

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 136301/FO/2023 &136302/LO/2023

**Date registered valid:** 17 February 2023

**Proposal:** Installation of 5 EV charging points to the rear parking area

**Address:** Basement, 56 Broadhurst House , Oxford Street, Manchester, M1 6EU

**Ward(s):** Deansgate Ward

**Applicant:** Stephen Wormald XLB Property

**Agent (if any):** Andrew Burns Atelier MB

**Case officer:** Max Gibson  
Tel: 0161 219 6359  
Email: maximillian.gibson@manchester.gov.uk

**Recommendation:** 136301/FO/2023 Approve  
136302/LO/2023 Approve

**Date of recommendation:** 24/04/2023

## Application details

**Type of application:** Full Application Consent

**Development type:** Minor Other

**Date of site visit:**

### Standard consultations:

No consultations have been printed and sent.

### Neighbour notifications

Printed: 1 March 2023      Expired: 22 March 2023

### Site notice

Posted:      Expired:

### Press advert

Published: 7 March 2023      Expired: 28 March 2023

**Departure from Development Plan:** No

**Environmental Statement:** Not required

## Description of site/building

**Listed building:** Grade II Star

**Conservation area:** n/a

**Tree Preservation Order:** n/a

### Description of area

The area relates to the south of Oxford Street, a major thoroughfare in Manchester's city centre which extends from Oxford Road to St Peter's Square. The character of the area comprises several different uses, including a theatre, hotels, offices, shops, restaurants, cafes, bars and residential properties.

The Grade II Listed St James Buildings are located opposite the building and the Grade II listed Portland Buildings, Palace Theatre, Ritz Dancehall, Oxford Road Station and Canada House and the Grade II\* Listed Palace Hotel are nearby.

The site relates to the rear carpark/courtyard of the Tootal buildings, along the south-west facing elevation of Lee House. The site is a service area, where cars are parked. Lee House is the most modern of the buildings that make up the Tootal buildings complex, having been constructed in the 1920s. It is Grade-II listed, whilst the adjacent Churchgate House is Grade-II\*. The relevant elevation is painted masonry on the lower floors, with brickwork up above.

### Description of development

The development relates to the installation of five EV charging points on the walls between the piers along the western elevation of Broadhurst House, including associated cabling. The units themselves measure 320mm x 575mm x 155mm (W x H x D) and will be white in colour to better blend with the paintwork on the masonry on the lower elevations of Lee House. The

development is part of a wider programme of upgrades to the Tootal Buildings intended to reduce carbon emissions.

### **Consultations & Notification Responses**

Publicity -a notice was displayed on site to inform passers-by of the development. Letters were sent to surrounding occupiers informing them of the development. An advert was placed in the local news for works affecting a listed building. No representations have been received as a result of this publicity.

No consultations were received.

### **Issues**

The main policies that relate to this application are policies EN1 (Design Principles and Strategic Character Areas), EN3 (Heritage), DM1 (Development Management), T1 (Sustainable Transport), CC5 (Transport) and EN16 (Air Quality) of the Manchester Core Strategy (2012), Saved Policies DC18 (Conservation Areas) and DC19 (Listed Buildings) of the Unitary Development Plan for Manchester (1995), Paragraphs 104 and 107 of the National Planning Policy Framework and the National Planning Policy Guidance on 'Air Quality' and 'Travel Plans, Transport Assessments and Statements'.

#### Principle

The development relates to the installation of 5no. electric vehicle charging points on the south-west-facing elevation of Lee House. This will allow occupiers and visitors to the building to use zero-emission vehicles more easily. This outcome aligns itself with several local and national policy aims related to sustainable development and transport, air quality and decarbonisation.

Policy T1 of the MCS (2012) states that the council will support development which facilitates modes of transport that reduce carbon emissions e.g. by incorporating charging points for electric vehicles, whilst policy EN16 and CC5 support proposals which will improve air quality, such as facilitating the use of zero-emissions vehicles.

Given the above, the proposed development is supported as it will allow the occupiers of Broadhurst House to use electric vehicles more readily. Easier access to EV charging in the city centre should help reduce some of the negative externalities associated with traditional motor vehicles, such as greenhouse gas emissions and fine black particle pollution, thereby improving air quality. The proposed development is therefore considered acceptable in principle.

#### Visual Amenity

The installation of EV charging points on this elevation of Broadhurst House will cause a material change to the appearance of the building, thereby impacting visual amenity. The proposed elevation is to the rear of the building, inside a private parking area attached to the building. The location of the units on this elevation lessens the potential impact upon the wider street scene.

#### Air Quality/ Noise

The installation of the units should not give rise to any increase in noise pollution. The units themselves should not emit any noise, whilst electric vehicles are less noisy than traditional motor vehicles. Furthermore, the site is nearby Oxford Street, a busy thoroughfare, and located in the city centre and hence there is a high level of background noise. Therefore, it is not considered that the installation will give rise to an unacceptable level of noise which would negatively impact the residential amenity of the occupiers flats further down Great Bridgewater Street.

### Impact on the Listed Building

The installation of EV chargers on this elevation will introduce a degree of clutter along this elevation, which will detract from the buildings character and setting. However, the proposed development is on a less prominent elevation of Broadhurst House, inside a private car parking area. The elevation itself is somewhat modified, with lighting and associated cabling installed between the pier where the units are proposed to be installed.

Options proposed by the applicant comprised wall-mounted units and stand-alone units. The stand-alone units, whilst minimising interventions into historic fabric, were discounted. It was considered that the large size of the stand-alone units and the increased ancillary street furniture that would be required to protect them from vehicles would detract from the building's character and setting due to the creation of clutter.

The wall mounted units, with their smaller scale and massing, would be less visually obtrusive, thereby lessening the impact on the character of the building and its setting. The applicant has submitted a detailed specification of the fixing methods for the chargers and ancillary cabling to ensure the interventions into historic fabric are minimal.

The proposal would cause a low level of less than substantial harm to the setting of the listed building. This impact would be outweighed by the public benefits of the scheme.

The public benefit provided by the existence of these EV charging points, which can facilitate greater use of zero-emissions vehicles, with their contingent air quality and carbon reduction benefits, is considered to outweigh the low level of less than substantial harm caused by their installation. Therefore, it is recommended that the proposed development is 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:**136301/FO/2023 Approve  
136302/LO/2023 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 some negotiations were needed regarding the type of charging point used in order to mitigate the impact on the listed building.

### **136301/FO/2023 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:

- Heritage Statement
- Design and Access Statement
- Drawing - Proposed 1997-P(100) GF PLAN
- Supporting information - EV Charging Unit  
received by the City Council, as local planning authority on 17/02/2023.

- Drawing - Proposed 1997-P(210)-A SIDE ELEVATION-ENLARGED
- Drawing - Proposed 1997-P200-A ELEVATION- LEE HOUSE SIDE
- Drawing - Proposed C634M B-62-202 BASEMENT- EV CHARGERS
- Drawing - Proposed C634M B-62-204 EV CHARGERS ELEVATIONS  
received by the City Council, as local planning authority on 18/04/2023.

Supporting Information 1997 TOOTAL EVS  
Supporting Information SHIELD ANCHOR  
Supporting Information SUPPLEMENTARY REPORT-FIXINGS  
Drawing - Proposed Dwg no. P400 FIXING DETAILS  
received by the City Council, as local planning authority, on 24/04/2023.

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.

### **136302/LO/2023 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 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:

- Heritage Statement

- Design and Access Statement

- Drawing - Proposed 1997-P(100) GF PLAN

- Supporting information - EV Charging Unit

received by the City Council, as local planning authority on 17/02/2023.

- Drawing - Proposed 1997-P(210)-A SIDE ELEVATION-ENLARGED

- Drawing - Proposed 1997-P200-A ELEVATION- LEE HOUSE SIDE

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Drawing - Proposed Dwg no. P400 FIXING DETAILS

received by the City Council, as local planning authority, on 24/04/2023.

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) Prior to the commencement of the development hereby approved, details of the fixing method for the electric vehicle charging point units and the associated cabling shall be submitted for approval in writing by the City Council as Local Planning Authority. This will include detailed plans and cross sections. The approved fixing method shall be implemented as part of the development and completed prior to the first use of the development.

Reason - 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 historic fabric of this building in accordance with saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

## **Appendix 1 – List of consultees & neighbours notified**

Upper Ground Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Fourth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Ground Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW  
Fifth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
First Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW  
Third Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5RR  
Flat 10, 88 Great Bridgewater Street, Manchester, M1 5JW  
Flat 1, 88A Great Bridgewater Street, Manchester, M1 5JW  
Flat 8, 88A Great Bridgewater Street, Manchester, M1 5JW  
Flat 10, 88A Great Bridgewater Street, Manchester, M1 5JW  
Sixth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Third Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Ground Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
First Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Flat 17, 88 Great Bridgewater Street, Manchester, M1 5JW  
Flat 5, 88A Great Bridgewater Street, Manchester, M1 5JW  
Flat 16, 88 Great Bridgewater Street, Manchester, M1 5JW  
Flat 7, 88 Great Bridgewater Street, Manchester, M1 5JW  
Flat 5, 88 Great Bridgewater Street, Manchester, M1 5JW  
Window Display 5, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Flat 6, 88 Great Bridgewater Street, Manchester, M1 5JW  
Flat 1, 88 Great Bridgewater Street, Manchester, M1 5JW  
Flat 7, 88A Great Bridgewater Street, Manchester, M1 5JW  
Flat 4, 88A Great Bridgewater Street, Manchester, M1 5JW  
Flat 19, 88 Great Bridgewater Street, Manchester, M1 5JW  
Flat 14, 88 Great Bridgewater Street, Manchester, M1 5JW  
Flat 13, 88 Great Bridgewater Street, Manchester, M1 5JW  
Window Display 4, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Window Display 1, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Flat 6, 88A Great Bridgewater Street, Manchester, M1 5JW  
Flat 11, 88 Great Bridgewater Street, Manchester, M1 5JW  
Flat 2, 88 Great Bridgewater Street, Manchester, M1 5JW  
Window Display 2, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW  
Sixth Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW  
Second Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Window Display 3, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
88A Great Bridgewater Street, Manchester, M1 5JW  
Flat 12, 88 Great Bridgewater Street, Manchester, M1 5JW  
Flat 9, 88 Great Bridgewater Street, Manchester, M1 5JW  
Flat 15, 88 Great Bridgewater Street, Manchester, M1 5JW  
Flat 9, 88A Great Bridgewater Street, Manchester, M1 5JW  
Flat 18, 88 Great Bridgewater Street, Manchester, M1 5JW  
Flat 4, 88 Great Bridgewater Street, Manchester, M1 5JW  
Flat 2, 88A Great Bridgewater Street, Manchester, M1 5JW  
Flat 3, 88A Great Bridgewater Street, Manchester, M1 5JW  
Flat 8, 88 Great Bridgewater Street, Manchester, M1 5JW  
Flat 3, 88 Great Bridgewater Street, Manchester, M1 5JW

## **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

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: CENTRAL