

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135162/FO/2022

Date registered valid: 6 December 2022

Proposal: External and internal alterations to provide a new inclusive access and platform lift

Address: Richmond House , 15 Bloom Street, Manchester, Manchester, M1 3HZ

Ward(s): Piccadilly Ward

Applicant: Mr Andrew Underwood The Eagle

Agent (if any): Mr Daniel Waugh Dickinson Waugh Architecture Ltd

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

Recommendation: Refuse

Date of recommendation: 31/01/2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 4 January 2023 Expired: 25 January 2023

Neighbour notifications

Printed: 4 January 2023 Expired: 25 January 2023

Site notice

Posted: Expired:

Press advert

Published: 10 January 2023 Expired: 31 January 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Whitworth Street Conservation Area 1985

Tree Preservation Order: n/a

Description of area

The area relates to a neighbourhood of Manchester city centre known as the Gay Village. The area houses many different entertainment, dining and drinking establishments and is an internationally recognised cultural hub for the LGBTQ community and the city of Manchester. The development site also falls within the Whitworth Street Conservation Area.

The site relates to ground floor of Richmond House at 15 Bloom Street which houses a private members club called The Eagle. Richmond House is a Victorian period building of red brick and stone. The ground floor facade is dominated by three stone arches, which would have originally all been windows. The left-most arch has been converted into an entrance for The Eagle, removing glazing, wrought iron fencing and the stone balustrade that would have cut across the archway. The other two arches remain in a mostly original condition.

Description of development

The development relates to the conversion of the right-most arch into a new entranceway, to provide inclusive access and a platform lift. Externally, the new entrance would be visually identical to the current entrance on the left-hand side.

Consultations & Notification Responses

A site notice was displayed on site, letters were sent to surrounding occupiers and the application was advertised in the local press. One response was received, summarised below:

- The proposed development would be unattractive, harm visual amenity and have a detrimental effect on the conservation area and local heritage. It could also create a risk of increased anti-social behaviour and have a negative effect on public safety.

Issues

The National Planning Policy Framework

Paragraph 130 (c) of the NPPF states that development should be sympathetic to the local character and history of an area.

Paragraph 134 states that development that is not well designed should be refused.

Paragraph 203 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account with a balanced judgement required having regard to the scale of any harm or loss and the significance of the heritage asset.

Core Strategy

The following Core Strategy policies are considered relevant to this application:

Policy DM1 (Development Management) states that all development should have regard to

- appropriate siting, layout, scale, form, massing, materials and detail,
- the affects on amenity including light and road safety,
- the impact on the character of the surrounding area in terms of design, scale and appearance,
- vehicular access and car parking
- effects relating to landscape, archaeological or built heritage.

Policy SP1 (Spatial Principles) states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, creating well designed places that enhance or create character, consider the needs of all member of the community and protect and enhance the built environment.

Policy CC9 (Design and Heritage) States that development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including conservation areas and listed buildings.

Policy EN1 (Design Principles and Strategic Character Areas) advises that developer's will be expected to consider the City's heritage, including its listed buildings, conservation areas, archaeological remains and historic street pattern.

Policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

Principle

The proposed development is not supported in principle. It is not considered that the remodelling of the existing entranceway would be acceptable in terms of the visual amenity of the property. This level of harm is not outweighed in this instance despite the alterations being stated to be for improved disabled access.

The implications for the visual amenity and provision of disabled access is considered below.

Visual amenity

The application site is considered to be a non designated heritage asset and is located in the Whitworth Street conservation area. The ground floor of the property is distinctive being

characterised by three arched bays. The left hand bay has previously been modified to create an entrance into the property and improved disabled access. The remaining bays retain their high glazed nature with railings to the lower ground floor.

The proposal would remove the right hand bay to create a further entrance similar to the left hand bay. This would remove a key feature to the building to the detriment of the character and appearance of the building and result in two of the three original glazed archways being converted into doorways. This would amount to a considerable degree of material change to the elevation which would result in an unduly harmful impact on the elevations.

This would amount to less than substantial harm to the appearance of the buildings and degrade the character and appearance of the ground floor elevations of the building in the conservation area. Whilst improve access and accessibility would be considered a public benefit, it is not considered that this would outweigh the level of harm in this instance which it is considered could be achieved in a less harmful way.

The applicant was contacted during the course of the application where the concerns were highlighted. It is not considered that the applicant has fully explored all options to improve disabled access as the premises in order to minimise the impact on the building including where improvements could be made to the existing access arrangements.

The City Council is mindful of the requirements of the Equality Act in particular the weight that should be given to improving the lives of disabled residents and visitors to the city. However, in this instance it is considered that the improvements to the access can be achieved in a way which would not result in the level of harm to the building which is contained in this application.

the proposed development is considered to have a detrimental effect on visual amenity, both of the building and the surrounding conservation area. This is contrary to policies SP1, EN1, CC9 and DM1 of the Manchester Core Strategy (2012) and paragraphs 130 and 134 of the NPPF.

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: Refuse

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. However, the harm associated with the proposed development is considered too great to be supported. Advice and a site meeting were offered contingent on a withdrawal of the application to try to find a suitable solution. No response was subsequently received from the agent.

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

1) The proposed elevational alteration, by virtue of the siting, scale, design and appearance, would result an alteration which is not appropriate to the architectural language and character of the building and streetscene. This would amount to less than substantial harm to the visual amenity of this non designated heritage within the Whitworth Street conservation area. The required public benefits do not exist in this instance to outweigh the harm that would be caused. These benefits could be achieved in a less harmful way to the building. The proposal is therefore contrary to the provisions of policies SP1, EN1, EN3, CC9 and DM1 of the Manchester Core Strategy (2012), saved policy DC18 of the Unitary Development Plan for the City of Manchester (1995) and the NPPF.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Urban Design & Conservation

Eagle Bar, 20 Richmond Street, Manchester, M1 3NB
Flat 10, Gramercy House, 14 Chorlton Street, Manchester, M1 3HW
Flat 9, Gramercy House, 14 Chorlton Street, Manchester, M1 3HW
Flat 8, Gramercy House, 14 Chorlton Street, Manchester, M1 3HW
Flat 7, Gramercy House, 14 Chorlton Street, Manchester, M1 3HW
Flat 6, Gramercy House, 14 Chorlton Street, Manchester, M1 3HW
Flat 5, Gramercy House, 14 Chorlton Street, Manchester, M1 3HW
Flat 4, Gramercy House, 14 Chorlton Street, Manchester, M1 3HW
Flat 3, Gramercy House, 14 Chorlton Street, Manchester, M1 3HW
Flat 2, Gramercy House, 14 Chorlton Street, Manchester, M1 3HW
Flat 1, Gramercy House, 14 Chorlton Street, Manchester, M1 3HW
Rear Part Third And Fourth Floors, Richmond House, 15 Bloom Street, Manchester, M1 3HZ
Rear Part First Floor, Richmond House, 15 Bloom Street, Manchester, M1 3HZ
Front Part First Floor, Richmond House, 15 Bloom Street, Manchester, M1 3HZ
Flat At, 29 Bloom Street, Manchester, M1 3JE
Second Floor Rear, Albert House, 17 Bloom Street, Manchester, M1 3HZ
Third Floor Rear Suite, Albert House, 17 Bloom Street, Manchester, M1 3HZ
Second Floor Front, Albert House, 17 Bloom Street, Manchester, M1 3HZ
Third Floor Front Suite, Albert House, 17 Bloom Street, Manchester, M1 3HZ
Ground Floor, 16 Chorlton Street, Manchester, M1 3HW
Bar Risa, 40 Chorlton Street, Manchester, M1 3HW
Prague Five, 40 Chorlton Street, Manchester, M1 3HW
40 Chorlton Street, Manchester, M1 3HW
Lower Ground Floor, Albert House, 17 Bloom Street, Manchester, M1 3JE
28 Richmond Street, Manchester, M1 3NB
Fourth Floor And Mezzanine Floor, Albert House, 17 Bloom Street, Manchester, M1 3HZ
Flat 8, 10 Canal Street, Manchester, M1 3EZ
Flat 5, 10 Canal Street, Manchester, M1 3EZ
Flat 2, 10 Canal Street, Manchester, M1 3EZ
Flat 64, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 62, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 55, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 53, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 46, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 44, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 41, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 35, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 32, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 25, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 23, Canal Court, 28 Canal Street, Manchester, M1 3EZ
26 Richmond Street, Manchester, M1 3NB
28 - 30 Canal Street, Manchester, M1 3EZ
Street Cars House, 16 Chorlton Street, Manchester, M1 3HW
10 Canal Street, Manchester, M1 3EZ
Basement, 28 Richmond Street, Manchester, M1 3NB
Ground Floor, Albert House, 17 Bloom Street, Manchester, M1 3HZ
First Floor, Albert House, 17 Bloom Street, Manchester, M1 3HZ
Flat 7, 10 Canal Street, Manchester, M1 3EZ

Flat 6, 10 Canal Street, Manchester, M1 3EZ
Flat 4, 10 Canal Street, Manchester, M1 3EZ
Flat 3, 10 Canal Street, Manchester, M1 3EZ
Flat 1, 10 Canal Street, Manchester, M1 3EZ
Flat 65, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 63, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 61, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 56, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 54, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 52, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 51, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 45, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 43, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 42, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 31, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 36, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 34, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 33, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 26, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 24, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 22, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 21, Canal Court, 28 Canal Street, Manchester, M1 3EZ
29 Bloom Street, Manchester, M1 3JE

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 - Whitworth Street Conservation Area 1985
Area Team Boundary - Name: CENTRAL