

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134711/LO/2022

Date registered valid: 21 September 2022

Proposal: LISTED BUILDING CONSENT - Internal re-arrangement of an upper storage space to create a new bar servery area, including the removal of the some internal partition walls and fire doors.

Address: Apollo, Stockport Road, Manchester, M12 6BW

Ward(s): Ardwick Ward

Applicant: Mr K Forshaw, Livenation Apollo, Stockport Road, Manchester, M12 6BW

Agent (if any): Neville Fuller, Blik Design, 25 South Street, HD9 1QH

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 15 November 2022

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 22 September 2022 Expired: 13 October 2022

Site notice

Posted: 25 October 2022 Expired: 15 November 2022

Press advert

Published: 4 October 2022 Expired: 25 October 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: Not applicable

Tree Preservation Order: Not applicable

This application relates to the Apollo Theatre, a grade II Listed Building. Originally a cinema/variety hall which is now used for live music concerts. The building is of an Art Deco style with an exterior largely clad in white glazed tiles and a decorative interior.

It is proposed to carry out some internal works, on the second floor, to create a public bar area which will serve the balcony clientele. The area, at present, is an enclosed room with a makeshift bar area, comprising of a small counter, that was used for private functions, although this proved uneconomical, and this area is currently used for storage. Patrons, in the balcony area, therefore have to travel to the bar, in the floor below, for any refreshments.

To create a useable bar space it is proposed to 'open-up' this space by removing an 11.7 metre length of non load-bearing dividing wall along with an existing door and frame. Also, in order to have the public access and evacuate, in case of an emergency, 3no. non-original stud walls with associated doors and frames, ranging in width from 1.2 metres to 2.2 metres are also to be removed. It is then proposed to install a new bar, along the back wall, approximately 9 metres in width.

New timber stud work is proposed, and this is to be screwed and plugged into the existing structure. The applicants have indicated that this stud work can be removed if necessary, at a future date, with minimal making good to the existing building fabric. The proposal also includes new skirting, architraves, doors and coving, with all new mouldings manufactured to match the existing. The applicants have indicated that all the public facing walls are to be decorated in colours and finishes to match the existing adjacent colours.

The proposal has been advertised on site and in the press.

Consultations & Notification Responses

Local residents/adjoining occupiers - No comments received.

Urban Design and Conservation - Make the following comments:

The proposal is to remove a section of wall to an upper storage area. The area in question is of low significance due to its more back of house nature. The corridor and room have a more functional appearance and lack the finesse and period detailing seen in some of the key spaces.

Whilst the heritage statement is not that detailed and the justification lacks depth, the removal of a section of wall and the creation of a bar area causes less than substantial harm to the listed building and will have minimal impact on it's character. In mitigation, the removal will retain nibs on either side of the opening to clearly evidence that there was a full length wall in this location.

The structural report submitted with the application refers to investigation works carried out which confirms that the wall is not loadbearing. The report recommends as follows:

It is finally recommended that during the demolition of the wall, the principal contractor to take all relevant precautions in order to remove the wall safely. It is moreover required that an engineer is called to witness the demolition works as they progress.

To ensure that the works are carried out carefully and do not cause any damage to the listed building, there should be a condition requiring the submission of a detailed contractors method statement for the works, which should included for supervision by the consulting engineer.

Also, samples of all materials used in the works and the proposed decoration and finishes should also be conditioned.

Issues

National Planning Policy Framework (July 2021) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
- b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. paragraph 126).

Section 16 'Conserving and enhancing the historic environment' states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy EN3 relates to heritage and states that, throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those in the City Centre.

New development must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled monuments, listed buildings registered parks and gardens, conservation area and archaeological remains.

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed

guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is presently unallocated within the Manchester Unitary Development Plan.

Saved policy DC19.1 states that in determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. In giving effect to this policy, the Council will:

- not permit any external or internal alteration or addition to a Listed building where, in its opinion, there would be an adverse effect on its architectural or historic character;
- seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by the preservation of trees and landscape features.

Impact of works - Compared to the overall size and scale, of this listed building, it is considered that the proposed works are relatively minor in nature. The major operation is the removal of the load bearing wall, but this is on the top floor, and not part of the current public circulation area, and it is not considered that it would have an impact upon the character of the building, allowing a relatively unused area to be available for use by the general public. The removal works will retain nibs on either side of the opening, to clearly evidence that there was a full length wall in this location, and the additional works proposed can be removed at a later date, to re-expose the existing structure. In addition, all new mouldings will be manufactured to match the existing and all the public facing walls are to be decorated in colours and finishes to match the existing adjacent colours.

It is therefore considered that the proposal would not have an adverse impact upon the fabric of the listed building, with minimal impact on the existing structures and public areas, and that it would have a very small impact upon the building as a whole, whilst contributing to the continued use of the premises as an iconic live music venue.

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with this application for Listed Building Consent. In particular a pre-application site meeting was held to discuss the proposal and

required changes to the original scheme. Also a pre-commencement condition, requiring further information to be submitted, has been agreed by the applicant.

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:

Site location plan and drawings numbered 723-01B, 723-02B, 723-08A, 723-09, 723-22 and 723-23

Design and Access Statement

Heritage Statement

Booth King Structural Survey dated 4 August 2022 (ref:14356)

All stamped as received by the City Council, as Local Planning Authority, on 16 August 2022.

Site photos, to accompany Heritage Statement, stamped as received by the City Council, as Local Planning Authority, on 22 September 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, DM1 and EN3 of the Manchester Core Strategy and policy DC19.1 of the Unitary Development Plan for the City of Manchester.

3) Notwithstanding the details provided in the approved drawings and documents, prior to development commencing, the following details shall be submitted to and approved in writing by the City Council as Local Planning Authority. The agreed details shall be incorporated into the development and thereafter be retained as approved throughout the life of the development:

(a) A detailed contractors method statement for the works, which should include details of supervision by the consulting engineer.

(b) Samples of all materials to be used in the works and the proposed decoration and finishes.

Reason - Because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character, appearance and fabric of this building in accordance with policies EN1, EN3, SP1 and DM1 and saved policies DC19 and DC20 of the Unitary Development Plan.

Appendix 1 – List of consultees & neighbours notified

3 - 9 Hyde Road, Manchester, M12 6BQ
Flat 6, 10 Polygon Street, Manchester, M13 9SG
Flat 9, 10 Polygon Street, Manchester, M13 9SG
Apollo Theatre, 1 Stockport Road, Manchester, M12 6BW
Flat 7, 10 Polygon Street, Manchester, M13 9SG
Flat 17, 10 Polygon Street, Manchester, M13 9SG
Flat 4, 10 Polygon Street, Manchester, M13 9SG
Flat 13, 10 Polygon Street, Manchester, M13 9SG
Flat 18, 10 Polygon Street, Manchester, M13 9SG
15 Brunswick Street, Manchester, M13 9SU
Flat 1, 10 Polygon Street, Manchester, M13 9SG
4 Polygon Street, Manchester, M13 9SG
Panache Motor Co, 14 Hyde Road, Manchester, M12 6BW
Apollo Ballroom, Hyde Road, Manchester, M12 6BW
The Apsley Cottage, Apsley Grove, Manchester, M12 6AW
6 Polygon Street, Manchester, M13 9SG
2 Polygon Street, Manchester, M13 9SG
8 Polygon Street, Manchester, M13 9SG
14 Hyde Road, Manchester, M12 6BW
Flat 3, 10 Polygon Street, Manchester, M13 9SG
Flat 5, 10 Polygon Street, Manchester, M13 9SG
Flat 14, 10 Polygon Street, Manchester, M13 9SG
Flat 2, 10 Polygon Street, Manchester, M13 9SG
Flat 11, 10 Polygon Street, Manchester, M13 9SG
Flat 8, 10 Polygon Street, Manchester, M13 9SG
Flat 15, 10 Polygon Street, Manchester, M13 9SG
Flat 16, 10 Polygon Street, Manchester, M13 9SG
Flat 12, 10 Polygon Street, Manchester, M13 9SG
Flat 10, 10 Polygon Street, Manchester, M13 9SG
Flat At, The Apsley Cottage, Apsley Grove, Manchester, M12 6AW

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA