

Planning

Growth & Development

Delegated officer report for planning application

Application no.	135728/LO/2022		
Date registered valid:	12 December 2022		
Proposal:	Listed building consent for the erection of a scaffold stair tower to facilitate works at roof level.		
Address:	Palace Theatre , Oxford Street, Manchester, M1 6FT		
Ward(s):	Piccadilly		Ward
Applicant:	Mr Stefan Ziemelis Ambassador Theatre Group		
Agent (if any):	Mr Ting Lai Osbornes		
Case officer:	Tony		Mitchell
	Tel: 0161 234		4776
	Email: anthony.mitchell@manchester.gov.uk		
Recommendation:	Approve		
Date of recommendation:	06.01.2023		

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

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: 4 January 2023 Expired: 25 January 2023

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: Grade II

Conservation area: Whitworth Street Conservation Area 1985

Tree Preservation Order: N/A

Description of area

This application relates to the Palace Theatre building, Manchester. The building is a Grade II listed and is situated within the Whitworth Street Conservation area in Greater Manchester, located at the intersection between Oxford Street and Whitworth Street.

The Whitworth Street conservation area was designated by the City Council in September 1974. The extent of the conservation area is bordered by Oxford Street, Portland Street, Cobourg Street and the Piccadilly to Oxford Road railway viaduct.

The conservation area contains a large number of buildings that are examples of Victorian and Edwardian architecture constructed between 1850 and 1920. These buildings are related to and reflect the historical importance of the textile industry in the city.

Historic buildings in the area are six to seven stories in height with extravagant modelled facades in brick and terracotta. The rear of these buildings were typically constructed with large areas of glazing. Other buildings built later in the early 20th Century were of a grand Edwardian commercial architectural style, where examples of these can be found along Whitworth Street.

Palace Theatre, Manchester is located at the South West of the conservation area and is surrounded by several other listed buildings

Description of development

The proposals forming this application involve the erection of new temporary scaffolding stairs to the canal side of the Palace theatre building. The proposed stairs are required to facilitate the proposed works associated with previously approved applications 133731/FO/2022 & 133732/LO/2022. These applications included works to install new plant on existing flat roof areas of the Palace Theatre building.

The proposed new stairs will provide a separate means of access for contractors that avoids the main theatre visitors entrances. This would help to prevent disruption to shows.

The tower will have a 1.65m x 3.05m footprint and will be approximately 19.5m above ground level. The tower will sit on the existing path adjacent to the North West side of the building and will be between the building and the canal. The tower will take up relatively little of the existing path and will leave 4.18m space between itself and the canal. This, along with the temporary nature of the proposals mean that there will be little impact to users of the path.

This tower will be anchored to the existing modern brick wall at this location. Following the works and once the installation of the rooftop plant is complete the stair tower will be removed, and any holes made to the existing wall will be made good.

The proposed stairs will have little to no lasting impact on the building itself. Where the stair tower is to be anchored to the existing building, these holes will be filled/ made good following the works. In addition, it is worth noting that the wall that the stairs will be anchored to is of a relatively modern construction and of a lesser historic importance compared to other areas of the building.

The stairs will be visible on the exterior of the building from the buildings opposite on the canal side of the building, as well as from ground level by the canal itself. The visual impact to the area, would be limited due to its temporary nature.

Consultations & Notification Responses

Theatres Trust. Considered the proposed works were necessary and stated it supported the proposals.

Issues

Impact of the works upon the appearance and significance of the building.

A detailed Heritage Statement and Assessment of significance has been submitted in support of the application.

The proposed works would have an impact on the historical fabric of the building.

However, it is considered that the location of the access stair would not have a negative impact on the Whitworth Street conservation area. This is due to the relatively concealed position of the location. The only location where the proposed plant would be visible is from a carpark to the rear of the building.

The access stairs would be removed and the building fabric made good when the associated works are completed.

The proposed works would have an impact upon the significance of the building would cause a degree of harm to the building's character. However, it is considered that the level of harm is less than substantial and the public benefits the scheme would provide would mitigate and outweigh the harm caused. In order to further mitigate the harm it is considered appropriate to impose a condition that requires a method statement for the

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 and amenity.

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:

Drawings:

22-105-E2

22-105-EXE2

22-105-LOC2

22-105-SP1

Documents:

22-105-Heritage Statement

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 hereby approved commence a full method statement which clearly shows how the proposed works will be affixed to the building and how the works will be removed and the building fabric made good after the access stair has been removed must be submitted for

approval in writing by the City Council as Local Planning Authority. The method statement must also provide details of when the works are proposed to commence and when the stair is proposed to be removed the building fabric made good.

The development must be carried out in accordance with the approved statement and the scaffold removed in line with the timescale agreed (and the building façade made good).

Reason - To ensure that the development is carried out in accordance with the approved plans and document and pursuant to policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Urban Design & Conservation
The Theatres Trust

Second Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
First Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
Ground Floor Suite G02, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Fifth Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LS
64 Whitworth Street, Manchester, M1 6LT
62 Whitworth Street, Manchester, M1 6LT
Sixth Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
Fourth Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
Tenth Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
Grd Floor Suite G01, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LS
Ninth Floor Suite 903, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Ninth Floor Suite 904, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Ninth Floor Suites 902 And 902A, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Seventh Floor Royscot Retailer Serv Ltd, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Second Floor Suite 201, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Seventh Floor Suites 701-705, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Ground Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Third Floor Front Right, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Third Floor Suite 306, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Ninth Floor Suite 905, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Third Floor Suite 301, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Sub Basement, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
Basement, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
58 - 60 Whitworth Street, Manchester, M1 6JQ
Suites 101 To 103, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Principal Manchester Hotel, Oxford Road, Manchester, M60 7HA
Excalibur Building, 77 Whitworth Street, Manchester, M1 6EZ
Eighth Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
Third Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LS
Ninth Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
Seventh Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT

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
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: CENTRAL

