

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133296/FO/2022

Date registered valid: 6 May 2022

Proposal: Installation of new window vent and door onto front elevation.

Address: 1 Piccadilly Gardens, Manchester, M1 1RG

Ward(s): Piccadilly Ward

Applicant: Legal & General Assurance (Pensions Management) Ltd C/o Agent

Agent (if any): Miss Katie Parfett Savills (UK) Limited Belvedere, 12 Booth Street, Manchester, M2 4AW

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

Recommendation: Approve

Date of recommendation: 30 June 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 17 May 2022 Expired: 7 June 2022

Neighbour notifications

Printed: 17 May 2022 Expired: 7 June 2022

Site notice

Posted: 18 May 2022 Expired: 8 June 2022

Press advert

Published: 24 May 2022 Expired: 14 June 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

This application relates to a unit on the ground floor of an office development at One Piccadilly Gardens on the south-eastern corner of the development. The building is a modern structure that is not listed and is not within a Conservation Area although the property faces the Grade II listed Portland (Thistle Manchester) Hotel, 3 - 9 Portland Street, Manchester, M1 6DP and the Stevenson Square Conservation Area is located approximately 108 metres to the north and can be viewed in context with the site. The building has elevations onto Portland Street, Piccadilly, Piccadilly Gardens and the Piccadilly Gardens Metrolink Station.

The area within which the application site is located is characterised by a mixture of uses including offices, bars, restaurants, hotels, cafés and shops. The building is currently used as offices on the upper floors and has restaurants and shops on the ground floor.

Planning permission is sought for the insertion of new window vent and door onto front elevation.

Description of area

Description of development

Consultations & Notification Responses

Publicity - The application has been advertised in the Manchester Evening News as: affecting a Listed Building. A site notice was displayed and the occupiers of nearby properties have been notified.

No representations have been received as a result of this publicity.

Environmental Health - Have recommended conditions relating to noise and fumes

Greater Manchester Police - having looked at the plans we would recommend that the proposed window vent should be fitted so that it cannot be removed to permit unauthorized access. Reinforced mounting and fixing points should be considered as part of the installation of the vent.

The proposed new door should be certified to either PAS 24, LPS 1175 SR2 or STS 202 as per the SBD Commercial 2015 Guide

Issues

The nearest residential properties to the unit are located at the Grand Hotel, approximately 76 metres away. These properties were granted permission in 1996 under planning application 049620/FO/CITY2/96 Conversion of hotel to form 65 residential apartments and restaurant and erection of a multi storey car park at Grand Hotel, Aytoun Street and land bounded by Chatham Street/Hope Street and Piccadilly, City.

Environmental Health have assessed the information submitted from an amenity point of view with regard to noise and fumes and they have recommended that conditions be attached to any approval granted to control these impacts of the development. The conditions suggested by Environmental Health have been attached to this permission.

The applicant has stated that they are "still of the review that Conditions 3 and 4 are onerous given the minor nature of the scheme, and the fact that these conditions haven't been imposed for any similar schemes previously.

However, in the interests of getting the decision issued we are ok to proceed."

Visual amenity - The applicant has amended their plans to indicate that the vent has horizontal fins. They have also sent in an email stating the vent will be painted Iron Grey 7011. The proposals are considered to be acceptable in terms of their impact on visual amenity.

Access - The unit is fully accessible.

Crime and Disorder - The police have been consulted on this issue and their recommendations will be attached to this permission as informatives.

Highways considerations - Highway Services have been consulted on this issue and have stated that they have no objections to the siting of extraction equipment to rear and shopfront alterations

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 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.

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 and documents:

Drawings

The drawing entitled ProposedFrontElevation received via the email from Katie Parfett of 26th September 2022

The revised proposed plans and elevations received 26th September 2022

Documents

Covering Letter received 23rd March 2022

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) Externally mounted ancillary 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 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

4) a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences. Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Prior to commencement of the use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In the interests of the amenities of occupiers of nearby properties pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5) The window vent hereby approved shall be painted Iron Grey 7011 and shall remain in this colour for the duration of the development hereby approved.

Reason

In the interests of visual amenity pursuant to policies SP1 and DM1 of the Core Strate Strategy for the City of Manchester.

Informatives

1) The proposed window vent should be fitted so that it cannot be removed to permit unauthorized access. Reinforced mounting and fixing points should be considered as part of the installation of the vent.

2) The proposed new door should be certified to either PAS 24, LPS 1175 SR2 or STS 202 as per the SBD Commercial 2015 Guide (please see www.securedbydesign.com for more details)

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Greater Manchester Police

Advertising Right Opposite 1, Portland Street, Manchester, M1 1RG
Ground Floor, Westminster House, 11 Portland Street, Manchester, M1 3PL
Gourmet Society, Fifth Floor, 9 Portland Street, Manchester, M1 3BE
Sixth Floor, 9 Portland Street, Manchester, M1 3BE
Fourth Floor, 9 Portland Street, Manchester, M1 3BE
4 Portland Street, Manchester, M1 4GS
Huxters, Minshull Street, Manchester, M1 3EF
Fifth Floor, 1 Piccadilly Gardens, Manchester, M1 1RG
Second Floor, 9 Portland Street, Manchester, M1 3BE
New College Group, Ground And First Floor, 9 Portland Street, Manchester, M1 3BE
Second Floor, 1 Piccadilly Gardens, Manchester, M1 1RG
Sixth Floor, 1 Piccadilly Gardens, Manchester, M1 1RG
Third Floor, Westminster House, 11 Portland Street, Manchester, M60 1HY
Fourth Floor, Westminster House, 11 Portland Street, Manchester, M60 1HY
Second Floor, 4 Portland Street, Manchester, M1 4GS
Ninth Floor, Westminster House, 11 Portland Street, Manchester, M1 3BH
Aytoun Street Wing Ninth Floor, Westminster House, 11 Portland Street, Manchester, M1 3BH
Ground Floor, Westminster House, Minshull Street, Manchester, M60 1HY
Westminster House, Minshull Street, Manchester, M60 1HY
Ground Floor, Westminster House, Aytoun Street, Manchester, M1 3DL
Third Floor, 9 Portland Street, Manchester, M1 3BE
Seventh Floor, Westminster House, 11 Portland Street, Manchester, M1 3HU
Edwards, Westminster House, 11 Portland Street, Manchester, M1 3HU
Unit G1, 1 Piccadilly Gardens, Manchester, M1 1RG
Unit G2 And G3, 1 Piccadilly Gardens, Manchester, M1 1RG
Third Floor, 1 Piccadilly Gardens, Manchester, M1 1RG
SHORYU, Ground Floor Units C2 To C3, 1 Piccadilly Gardens, Manchester, M1 1RG
Ground Floor Unit F, 1 Piccadilly Gardens, Manchester, M1 1RG
Ground Floor Unit E, 1 Piccadilly Gardens, Manchester, M1 1RG
Fourth Floor, 1 Piccadilly Gardens, Manchester, M1 1RG
PIZZAEXPRESS, Ground Floor Units C1 And D3, 1 Piccadilly Gardens, Manchester, M1 1RG
First Floor, 1 Piccadilly Gardens, Manchester, M1 1RG
First Floor, Westminster House, 11 Portland Street, Manchester, M1 3PL
Fifth Floor, Westminster House, 11 Portland Street, Manchester, M1 3HU
Hotel Ibis Styles Manchester Portland, 3 - 5 Portland Street, Manchester, M1 6DP
Eighth Floor, Westminster House, 11 Portland Street, Manchester, M1 3BH
Second Floor, Westminster House, 11 Portland Street, Manchester, M60 1HY

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
Area Team Boundary - Name: CENTRL