place with the applicant in a positive and proactive manner to seek resolution of issues arising in relation to dealing with the Listed Building Consent, and the proposal is considered acceptable.

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 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:

Submitted 8 September 2023:
Cover letter;
Site Location Plan prepared by Paul Butler Associates;
Heritage, Design and Access Statement prepared by Paul Butler Associates dated September 2023;
Data sheet: Aruba 303 Series, Campus Access Points;
Data sheet: Aruba 510 Series, Campus Access Points;
Data sheet: University of Manchester Mounting Brackets: 5 Series D Ceiling Mount and 5 Series RA Wall Bracket;
Datasheet: Heavy Gauge Welded Conduit Tube (Class 4) 25mm; and
Datasheet: Centaur 25 mm Steel Conduit Spacer Bar Saddle White.
Plan EA0029-WP-E-65-B1-001-T02 Waterloo Place, Basement Level WI-Fi Enhancement, Troup Bywaters and Anders.
Plan EA0029-WP-E-65-00-001-T02 Waterloo Place, Ground Floor WI-Fi Enhancement, Troup Bywaters and Anders.
Plan EA0029-WP-E-65-01-001-T02 Waterloo Place, First Floor WI-Fi Enhancement, Troup Bywaters and Anders.
Plan EA0029-WP-E-65-02-001-T02 Waterloo Place, First Floor WI-Fi Enhancement, Troup Bywaters and Anders.

Submitted 24 November 2023:
Waterloo Place ROC Listed Building Changes - Installation Pack, 23.11.2023

Submitted 29 November 2023:
Waterloo Place PEL Installation Proposal (dated 3rd November 2023), submitted 29.11.2023.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policy DC19.1 (Listed Buildings) contained with the Unitary Development Plan for the City of Manchester, Policy DM1 (Development Management) of the Manchester Core Strategy and section 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

182 - 184 Oxford Road, Manchester, M13 9GP
180 Oxford Road, Manchester, M13 9QQ
178 Oxford Road, Manchester, M13 9QQ
176 Oxford Road, Manchester, M13 9QQ

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
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