

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133770/JO/2022

Date registered valid: 6 July 2022

Proposal: Variation of condition number 2 (specified plans) from planning permission reference 128804/FO/2020 for an amendment to the approved site plan to include the updated site plan and additional information in connection with the construction of the sub-station.

Address: Barclay House , 35 Whitworth Street West, Manchester, M1 5NG

Ward(s): Deansgate Ward

Applicant: Power Living (Barclay House) Barclay House , 35 Whitworth Street West, Manchester, M1 5NG

Agent (if any): DK Seddon Howard & Seddon ARIBA 64 Washway Road, Sale, M33 7RE

Case officer: Gerry Reilly
Tel: 0161 234 4163
Email: gerry.reilly@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 13 October 2022

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Dwellings

Date of site visit:

Standard consultations:

Printed: 12 July 2022 Expired: 2 August 2022

Neighbour notifications

Printed: 12 July 2022 Expired: 2 August 2022

Site notice

Posted: 12 July 2022 Expired: 2 August 2022

Press advert

Published: 19 July 2022 Expired: 9 August 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

The Site - This application relates to a building known as Barclay House that is on Whitworth Street West in the City Centre. The building had a snooker club at ground level and the upper floors were formerly used as offices. In 2017, prior approval was granted at the site for the conversion of the office floors to residential apartments under app. 118033/P3OPA/2017. The area surrounding the application site is commercial and residential in nature. Oxford Road train station lies in close proximity to the site, as does Deansgate train station and the Deansgate-Castlefield Tram Stop. There are a number of entertainment venues in close proximity including the O2 Ritz nightclub and the Gorilla bar/grill music venue. There are residential apartments nearby such as The Lock building. There are a number of listed structures in the area including the Grade II Manchester South Junction And Altrincham Railway Viaduct, Manchester & Salford

In January 2018 a "Notification for Prior Approval for a Proposed Change of Use of building (excluding basement) from Office Use (Class B1 (a)) to a provide 90 no. residential apartments (Use Class C3)" was approved.

In October 2021 planning permission was granted for "Erection of a two-storey rooftop extension to form 9 duplex apartments and the conversion of the existing redundant internal car park to create a further 4 duplex apartments at Barclay House, Whitworth Street West, Manchester".

The Proposal -

The current proposal is for "Variation of condition number 2 (specified plans) from planning permission reference 128804/FO/2020 for an amendment to the approved site plan to include the updated site plan and additional information in connection with the construction of the sub-station.

The new single storey substation is required in order to provide a sufficient power supply to the development. After Air utilities carried out an assessment of the site and established that the only suitable location for the substation would be within the existing car park to the west of the building. The substation design is in accordance with the specification received from ENW. The size of the substation has been dictated by ENW based on its size and capacity.

Barclay House is a non-designated heritage asset. Furthermore, there are a number of listed structures in the area including the Grade II Manchester South Junction And Altrincham Railway Viaduct, Manchester & Salford. The current proposals under consideration are the result of negotiations with the applicant to improve the appearance of the development and reduce it's impact on the street scene.

The substation will be approximately 3.989 metres high. External materials will be granite to a height of approximately 1.2 metres with Portland Stone slips above. On top of the Portland Stone will be a GRC Pier Cap. The substation will be located at the rear of the car approximately 19 metres away from the front boundary.

In addition it is proposed to erect a 1.8 metre high fence along the front boundary to further reduce the visual impact of the substation. The base of the fence will be granite slips to a height of 6.76 metres with 16mm wrought iron railings above that. The length of the fence will be 9.7 metres.

Description of area

Description of development

Consultations & Notification Responses

Publicity - The application has been advertised in the Manchester Evening News affecting a Conservation Area and a listed building. A site notice was displayed and the occupiers of nearby properties have been notified.

This publicity has not resulted in any responses from the public

Highways - Whilst the amount of on-site car parking is being reduced from 18 to 15 spaces to accommodate the sub-station, given its city centre location, Highways consider this acceptable.

Env Health - have recommended that a condition to control noise is added to any permission

Heritage and Urban Design - "if they [the applicant] are happy to go with what has been submitted in a natural stone facing then maybe we should run with that.

Issues

Visual amenity - The new single storey substation is required in order to provide a sufficient power supply to the development at Barclay House, the building to the east of the application site, for the conversion of the property into flats. After Air utilities carried out an assessment of the site and established that the only suitable location for the substation would be within the existing car park to the west of the building. The substation design is in accordance with the specification received from ENW. The size of the substation has been dictated by ENW based on its size and capacity.

Barclay House is a non-designated heritage asset. Furthermore, there are a number of listed structures in the area including the Grade II Manchester South Junction And Altrincham Railway Viaduct, Manchester & Salford. The current proposals under consideration are the result of negotiations with the applicant to improve the appearance of the development and reduce its impact on the street scene.

The substation will be approximately 3.989 metres high. External materials will be granite to a height of approximately 1.2 metres with Portland Stone slips above. On top of the Portland Stone will be a GRC Pier Cap. The substation will be located at the rear of the car approximately 19 metres away from the front boundary.

In addition it is proposed to erect a 1.8 metre high fence along the front boundary to further reduce the visual impact of the substation. The base of the fence will be granite slips to a height of 6.76 metres with 16mm wrought iron railings above that. The length of the fence will be 9.7 metres.

Heritage and Urban Design have said "if they [the applicant] are happy to go with what has been submitted in a natural stone facing then maybe we should run with that."

The applicant responded on 07/10/2022 saying "please see attached a copy of our updated sub station proposal incorporating materials required by Manchester Planning in order to obtain consent.". The drawing referred to will be included in the specified plans condition attached to this decision.

It is considered that the amended plans represents a high quality proposal and their impact on the setting of Barclay House and the Manchester South Junction And Altrincham Railway Viaduct will be acceptable.

Residential Amenity - The condition suggested by Environmental Health will be attached to this permission

Highways considerations - The proposal will result in the loss of 5 parking spaces at the rear of the site to accommodate the new sub-station and an area in front of it for servicing vehicles to park in. Although this represents the loss of almost a third of parking spaces it is considered that the proposal to site the sub-station at the rear of the site is the best option to reduce its impact, and, on balance the loss of the parking is acceptable.

Manchester Core Strategy - The Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11 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.

For the above reasons, the proposal is considered to be acceptable and consistent with policies SP1 and DM1 of the Core Strategy and saved policies DC18.1 and DC19.1 of the Unitary Development Plan.

Negotiations - Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

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 / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. In the case of the proposals under consideration this has included negotiations to improve the appearance of the development and reduce its impact on the street scene.

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 91 of the Town and Country Planning Act 1990

2. The development hereby approved shall be carried out in accordance with the following drawings:

Drawings

Items received via the email from Stephen Mckiernan of Howard and Seddon Architects of 5th October 2022

Proposed Boundary Wall and Fence Detail 12,982 M24 Amendment A
Proposed Substation Drawing 12982 M22 Revision E
Proposed Site Plan Sub Station Amendment H

Item received via the email from Stephen Mckiernan of Howard and Seddon Architects of 21st September

Ex and Proposed Street Scenes 12982 M23 Revision D

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.