

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133731/FO/2022

Date registered valid: 10 May 2022

Proposal: External alterations to rooftop (close to north elevation) consisting of installation of plant with associated equipment and plant enclosure screening.

Address: Palace Theatre , Oxford Street, Manchester, M1 6FT

Ward(s): Piccadilly Ward

Applicant: Mr Stefan Ziemelis Ambassador Theatre Group 115-119 Shaftesbury Avenue, London, WC2H 8AF

Agent (if any): Mr Ting Lai Osbournes The Balconies, Hanley Swan, WR8 0DN

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

Recommendation: Approve

Date of recommendation: 9 December 2022

Application details

Type of application: Full Application Consent

Development type: Minor Industry

Date of site visit:

Standard consultations:

Printed: 30 May 2022 Expired: 20 June 2022

Neighbour notifications

Printed: 30 May 2022 Expired: 20 June 2022

Site notice

Posted: 20 June 2022 Expired: 11 July 2022

Press advert

Published: 7 June 2022 Expired: 28 June 2022

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 proposed works include the installation of new plant to an existing area of roof externally. This new plant is designed to help improve the airflow to the existing auditorium areas of the building and will allow the circulation of fresh air into this area.

There would also be some works required internally to install new ducting and vents within the Auditorium ceiling. Where possible this would be to areas where existing vents are located, to allow the appropriate sizing for the new vents the existing penetrations within the ceiling would need to be enlarged.

Several new penetrations in the ceiling would also be required. These would be positioned in flat areas of ceiling within the Auditorium and would avoid areas of decorative mouldings or plasterwork and the central dome.

The proposed works within the building would allow improvements to the wellbeing of building visitors and staff, as well as the condition of the building itself. Due to the age of the building, the existing ventilation system within the building does not provide an adequate amount of fresh air entering the building. Following recent events involving COVID-19 it has become apparent that public health should be a priority. Improving the quality of air is especially important to building such as theatres where large numbers of people are likely to gather.

The request for improvements to the ventilation system were made by Manchester Environmental Health during the height of the Covid 19 pandemic. The proposals look to address the concerns put forward at this time.

The proposed new external plant would be installed on an existing area of flat roof located at the Northwest side of the building. This elevation of the building faces the canal and are overlooked by offices commercial buildings. There are already services in this area including condensing units and heat pumps.

The area of roof affected by the works is a relative modern flat roof area with parapet walls to perimeter. It is proposed that the new plant to be installed will be supported by the existing parapet walls to reduce intervention to the existing roofs and structure beneath. The proposed plant will consist of 2 no. Air handling units and 1 cooling unit. These units would be a maximum of 2.7 m high and will also require associated new ducting connected to the units. These would require new penetrations into the existing roof. A new louvred enclosure will be installed this would conceal the individual units and provide an acoustic enclosure, reducing the noise impact of the proposed units. The total height of this unit will be approximately 3.2 m above the existing parapet. The new finishes will consist of a liquid applied waterproofing with a grey colour to be similar to the colour of existing roof finishes.

Internally the Auditorium has services located within the large void areas above the existing ceiling. This area contains large amounts of ducting, cabling, pipework, and timber access walkways. The ducting in this area provides ventilation to the auditorium below and is connected to existing plant located on the roof. The ducting terminates on the ceiling of the auditorium. Many of the service penetrations in the Auditorium ceiling are located around the perimeter of the room whether these terminate in back circular or rectangular vents. These areas of ceiling have a black paint finish.

The areas of ceiling directly above the central stalls are considerably more decorative compared to the areas surrounding. These consist of decorative ceilings with painted mouldings as well as sculptural elements. There are areas of flat ceiling that have a purple paint finish. These areas of ceiling have several already existing vent terminations as well as light fittings. The vents consist of black circular covers.

The proposed alterations to the existing services would include installation of new ducting that would connect to the new external plant on the roof. It is believed that the existing vent sizing on the ceiling are inadequate. The existing vents require enlarging in order to suit the upgraded system. In order to minimise the impact of these alterations the proposed ducting would make use of the existing positions of vents and ducting where possible. The existing penetrations through the ceiling would be enlarged where necessary in order to reduce the need to create new penetrations. New penetrations would be required in the central area of the room above the stalls areas. These new penetrations will be into the flat areas of ceiling where some existing vents are present. The new vent positions would avoid areas of decorative mouldings. These will be finished the same colour as the ceiling.

Consultations & Notification Responses

Environmental Health. Recommended a condition that requires a noise verification report to be submitted and approved in writing by the City Council as LPA.

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

Neighbours. Three responses have been received as a result of the notification and publication exercise. One person initially raised concerns regarding noise and disruption caused through construction works but then responded again that they had discussions with the Theatre and are now reassured. The other response said that after discussions with the Theatre they too are reassured they would not be disturbed.

Issues

Impact of the works upon the appearance and significance of the building and character of the conservation area.

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 plant would not have a negative impact on the Whitworth Street conservation area. This is due to the relatively concealed position of the plant. The only location where the proposed plant would be visible is from a carpark to the rear of the building. However, this a view onto the less decorative, rear elevations of the theatre.

The plant would only be visible from upper floor windows from neighbouring buildings. Other buildings in the local area, including other listed buildings.

The proposed internal works would constitute relatively minor interventions to the most important historic fabric of the existing building.

The proposed works avoid areas of decorative plaster and mouldings. Where existing vent sizes are to be enlarged and where new penetrations are to be made, these would be to areas of flat plaster ceilings. Although these works would constitute some loss of historic fabric it is believed that these would be in areas of less historic importance when compared to more decorative areas of ceiling. These areas of ceiling were not part of the original ceiling as constructed in 1891 and instead were likely to have been installed sometime between 1913 and the 1950s.

The proposal would improve ventilation for users and visitors to the building providing improved airflow within the building.

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 scheme for the painting and/or treating of the plant and associated equipment in order to appropriately control its external appearance.

Impact upon amenity via noise potential.

The applicant has submitted a noise assessment report which has been examined by the City Council's Environmental Health Service. The report was considered to be acceptable and subject to a condition requiring a verification report to be submitted to the Council as LPA for approval the works are not considered to be harmful to noise levels in the area.

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:

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 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.
2. Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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

Drawings:

22-105-E1C

22-105-GA1C

22-105-GA2C

22-105-GA3B

22-105-PM1

22-105-LOC1

22-105-SP1

22-105-D1

22-105-D2

22-105-SU1

22-105-D3

22-105-S1

Palace Theatre - Haki Stair Tower

Documents:

Noise Impact Assessment, Palace Theatre, Manchester, Reference: 50-662-R1-1, Date: July 2022

PALACE THEATRE MANCHESTER, NEW SERVICES INSTALLATION - 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. (a) The plant hereby approved shall be carried out in accordance with the Noise Impact Assessment, Palace Theatre, Manchester, Reference: 50-662-R1-1, Date: July 2022. Externally mounted plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5 db (L_{aeq}) below the typical background (L_{a90}) level at the nearest noise sensitive location.

(b) Prior to the first use of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall not be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed in writing with the City Council, as Local Planning Authority. Any measures shall thereafter be retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

4. Prior to the installation of the plant, a scheme for the treatment of the exterior of the plant and ancillary equipment shall be submitted for approval in writing by the City Council as Local Planning Authority. The scheme must include specifications of all colours and finishes to be used on all external surfaces of the development. The approved scheme shall be implemented and thereafter retained and maintained.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
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
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
60 Oxford Street, Manchester, M1 5EE
Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
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
Basement, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
J Sainsbury Plc, 51 Whitworth Street West, Manchester, M1 5EA
87 Oxford Street, Manchester, M1 6EG
95 Oxford Street, Manchester, M1 6ET
The Stage Door, 97 Oxford Street, Manchester, M1 6ET
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
Cornerhouse, 70 Oxford Street, Manchester, M1 5NH
91 - 93 Oxford Street, Manchester, M1 6ET

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: CENTRL