

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134821/LO/2022 and 135279FO2022

Date registered valid: 30 August 2022

Proposal: Installation of PV panels to the roof.

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

Ward(s): Deansgate Ward

Applicant: Stephen Wormald XLB Property C/o Alter Domus, 15 Boulevard F.W. ,
Raiffeissen, L-2411, Luxembourg

Agent (if any): Andrew Burns Atelier MB Suite 2A, Amazon House, Brazil Street,
Manchester, M1 3PJ

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18 October 2022

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit:

Standard consultations:

Printed: 13 September 2022 Expired: 4 October 2022

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: Expired:

Press advert

Published: 20 September 2022 Expired: 11 October 2022

Departure from Development Plan: No

Environmental Statement: Not required

Listed building: Grade II Star

Conservation area:

Tree Preservation Order:

Description of Site and Area

This application relates to a Grade II* listed building located at 56 Oxford Street in the City Centre. The building isn't located within a Conservation Area.

The building is a former textile warehouse that dates from 1896-1968 and was built by and originally occupied by Tootal, Broadhurst and Lee Co. Ltd. In the early 1990's the building was stripped out to create offices to rent. It is a large red brick building with orange terracotta stripes that was built in the Edwardian Baroque style. It has been amended over the years, but retains a number of original features and is in good condition. The building has its main frontage on Oxford Street, but also has frontages onto Great Bridgewater Street and the Rochdale Canal.

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 building shares a courtyard with the adjacent Grade II listed Lee House, which was constructed in 1931.

Surrounding uses include a theatre, hotels, offices, shops, restaurants, cafes, bars and residential properties.

Description of Development

The submitted application seeks Full Planning Permission and Listed Building Consent for the installation of PV panels to the roof.

Consultations & Notification Responses

Local residents and businesses were consulted, and a site notice was posted for 21 days, however no responses were received.

Aerodrome Safeguarding – no objections.

Policy

The main policies that relate to the proposal are Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework, Policies SP1 (Spatial Principles), EN3 (Heritage), DM1 (Development Management) and CC9 (Design and Heritage) of the Adopted Core Strategy for the City of Manchester and saved policy, DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Listed Building Act") provides that "in considering whether to grant listed building consent for any works to a listed building, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"

Section 66 Listed Building Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and considerable importance and weight should be given to the desirability of preserving the setting. Members should consider whether there is justification for overriding the presumption in favour of preservation.

Issues

Assessment of Significance

The Grade II* listed status recognises the historical and architectural significance of Tootal building as an example of commercial premises built specifically for a leading 19th century textiles company.

The submitted heritage statement suggest that the roof of the building is limited in its heritage significance, having been resurfaced (in the flat areas) in recent years. Those elements of significance on the roof are limited to ornate details and limited structures to service access, which are to remain unaltered. Air handling units have previously been installed to the roof space and now form part of the view. Cable runs penetrate the existing brick work to serve the floors below.

Impact on Visual Amenity and Heritage Asset

The series of panels will have a visual impact on the roofscape. However, as they are not visible from the street level and can only be seen from the adjacent buildings, the impact is limited.

Physical interventions into the fabric are limited as the panels and frames are removable and sit on top of existing roof surface which is a modern intervention. The panels are not fixed to the roof but rely on ballasted brackets to weigh down the installation, cabling will run down the building to the basement following the same route as the existing services through the risers.

There is an impact on the setting of the building opposite, the Grade II listed St James' Buildings. The Tootal roof is within the setting of the upper floors and windows overlook the site,

albeit separated by Oxford Street. The panels are considered to have a minor impact on the setting of St James' Buildings and this impact is negligible, given the distance between the two buildings, the lack of significant features in the existing views, the reversibility of the PV cells, their limited height and their unobtrusive dark colour.

The harm caused by the installation of the panels is considered to be less than substantial. The proposed works are designed to meet a proportion of the building's energy requirements with a renewable alternative and have a minimal impact upon the significance of the heritage asset and that of the adjacent asset. The public benefits of the installation to reduce carbon emissions generated by the building would significantly outweigh any harm to the significance of the heritage asset in accordance with paragraph 202 of the NPPF.

Given the above, it is considered that the proposals are acceptable in terms of Section 16 of the National Planning Policy Framework, policies, EN3 and CC9 of the Core Strategy for the City of Manchester and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

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 officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance this has included requesting further information

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:

Received by the City Council as Local Planning Authority on 30 August 2022:

P(900) Location Plan

Proposed Plans:

62-203 REV T1 Indicative PV System Concept

P(180) Roof Plan

P(181) Roof Plan Churchgate

P(182) Roof Plan Lee

P(200) Oxford Road Elevation

P(210) Canal Elevation

P(211) Canal Elevation Lee

P(212) Canal Elevation Churchgate

P(220) North-West Courtyard

P(221) North-West Courtyard

P(222) North-West Courtyard Churchgate

P(230) South-East Courtyard

P(240) North-East Courtyard

P(250) South-West Courtyard

P(260) Great Bridgewater Street

P(261) Great Bridgewater Street Churchgate

P(262) Great Bridgewater Street 2 Lee

P(270) West Elevation

Received by the City Council as Local Planning Authority on 05 October 2022:

634K-62-203 revT2 051022

634K-62-205

1966-P(400) Localised Elevation Detail

1966-P(410) Localised Section Detail

Solar Panel Specifications

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, EN3 and DM1 saved Unitary Development Plan policy DC19.

Appendix 1 – List of consultees & neighbours notified

Urban Design & Conservation
National Amenity Societies
Historic England (North West)

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