

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136367/FO/2023

Date registered valid: 15 March 2023

Proposal: Installation of six lighting columns and associated alterations on the 7th floor terrace.

Address: 1 Spinningfields Square, Manchester, M3 3AP

Ward(s): Deansgate Ward

Applicant: Natwest Group

Agent (if any): Miss Sarah Myers Cushman and Wakefield

Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Approved

Date of recommendation: 13/06/2023

Application Details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 22 March 2023

Standard consultations:

Printed: 22 March 2023 Expired: 12 April 2023

Neighbour notifications

Printed: 22 March 2023 Expired: 12 April 2023

Site notice

Posted: 28 March 2023 Expired: 18 April 2023

Press advert

Published: 28 March 2023 Expired: 18 April 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of Area

Listed building: Not applicable

Conservation area: Deansgate Conservation Area 1985

Tree Preservation Order: Not applicable

Description of Site/Area

The application relates to a large, purpose-built office building constructed from steel and glass. The building varies in height from around 8 storeys to 6 storeys, with a large, curved roof. The building is surrounded by high quality public realm. There are various ground floor retail/leisure uses to the building, with offices above. The main building is currently occupied by NatWest.

The building is located within the Spinningfields area of the City Centre and the Deansgate Conservation Area. The building is not listed but is located close to a number of listed buildings including the John Rylands Library (Grade I listed) to the north, largely separated by an intervening building; Elliot House (Grade II listed) to the south-east; and 184 and 186 Deansgate (Grade II listed) to the south.

Description of Proposal

The proposal comprises the installation of six lighting columns and associated alterations on the 7th floor terrace of the building, on the side that faces north towards Spinningfields Square.

Consultations & Notification Responses

Highway Services - Have confirmed that they would accept rooftop terrace lights of a ULOR (Upward Light Output Ratio) of 0.05 or lower. These lights have a ULOR of 0.03 and a luminance of 10 cd/m²

Environmental Health - Requested that condition be added regarding luminance. Confirmed that they would like the hours of operation to be from 07:00 to 22:00.

Historic England (North West) - Offered no advice.

Manchester Airport Group - Have no objection.

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Saved policy DC26 of the UDP;
- Policies DM1, SP1, CC9, EN4 and EN3 of the Core Strategy;
- The Guide to Development in Manchester (SPD);
- National Planning Policy Framework (NPPF)

Issues

Principle

The main principles to consider in relation to this application are Visual Amenity, Light Pollution, as well Noise Pollution caused by using this area for events at the evenings and weekends.

Visual Amenity

Following discussions with the applicant, the proposed lighting columns for the terrace have been reduced from the initial proposal of being 4 metres tall to now being 3 metres tall. The columns have also been positioned relatively centrally in the terrace instead of being situated closer to the parapet edge. All this has been done in an effort to make them appear less visually intrusive when viewed from the surrounding street scene.

Analysis has been undertaken by the applicant to assess the visual impact the lighting columns would have from the street level view and it has been determined that they would not be visible at ground level until someone was stood 70 metres away from the parapet edge on the North side of the building, further down Deansgate. This distance is considered acceptable, for any distance less than 70 metres, the columns would not be visible over the parapet edge from ground level. It is not considered that the works will have a significant detrimental impact on either the high quality architectural design of the building itself, or on the surrounding conservation area.

Light Pollution

The lighting columns are considered to be of a sophisticated design which will not harm the visual amenity of either the building itself or the surrounding area. In terms of light pollution, it has been confirmed that the lights have a ULOR (Upward Light Output Ratio) of 0.03 and a luminance of 10 cd/m², which is considered acceptable from both the perspective of Highway Services and Environmental Health in terms of controlling light pollution. It is not considered that the light pollution will cause significant detrimental visual amenity to either the building itself or any prominent buildings or significant listed building in the surrounding conservation area.

Noise Pollution

Conditions have been added to control the hours when the terrace can be used and to also limit the number of events that can be held on the terrace at evenings and weekends to 24 per year.

Conclusion

It is considered that the scheme is in accordance with relevant planning policy, as set out above, and should be approved.

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 based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, the problems have been resolved.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- Proposed EXTERNAL TERRACE DETAILS DR-A-90-100 C04
- Proposed STREET LEVEL VIEW DR-A-PL-133

Received by the City Council, as local planning authority, on 24 May 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.

2) 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.

3) The maximum luminance shall not exceed 300 cd/m in brightness at any time.

Reason - In the interests of visual and residential amenity pursuant to policies SP1, EN3 and DM1 of the Manchester Core Strategy and saved policies DC14.1, DC18.1, DC19.1 and E3.3 of the Unitary Development Plan for the City of Manchester.

4) The terrace shall not be open outside the following hours:

07:00am - 10:00pm Monday to Sunday

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

5) The use of the terrace for events that take place in either the evenings or on the weekends will be limited to 24 events per calendar year.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Historic England (North West)
Manchester Airport Group
Helipad Manager

MEDIACOM NORTH LIMITED, 1 Hardman Street, Manchester, M3 3HF
Unit G22, 2 Spinningfields Square, Manchester, M3 3AP
Australasia, 2 Spinningfields Square, Manchester, M3 3AP
Tenth Floor, Centurion House, 129 Deansgate, Manchester, M3 3WR
DWF, 1 Scott Place, Manchester, M3 3AA
Fifth Floor, Centurion House, 129 Deansgate, Manchester, M3 3WR
Betfred, 133 Deansgate, Manchester, M3 3RW
Eleventh Floor, 3 Hardman Street, Manchester, M3 3AU
Unit 4A, Spinningfields Square, Manchester, M3 3AP
Unit 3A, Spinningfields Square, Manchester, M3 2BA
Spinningfields Magistrates Court, Crown Square, Manchester, M3 3EN
Unit 2A, Spinningfields Square, Manchester, M3 3AP
Right, 133 Deansgate, Manchester, M3 3RW
Left, 133 Deansgate, Manchester, M3 3RW
Third Floor, Centurion House, 129 Deansgate, Manchester, M3 3WR
Eleventh Floor, Centurion House, 129 Deansgate, Manchester, M3 3WR
First Floor, Centurion House, 129 Deansgate, Manchester, M3 3WR
Basement, Centurion House, 129 Deansgate, Manchester, M3 3WR
Tenth Floor, 3 Hardman Street, Manchester, M3 3HF
Sixth Floor, Centurion House, 129 Deansgate, Manchester, M3 3WR
Seventh Floor, Centurion House, 129 Deansgate, Manchester, M3 3WR
Ninth Floor, Centurion House, 129 Deansgate, Manchester, M3 3WR
Eight Floor, Centurion House, 129 Deansgate, Manchester, M3 3WR
Second Floor, Centurion House, 129 Deansgate, Manchester, M3 3WR
Ground Floor, Centurion House, 129 Deansgate, Manchester, M3 3WR
Fourth Floor, Centurion House, 129 Deansgate, Manchester, M3 3WR
Ground Floor And First Floor, Elliot House, 1 - 3 Jacksons Row, Manchester, M2 5NJ
Elliot House, 1 - 3 Jacksons Row, Manchester, M2 5NJ
2 Spinningfields Square, Manchester, M3 3AP
164 Deansgate, Manchester, M60 6DS

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 - Deansgate Conservation Area 1985
Area Team Boundary - Name: CENTRAL