

## List No. 6

<b>City Centre Ward</b>	<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>
	082298/LO/2007/C3	25th Jun 2007	13th Sep 2007
<b>Proposal</b>	LISTED BUILDING CONSENT Internal and external works associated with change of use to a nightclub		
<b>Location</b>	Part Of Great Northern Warehouse, Corner Of Peter Street, Deansgate, Manchester		
<b>Applicant</b>	Luminar Leisure Ltd Luminar House, Deltic Avenue, Milton Keynes, Buckinghamshire, MK13 8LU		
<b>Agent</b>	Alliance Environment And Planning Ltd Halifax House, 14/15 Frederick Road, Edgbaston, Birmingham, B15 1JD		

### Description

The application relates to the Great Northern Warehouse on Watson Street, which is a Grade II\* listed building. Planning permission (048574/FO/CITY3/95) was approved on 10 October 1996 for the comprehensive development of a site that had the Warehouse at its centre and gave permission for the "Development for conference, office, retail, public car parking, open space and leisure uses, with associated environmental and access works to surrounding areas and streets, and ancillary car parking". The application, which is the subject of this report, is to create a nightclub use with associated internal and limited external alterations in those parts of the Warehouse at ground and first floors on the Deansgate side of the building. This would involve the creation of mezzanine levels within both floors and result in a floor area of some 4285 sq mtrs. In addition an external area of some 218sq mtrs within open space at the front of the building, facing Peter Street, would be used for seating and tables associated with daytime and early evening use of the premises.

External building work required includes: a new glazed frontage overlooking the public space adjacent to Peter Street, part of which could be opened during the day and which would be fully closed during the nightclub operation; a new glazed entrance off Deansgate Mews; and enclosures for plant in the area of the car park ramp on the Deansgate side of the Warehouse.

Internally the fit-out will have some impact on the historic volume, character and detail by the insertion of: mezzanine areas; two new staircases and lifts; the installation of acoustic ceilings; cladding a number of metal support columns (to stop noise transfer to other parts of the building); and partitioning to form the different bar areas that are a feature of the proposed use.

Design, access and listed building statements have been submitted with the proposal. These make the case that works proposed are minimal and limited in their impact on historic fabric.

A planning application for the physical works has been submitted under reference 082223/FU/2007/C3 and is on this agenda.

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### Consultations

English Heritage - Does not wish to comment in this instance and the application should be determined in accordance with national and local guidance.

Publicity - The application has been advertised as affecting a listed building and no representations have been received.

### Issues

Unitary Development Plan - The proposal is consistent with UDP policies that promote regeneration and employment within the City Centre and the reuse of listed buildings. The scheme is considered to be consistent with UDP policies relating to listed buildings, DC19.

Impact of the proposal on the Listed Building. - The proposal in essence is a fit out of the vacant large floor-plates that are a characteristic of the building. Whilst such work, which includes acoustic ceilings, mezzanine floors, and partitioning within some of the areas will mean some subdivision and screening of the volume it is considered that this would not be so great as to detract from the building's character. Original volumes and views to the brick arched construction, along with original metal support columns are retained in full view in other areas of the application site. Externally the new entrance and window arrangements are consistent with the appearance and robust detailing of the building. It is considered that the works represent the minimum that is necessary for the proposal and have been justified as required by PPG 15. Given the above and in light of the comment from English Heritage it is considered that the scheme would not have a detrimental impact on the character and appearance of the listed building and is therefore acceptable.

**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 the right to a fair hearing and to this end the Committee 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 Unitary Development Plan, the Head of Planning has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents 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. He believes that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

### **Recommendation MINDED TO APPROVE**

The application is recommended to be minded to be approved on the basis that the proposal is in accordance with the City Council's Unitary Development Plan,

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in particular policies: RC20 Area23 and DC19, and guidance contained in PPG15, and there are no material considerations of sufficient weight to indicate otherwise.

### Conditions and/or Reasons

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) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

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 E3 and I3.1 of the Unitary Development Plan for the City of Manchester.

3) Before the building is first occupied the external brickwork of the building shall be cleaned in accordance with plans and particulars previously approved in writing by the City Council as local planning authority.

Reason - To improve the appearance of the building in the interests of visual amenity and because 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 and appearance of this building and in accordance with Policy DC19.1 of the Unitary Development Plan for the City of Manchester.

4) Notwithstanding the drawings submitted, details of the appearance of any externally mounted plant or equipment, including materials, finishes and any sound attenuation measures associated with said plant and equipment, shall be submitted to and approved in writing by the City Council as local planning authority before development commences.

Reason - To ensure a satisfactory development, and to ensure that the design of new structures and alterations to existing structures are in keeping with the appearance of the listed Great Northern warehouse, pursuant to Policy DC19 of the Unitary Development Plan for the City of Manchester.

5) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority:

Drawing numbers 654 - 500 B; 501 B; 502 E; 503 C; 504 B; 505 A; 506 A; 507 F; 508 C; 509 D; 510 C; 511 A; 512 A; 513 D; 514 B; 515 A; 516 A; 517 C; 518 D; 519; 520; 521; 522 C; 523 E; 524 D; 525 C; 526B; 527 B; 528 A; 529 A; 530 B; 531 B; 532; 533; 534; 535 B; 536 A; 537 A; 538 A; 540 A; 541; 542; 550;

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The Brandline cafe barriers brochure received by the local planning authority on 13 June 2007.

Reason - To ensure that the development is carried out in accordance with the approved plans.

### **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 082298/LO/2007/C3 held by Planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are all held by the Planning Division.

**The following residents, businesses and other third parties in the area were consulted/notified on the application:**

English Heritage (NW Region)

**Representations were received from the following third parties:**

<b>Relevant Contact Officer:</b>	: Lucy Harrison
<b>Telephone No.</b>	: (0161) 234 4651
<b>Email</b>	: l.harrison1@manchester.gov.uk