

Application Number	Date of Appln	Committee Date	Ward
109650/FO/2015/C1	21st Aug 2015	22 Sept 2016	City Centre Ward

Proposal Works to instate 10no. in-situ concrete pavement lights to the Wood Street elevation of John Ryland's Library alongside instatement of associated 6no. cast iron bollards and 1no. cast iron post and panel railing to provide protection from vehicular traffic.

Location John Rylands Library , 148-58 Deansgate, Manchester, M3 3EH

Applicant Mr Christopher Thorley , The University of Manchester, 4th Floor Beyer Building, Oxford Road, Manchester, M13 9PL,

Agent Miss Rebecca Mills, Lloyd Evans Prichard, No. 5 The Parsonage, Manchester, M3 2HS,

Description

The Site

John Rylands Library is a Grade I listed building, forming part of the University of Manchester Library Service. To the south is Spinningfields and Wood Street, a narrow one way street connecting Deansgate with Bridge Street is to the north. The site lies within the Deansgate Conservation Area.



Description of the Proposed Development.

The proposal involves the re-instatement of 10 pavement lights to the Wood Street elevation, the insertion of 6 cast iron bollards on Wood Street and the insertion of 1 cast iron post and panel rail on Wood Street.

The pavement lights on the Wood Street are currently infilled with mass concrete, which was poorly installed. It is not waterproof and over the past years has leaked continuously into the basement below.

This is a serious source of concern as the basement contains the 1920's book-stacks, which are noted as being highly significant within the Conservation Management Plan and these are filled with the JRL collections, which are themselves highly significant and susceptible to changes in humidity. The leaks are putting both the fabric of the grade I listed building and the collections it contains in danger of irreversible damage. Temporary works have been undertaken to seal the perimeter of the pavement apertures and it is now proposed to replace them with new in-situ concrete pavement lights. The new concrete pavement lights would address the leaks and restore natural light levels as they once were.

A major cause of the current problem is from vehicles mounting the pavement and driving over the pavement lights. This causes the perimeter seals of the infills to fail and leak. Wood Street is a key servicing route within the area and traffic level have therefore increased. The pavement has fully collapsed this year, as has a manhole towards the rear of the pavement.



It is proposed to install 6 bollards along Wood Street to prevent traffic mounting the pavement and driving over the pavement lights. The bollards would be located such to ensure that full access would be available down the whole of the Wood Street pavement. The bollards would be low level and black cast iron which would respect the sensitive context in a functional manner.



A post and panel rail would be inserted in front of a fire exit on Wood Street which is also used intermittently as an exit for school groups. Vehicles currently mount the pavement in this location, which makes the exit unsafe. The post and panel rail would prevent vehicles mounting the pavement and to keep groups of people on the pavement, and off the road. The railing would be 2m in length, with slender posts either side all painted black.

Access

Pedestrian access and circulation routes in and around the building will remain as existing. The bollards and post and panel rail have been carefully located to ensure that full access is still available own the length of the Wood Street pavement.

Consultations

Publicity – The occupiers of adjacent premises have been notified and the application was advertised in the local press as affecting a Conservation Area, the setting of a listed building and affecting a right of way. Site notices were also placed adjacent to the site. Seven letters / emails objecting the proposed works have been received and are summarised below:

Concerns regarding safety of people and pedestrians using Wood Street and the Wood Street Mission because the installation of the bollards is likely to mean more vehicles would mount the pavement on the Mission's side. Parents and children can

easily be distracted leaving buildings and are unlikely to be looking out for oncoming traffic and when carrying bags of clothes and books they may be distracted further. Also women and children queue outside the Mission building.

Vehicles mounting the pavement on the opposite side of the street to the proposed bollards damage the fabric of buildings including pavement lights.

The proposed bollards would have a detrimental impact upon traffic flows, pedestrian safety, loading and unloading along Wood Street. Protection / presentation of existing buildings and cleanliness of the street is also an issue.

The proposal would affect traffic flows and restrict access for deliveries to buildings including dray deliveries.

If the proposed pavement lights were designed differently then bollards would not be required. Also if vehicles are parked for loading / unloading purposes then other road users will try to get around by using the pavement. Alternative designs should be considered including removal of existing pavement finishes and a different quality base used topped with York stone paving.

The use of concrete formed pavement lights is not in keeping with the listed building and is detrimental to the setting of the site.

The bollards will not be easily seen due to shadows and could, due to their sloping design, deflect vehicles into the John Ryland's Library.

Wood Street Mission Building is also a listed building and no mention is made of this in the submitted planning statement.

The proposal presents a number of challenges including: volume of traffic; loading and unloading; pedestrian safety; protection / preservation of existing buildings; and cleanliness of the street.

It is not appropriate to address the solution for one side of the street and referring the problems to the other side of the street. Whilst welcoming the proposals for the pavement lights we object to the bollards. Traffic mounting the pavement causes vibration, noise and damage to our property. Our pavement and property also needs to be protected. The proposed bollards would affect the safety of occupants and visitors to buildings on Wood Street.

The design and access statement makes no comment on the effect of the proposal on neighbouring properties on Wood Street. Traffic flows have increased along Wood Street and deliveries take place along the street and delivery vans usually mount the pavement where the bollards are proposed. Alternative solutions may include traffic calming measures, weight restrictions and provision of loading bays.

Highway Services – Considered the application to be acceptable in principle subject to the developer liaising with the Network Resilience Team. The works will require a Section 278 agreement.

Greater Manchester Archaeological Advisory Service – The proposal does not threaten the known or suspected archaeological heritage and it is not necessary to impose any archaeological requirements.

Greater Manchester Pedestrians Society – No comments received.

Historic England (North West) – Stated that the application should be determined in accordance with national and local policy guidance, and on the basis of the City Council's specialist conservation advice.

Issues

Relevant National Policy

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to apply and the proposed development complies with the following policies or parts thereof.

The central theme to the NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role (paragraphs 6 & 7).

In order to successfully deliver sustainable development, the NPPF makes it clear that "business should not be overburdened by the combined requirements of planning expectations" and that "planning policies should recognise and address potential barriers to investment".

Paragraphs 11, 12, 13 and 14 of the NPPF outline a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan. Paragraph 12 states that:

"Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise."

The proposed development is considered to be consistent with sections 7 and 12 of the NPPF for the reasons outlined below.

Section 7 Requiring Good Design - The proposed scheme has been the subject of significant design consideration, consultation and evolution. The development would be of a high quality and would complement the high standard of design generally in the area. The development would be integrated into the natural and built environment and its scale and form is considered to be acceptable within its context.

Section 12 Conserving and enhancing the historic environment – This sets out the criteria that should be taken into account when assessing the impact of development on heritage assets when determining planning applications. Any harm caused to a heritage asset has to be justified in terms of the social and economic benefits of the proposal.

Paragraph 128 - advises that local planning authorities should require an applicant to submit sufficient information to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 131 - Advises that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 - Advises that any harm to or loss of a designated heritage asset should require clear and convincing justification. Substantial harm or loss should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation and, the more important the asset, the greater the weight should be.

Paragraph 133 - Advises that local planning authorities should refuse consent for proposals that will lead to substantial harm to or total loss of significance of a designated heritage asset, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. This is essentially a matter of judgement and will depend on the weight that is attached by decision makers and consultees to the various issues.

Paragraph 134 advises that where proposals will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

The scheme has been designed to complement and respect the character and appearance of the nearby heritage assets and it is considered that the proposed works are in general accordance with the requirements of the NPPF.

Relevant Local Policies

Core Strategy

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.

The adopted Core Strategy contains a number of Strategic Spatial Objectives that form the basis of the policies contained there in as follows:

S06. Environment - the development would be consistent with the aim of seeking to protect and enhance both the natural and built environment of the City.

CC9 – Design and Heritage- The proposed development would have a high standard of design appropriate to its context and the character of the area and it would not have an adverse impact on the setting of adjacent listed buildings or the Conservation Areas. Historic England does not object to the proposals.

Policy EN3 Heritage – The proposal would not have a detrimental impact on the setting of the grade I listed building or Deansgate Conservation area. This is discussed in more detail later in the report.

Policy DM1 Development Management - All development should have regard to the specific issues including: effects on amenity such as road safety and traffic generation; accessibility; community safety and crime prevention; and vehicular access.

The application is considered in detail in relation to the above issues within this report and is considered to be in accordance with this policy.

Saved UDP Policies

18.1 Conservation Areas. - It is considered that the proposal would maintain the character and appearance of the Deansgate conservation areas This is discussed in more detail later in the report.

19.1 Listed Buildings – It is considered that the proposal would not have a detrimental impact on the setting or significance of the grade I listed building. This is discussed in more detail later in the report.

Policy DC20.1 Archaeology - Consideration of the application has had regard to the desirability of securing the preservation of sites of archaeological interest.

Other Relevant City Council Policy Documents

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007) - Part 1 of the SPD sets out the design principles and standards that the City Council expects new development to achieve, i.e. high quality developments that are safe, secure and accessible to all. For the reasons set out in this report the proposals would be consistent with these principles and standards.

Conservation Area Declaration

Deansgate Conservation Area was designated by the City Council on 26 June 1985. It includes much of the area surrounding Peter Street and the junctions of Deansgate

with both Quay Street and Bridge Street. The area is situated on ground which is mostly flat, although there is a gentle slope down Peter Street in a westerly direction towards the river. Peter Street, and its continuation into Quay Street, is the most important junction in the area. Acute and oblique angles affect the plan form of buildings; since land in the city centre is at a premium, buildings totally cover their site and as a result more interesting buildings occur, many with corner entrances which are typical of Manchester.

Generally, buildings in the area display the Manchester characteristic of a tri-partite subdivision of the elevations, consisting of an over-large ground floor, a less highly modelled middle section and a varied top level seen against the sky. Buildings on Peter Street, Quay Street and part of Deansgate are of different ages and styles, but retain a positive relationship with one another. Where redevelopment proposals are put forward, the City Council will seek designs which are consistent with the character of surrounding buildings.

Legislative requirements

Sections 16, 66 and 72 of the Listed Buildings Act require the authority granting consent to give special consideration to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and to the desirability of preserving or enhancing the character or appearance of that area.

S149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

S17 Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

Design Issues, Relationship to context and impact on Heritage Assets

The proposed development is considered to be needed and necessary to repair damage to the lightwells and to prevent any future damage through vehicles mounting the pavement and driving across the lightwells. The bollards and railings would be constructed in high quality materials which would not detract from the significance of the grade I listed building or the character of the Deansgate Conservation Area. Whilst the original pavement lights may have been constructed in cast iron, it is not unusual for them to be replaced, when required, in alternative materials. Historic England has not objected to the proposal. A condition controlling materials is recommended to be applied to any permission granted. The proposals would be designed in a sympathetic manner and the applicant has demonstrated a clear need for the works and it is considered that the public benefits of the scheme outweigh the impact that the proposed works would have upon the Grade I listed John Rylands Library.

Highway Issues

The pavement would remain accessible and the new pavement lights would improve the smoothness of surface levels. The proposal is acceptable in principle subject to the applicant obtaining a S278 agreement and the developer discussing the pavement lights with the City Council's Network Resilience Team and clarification on construction methods. On this basis and subject to a condition requiring a Construction Management Plan it is considered that the development would be acceptable in terms of Highway and pedestrian safety.

Comments of Objectors

Most of the concerns raised by objectors have been addressed in the report. The application is acceptable in highway terms and in terms of pedestrian safety.

The proposals would incorporate high quality durable materials which would not detract from the architectural and historic significance of the grade I listed John Rylands Library nor is it considered that the proposals would harm the views along Wood Street or character of the Deansgate Conservation Area. However, it is considered appropriate to impose a condition, should permission be granted, requiring samples and specifications of materials to be submitted to and approved by the City Council as local planning authority in order to ensure quality in delivery.

The applicant has provided photographic and written evidence of the damage to the lightwells caused by vehicles mounting the pavement adjacent to the library. There is a risk to the historic fabric of the library and its internationally important collections caused through leaking lightwells damaged by vehicles. The works are considered to be necessary to prevent any future damage caused by vehicles mounting the pavement.

Other comments including in terms that the proposed works would cause vehicles to mount the pavement on the opposite side of the street and the potential for danger to pedestrians relate to illegal parking and driving behaviour and these are regulated via Traffic Regulation Orders.

It has been stated that the submitted design and access statement did not acknowledge that the Wood Street Mission Building is also a listed building, but this is not in fact the case.

Conclusion

The proposals are unobtrusive and aim to prevent further deterioration of a grade I listed public building. The in-situ concrete pavement lights would improve the appearance of both the basement areas and the Wood Street elevation. The works would be sympathetic to the historic nature and fabric of the building and would help to maintain the building and support its long term future use and appreciation. The works would not harm the character of the Deansgate Conservation Area.

The proposed bollards and post and rail system would not limit the flow of traffic along Wood Street, but would prevent vehicular traffic from mounting the pavement adjacent to a fire exit and pavement lights thus preventing damage to a Grade I listed

building. The proposed works would provide essential protection to the fabric of this listed building, to the internationally important collections held within it and to people that use the building.

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 Core Strategy and saved polices of the Unitary Development Plan, the Head 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 of the application 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.

Article 35 Declaration

In assessing the merits of an application for planning permission officers will seek to work with the applicant in a positive and pro-active manner to seeking solutions to problems arising in relation to dealing with the application. Planning officers have worked with the applicant to overcome problems relating to amenity, design, heritage and highway safety.

Recommendation Approve

Conditions to be attached to the decision:

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:

SO5 - Site Location Plan

3277_E 01 - 03

6864 / Sk01 - Sk05

WML - Foundation Drawing Mark-up

Specification and Schedule of Works

Justification, Design and Access Statement

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy policies SP1 and DM 1.

3) Notwithstanding the details submitted with the application, prior to the commencement of development a programme for the issue of samples and specifications of all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. Samples and specifications of all materials to be used on all external elevations of the development to include jointing and fixing details, details of the drips to be used to prevent staining and a strategy for quality control management, shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above.

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 SP1 and DM1 of the Core Strategy.

4) The development hereby approved shall not commence unless and until a Construction Management Plan, including details of the following:

*Hours of site opening / operation

* A Site Waste Management Plan,

*A plan layout showing areas of public highway agreed with the Highway Authority for use in association with the development during construction;

*The parking of vehicles of site operatives and visitors;

*Loading and unloading of plant and materials;

*Storage of plant and materials used in constructing the development;

*Construction methods to be used, including the use of plant;

*The erection and maintenance of security hoarding;

*Measures to control the emission of dust and dirt during construction and;

*A scheme for recycling/disposing of waste resulting from demolition and construction works;

*A detailed programme of the works and risk assessments;

*Temporary traffic management measures to address any necessary traffic re-routing;

*Details of how access to adjacent premises on Wood Street would be managed to ensure clear and safe routes into Buildings are maintained at all times.

* The type and frequency of vehicle movements along with details of how deliveries and collections will be carried out.

has been submitted to and approved in writing by the City Council as local planning authority. The approved CMP shall be adhered to throughout the construction period.

Reason: To ensure that the appearance of the development is acceptable and in the interests of the amenity of the area, pursuant to policies EN15, EN16, EN17 and EN18 of the Core Strategy and Guide to Development 2 (SPG)

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: 109650/FO/2015/C1 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 held by the Planning Division.

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

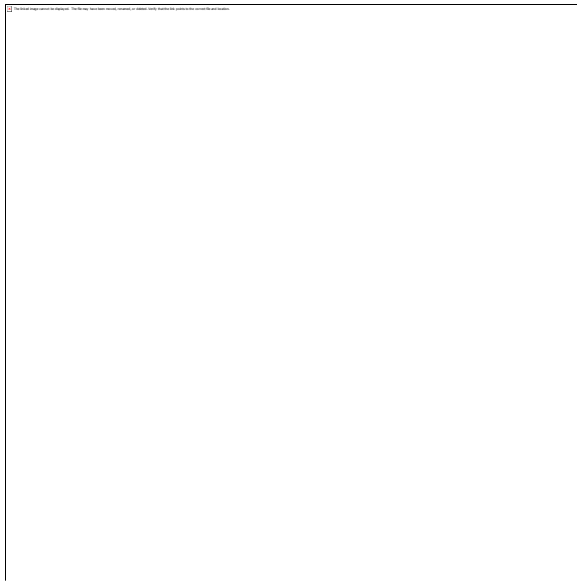
Highway Services
Greater Manchester Archaeological Advisory Service (GMAAS)
Greater Manchester Pedestrians Society
Historic England (North West)

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Wood Street Mission
Turner Parkinson 64a Bridge Street
Trust Inns Ltd
Grade A Alternative ltd Parsonage Chambers
20 Wood Street, Manchester, m3 3ef
24 Wood Street, Manchester, M3 3EF
20 Wood Street, Manchester, m3 3ef
22 Wood Street, Manchester, M3 3EF
Highway Services
Historic England
GMAAS

Relevant Contact Officer : Tony Mitchell
Telephone number : 0161 234 4776
Email : a.mitchell@manchester.gov.uk



 Application site boundary  Neighbour notification

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