

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136235/LO/2023

Date registered valid: 13 February 2023

Proposal: Listed Building Consent for internal and external works comprising repair and renewal of waterproofing system to floor by Atrium entrance and exit doors, refurbishment of staff room, toilets and gallery ceiling and installation/reprogramming of internal phone/communication lines.

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

Ward(s): Deansgate Ward

Applicant: Manchester City Council

Agent (if any): Miss Courtney Ives Buttress Architects Ltd

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

Recommendation: Approve

Date of recommendation: 7 November 2023

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit:

Standard consultations:

Printed: 24 February 2023 Expired: 17 March 2023

Neighbour notifications

Printed: 24 February 2023 Expired: 17 March 2023

Site notice

Posted: 28 February 2023 Expired: 21 March 2023

Press advert

Published: 28 February 2023 Expired: 21 March 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

This application relates to Manchester Art Gallery a Grade I listed building which lies within the George Street Conservation Area.

Description of development

The proposed works aim to:

- Conserve and repair existing historic fabric with modern intervention where appropriate.
- Enhance and modernise the facilities within the buildings without detracting from existing quality or character.
- Improve public access and security within the buildings.

The proposed changes to the historic fabric are detailed in the following paragraphs.

Revolving Door to Atrium

- Lifting of external concrete paving slabs to external podium at atrium entrance to allow investigation into waterproofing defects causing water ingress through existing concrete slab.
- Slabs to be carefully lifted in 3 no. sections, set aside and numbered prior to rebedding in mortar in original positions upon completion of the works.
- Like-for-like renewal of existing modern waterproofing system to concrete slab.

- Drainage channels, gullies etc. to be cleaned out whilst undertaking the works and any required repairs/resetting of joints undertaken.

Staff Room

- Removal of existing finishes within room for internal refurbishment where damaged by previous water ingress.
- Full renewal of pipework insulation above suspended ceiling, and replacement of pipes only if required upon inspection for corrosion.
- Installation of new suspended ceiling tile system with 25mm perimeter shadow gap.
- Making good of localised areas of plaster damage to walls.
- Redecoration of all internal walls, colours as shown on drawings
- Like-for-like renewal of painted MDF skirting to perimeter of room
- Installation of new slip-resistant vinyl flooring to kitchen area
- Installation of new carpet tiles to main staff room
- Retained tiled splashback to kitchen perimeter to be cleaned down, regouted as required

Fire Exit Door to Atrium

- A mirror image of the main Atrium entrance, with identical defects.

Toilet Refurbishments

- Re-ordering and internal refurbishment to modernise existing tired finishes and sanitaryware to existing ground floor toilets in the following locations;
- Re-ordering of existing Female WC within Art Gallery to as new Unisex WC.
- Re-ordering of existing Male WC within Art Gallery to become new Family WC facilities to include infant height toilet and changing table.
- Refurbishment of existing Male & Accessible WC facilities within Athenaeum.
- Refurbishment of existing Female & Accessible WC facilities within Athenaeum.
- New internal finishes inc. ceiling, floor, tiling, redecoration in accordance with the drawings. IPS system and full height cubicles, linear handwash trough basins and hand dryers to be installed throughout.

Gallery Ceiling

- Modification and upgrade of existing maintenance walkway and edge protection, with new galvanised steel safety gate for lanyard safety fall arrest system.
 - Removal of existing steel ceiling frame and polycarbonate panels.
 - New suspended ceiling to comprise plasterboard hung from new stainless steel support frame and brackets. Ceiling to have matt painted finish colour to match existing, and perimeter shadow gap formed from 25mm softwood battens, painted black.
 - Introduction of 250mm insulation laid loose above ceiling.
 - Replacement of lighting, controls and lighting fixtures in accordance with lighting design by others.
 - New bespoke integral insulated loft hatch. Access hatch to be installed in relocated position to suit new lighting design.
- #### 5.2.6 Picture Store Phone
- Installation of emergency phone line within Picture Store to security office, including provision of new call point.

Goods Lift Phone

- Provision of emergency phone / Reprogramming of the goods lift call to automatically call the specialist service engineer for the rest of the building.

Kitchen Lift Phone

- Reprogramming of the lift emergency call button to call the specialist lift maintenance company.

Consultations & Notification Responses

Historic England: Did not wish to offer any advice and deferred to Local Planning Authority Specialist Advice.

MCC Urban Design and Conservation: Recommended a condition controlling final details of some aspects of the proposed works.

The application was advertised in the Press and site Notice posted on site. No Representations received.

Issues

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. 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 proposed works would not impact upon the character of the George Street Conservation Area.

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

In assessing the merits of an application for listed building consent officers will seek to work with the applicant in a positive and pro-active manner to seeking solutions to problems arising in relation to dealing with the application. Planning officers have worked with the applicant to overcome problems relating to heritage.

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 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:

- MAG-BUT-00-RL-DR-A-91-0002 Art Gallery Site Plan
- MAG-BUT-XX-XX-RP-A-XX-0001 Heritage Impact Assessment
- MAG-BUT-00-B2-DR-A-00-5001 Basement 02 Work Items Key Plan
- MAG-BUT-00-00-DR-A-00-5002 Ground Floor Work Items Key Plan
- MAG-BUT-00-02-DR-A-00-5003 Second Floor Work Items Key Plan
- MAG-BUT-01-00-DR-A-90-0001 Atrium Revolving Doors Waterproofing Plans
- MAG-BUT-01-00-DR-A-90-0002 Atrium Revolving Doors Waterproofing Details
- MAG-BUT-02-B2-DR-A-47-0001 Staff Room Finishes Plan
- MAG-BUT-03-00-DR-A-90-0001 Atrium Fire Exit Doors Waterproofing Details
- MAG-BUT-XX-XX-SP-A-00-0002 9518Architectural Specification (refer to section J41 and Q37 for podium waterproofing)
- MAG-BUT-05-00-DR-A-74-0001 Proposed Ungendered Family WC Plans
- MAG-BUT-05-00-DR-A-74-0002 Proposed Ungendered Cafe WC Plans
- MAG-BUT-05-00-DR-A-74-0003 Proposed Male WC Plans
- MAG-BUT-05-00-DR-A-74-0004 Proposed Female WC Plans
- (35)001 Second floor reflected ceiling plan
- (35)002 Second floor exhibition space ceiling details
- BDP-XX-XX-LI-100001 Lighting Layout
- (64)001 Basement Level 2 Item 12 - Emergency Phone Line Plan
- (02)002 Princess Street Elevation

All received 8 November 2023.

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.

3) Before any works to provide waterproofing at the entrances are commenced full and final details of the methodology and specifications of the proposed works must be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason – To ensure that the works are acceptable and pursuant to saved Policy DC19.1 (Listed Buildings) and SP1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design
Historic England (North West)

Seventh Floor, 75 Mosley Street, Manchester, M2 3HR
Suite 4A, 80 Mosley Street, Manchester, M2 3FX
Suite 4B, 80 Mosley Street, Manchester, M2 3FX
Obi Property Limited, 80 Mosley Street, Manchester, M2 3FX
Basement To Third Floor, 79 Mosley Street, Manchester, M2 3LQ
Fifth Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Ground Floor Unit 5, Abbey House, 74 Mosley Street, Manchester, M2 3FX
Fourth Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Third Floor Inscape, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Third Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
First Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Abbey House, Mosley Street, Manchester, M2 3LW
Basement Room B, Abbey House, 74 Mosley Street, Manchester, M2 3WL
Basement Room D, Abbey House, 74 Mosley Street, Manchester, M2 3WL
3 Nicholas Street, Manchester, M1 4HL
1 Nicholas Street, Manchester, M1 4HL
Fifth Floor, Abbey House, 32 Booth Street, Manchester, M2 4AB
Unit 9, Abbey House, Mosley Street, Manchester, M2 3LW
Ground Floor Unit 6, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Mezzanine Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
GREGGS, Ground Floor Unit 7, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Basement Room A, Abbey House, 74 Mosley Street, Manchester, M2 3LW
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
Suite 8, 80 Mosley Street, Manchester, M2 3FX
Suite 7B, 80 Mosley Street, Manchester, M2 3FX
Suite 7A, 80 Mosley Street, Manchester, M2 3FX
Suite 6B, 80 Mosley Street, Manchester, M2 3FX
Ground Floor, 75 Mosley Street, Manchester, M2 3HR
Basement And Ground Floor, 75 Mosley Street, Manchester, M2 3HR
Basement, Connaught Buildings, 58 - 60 George Street, Manchester, M1 4HF
Suite 6A, 80 Mosley Street, Manchester, M2 3FX
Suite 5B, 80 Mosley Street, Manchester, M2 3FX
Suite 5A, 80 Mosley Street, Manchester, M2 3FX
Suite 3A, 80 Mosley Street, Manchester, M2 3FX
Suite 2B, 80 Mosley Street, Manchester, M2 3FX
Suite 2A, 80 Mosley Street, Manchester, M2 3FX
Suite 1B, 80 Mosley Street, Manchester, M2 3FX
Suite 1A, 80 Mosley Street, Manchester, M2 3FX
Suite 3B, 80 Mosley Street, Manchester, M2 3FX
77 Mosley Street, Manchester, M2 3LQ
Flat At, 5 Nicholas Street, Manchester, M1 4HL
12 Princess Street, Manchester, M1 7AN
Second Floor, 12 Princess Street, Manchester, M1 7AG
Ground Floor, Connaught Buildings, 58 - 60 George Street, Manchester, M1 4HF
79 Mosley Street, Manchester, M2 3LQ
Connaught Buildings, 58 - 60 George Street, Manchester, M1 4HF
Flat 8, 58 - 60 George Street, Manchester, M1 4HF

Flat 7, 58 - 60 George Street, Manchester, M1 4HF
Flat 6, 58 - 60 George Street, Manchester, M1 4HF
Flat 5, 58 - 60 George Street, Manchester, M1 4HF
Flat 4, 58 - 60 George Street, Manchester, M1 4HF
Flat 3, 58 - 60 George Street, Manchester, M1 4HF
Flat 2, 58 - 60 George Street, Manchester, M1 4HF
Flat 1, 58 - 60 George Street, Manchester, M1 4HF
First Floor And Second Floor, 58 - 60 George Street, Manchester, M1 4HF
Ban Di Bul Restaurant, 77 Princess Street, Manchester, M2 4EG
The Alan Hotel, 18 Princess Street, Manchester, M1 4LG
80 Mosley Street, Manchester, M2 3FX
16 Princess Street, Manchester, M1 4NB
14 Princess Street, Manchester, M1 4NB
Second Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
5 Nicholas Street, Manchester, M1 4HL

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