PROOF OF EVIDENCE ON BEHALF OF THE APPELLANT IN RELATION TO HERITAGE MATTERS

LAND AT DEANSGATE SOUTH, MANCHESTER

DR CHRIS MIELE IHBC MRTPI

PLANNING INSPECTORATE REFERENCE: APP/B4215/W/21/3287525

MCC PLANNING REFERENCE: 129406/FO/2021

FEBRUARY 2022

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1.0
SUMMARY
LAND AT DEANSGATE SOUTH, MANCHESTER

SUMMARY

1.1 I have prepared this Proof of evidence to address Reasons for Refusal 4 and 5, which allege harm to heritage assets.

1.2 The following section explains my qualifications and experience of over thirty years advising on the development and the historic environment in a planning context. This includes working for English Heritage (now Historic England) in a professional capacity in the London Region and the Listing Division (now Designations), and work in private practice (since 1998).

1.3 As explained, I am a chartered planner and have full membership of the Institute of Historic Building Conservation.

1.4 I am a senior partner at Montagu Evans LLP, a development consultancy with registered offices in the City of London. There I run a team of c. 25 specialists in townscape, visual impact and urban design. I also hold advanced qualifications, MA and PhD, in the history of architecture and urban planning, with a specialism in C18 and C19 British matters. I maintain my academic profile through publication and affiliations.

1.5 The policy framework will not be in dispute in this case, and I know the Inspector has considerable experience of setting matters (this is a setting case). The approach to assessing impact on the significance of heritage assets through setting changes is well established. My section 5 also treats the development plan context and guidance documents.

1.6 I explain that I was not involved in formulating the application but was invited to review the refusal prior to the Appellant lodging this Appeal. This involved a site view and review of relevant documents, at which point I contributed to the Appellant's Statement of Case (CD-D3). This explains that the Appellant's evidence on the heritage reason for refusal will demonstrate that the proposals cause no harm to the ability to appreciate the significance to any of the assets identified in the RfR (CD-A88). To the contrary, my evidence identifies some modest benefits to the setting of some of the assets.

1.7 It is worth here noting, and I return to it later in the Proof, that my judgments are broadly in line with the conclusions set out in the heritage impact assessment that accompanied the application (CD-A80). I differ only in relation to the impact on the former Congregational Chapel, a grade II listed building whose use has changed. The HIA identified a minor adverse impact on the Chapel, and I identify that its significance or special interest is preserved in line with paragraph 199 of the Framework (CD-F1).

1.8 I will explain later the difference which leads to disagreement with the HIA's analysis, and why, if the Inspector forms a different view, what a 'minor adverse impact' equates to in the terms of the Framework and the nature and extent of any harm. I offer this analysis and recognising that this area of town planning relies particularly on planning judgments about which there is often some considerable disagreement.

1.9 This Proof does not comprise a fresh HIA. I understand that the Council take no point against the work which I consider is detailed and robust in its methods and findings, even if I draw a different conclusion in one instance or express myself differently, which is to be expected in expert evidence.

1.10 There is some overlap between the topics I cover and the townscape evidence presented by Mr Colin Pullan for the Appellant.

1.11 I sometimes give evidence on his topic area and in heritage cases it is important to form a view on the quality of a proposed design and its qualities or physical characteristics. These often go to establishing the difference between harm and benefit because there is a material difference in effect as between a well or poorly designed scheme taking its appearance and contextual response into account.

1.12 I have read Mr Pullan's townscape and design quality analysis, and I agree with his findings. My section 6 summarises those and my response to his analysis and those parts of the proposed design that are relevant to my heritage assessment.

1.13 My assessment, as noted, identifies no harm to any of the assets, and in fact goes further identifying a modest benefit to the setting of all the identified assets.

1.14 This benefit arises from design characteristics of the proposals, its quality and other physical characteristics. These comprise the quality of the cladding design, the texture/tonality of the weathered steel cladding (which has an industrial quality I consider appropriate to the heritage context), its striking form and location on a main approach to the City Centre from the south.

1.15 This townscape point is relevant to heritage, because at the moment none of the development around the site, and which presently marks the threshold of the City centre has anything in common with or complementary to the industrial heritage which is such an important element of the Castlefield CA and of the buildings which comprise it.

1.16 I furthermore conclude, in views from Deansgate to the north and from the south, that the proposals draw together the disparate heritage elements in this area by reason of their striking form, materials and colour. This is beneficial as a counterweight to the completely contrasting forms and materials which are such a striking aspect of the Great Jackson Street tall building cluster.

1.17 In forming this opinion, I do not say that these proposals cause harm. In fact, and insofar as I can judge from the committee reports recommending the grant of consent for some of this development, the City Council found no harm either (CD-H1-CD-H9).

1.18 What I do say, however, is that a new tower on a rundown site, in the area identified for tall buildings, and at a point of townscape significance, can add something positive to the heritage assets in the local area which rebalances the townscape positively. This is a matter of fine judgment, but one that I felt when I first reviewed my instructions. My site work then fortified me in that initial view.

1.19 I make one more large point in this summary of my findings.

1.20 Walking around the area, the scale of change experienced in the setting of the named heritage assets and many others besides which are not identified in the RfR, I concluded that the townscape of Manchester presents a very dramatic and dynamic prospect, where powerful buildings from the past sit easily next to confident buildings of the present. Not all are so good in their design, I should add, but many are, and short of the City of London (where one finds some remarkable contrasts of scale and form which are comparable), I am not aware of any other city in the UK which offers quite such a distinctive and appropriate interaction.

1.21 The relationship is appropriate or not as a function of design quality.

1.22 One approach to developing larger buildings in the context of the historic environment is to contrast with that prevailing character of the historic environment, as demonstrated by the development that has come forward in the Great Jackson Development area. However, it does not rule out the other approach, which the Appeal scheme demonstrates, that is to design something whose characteristics complement the historic environment and rebalance the historic and modern townscape in the way I have described.



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Date: 01 March 2022

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2.0
WITNESS BACKGROUND AND EXPERIENCE
LAND AT DEANSGATE SOUTH, MANCHESTER

WITNESS BACKGROUND AND EXPERIENCE

2.1 My name is Chris Miele and I am a Senior Partner at Montagu Evans' Central London office. I am a Chartered Town Planner (MRTPI) and a Member of the Institute of Historic Building Conservation (IHBC).

OUR PRACTICE

2.2 Montagu Evans is a leading firm of chartered surveyors, established in 1921. My partners and I employ more than 400 staff. Most are based in our registered address, at 70 St Mary Axe in the City of London, EC3

2.3 We provide all areas of development surveying consultancy, from rating and valuation to management and investment advice. The town planning consultancy has always been central to our business, and it is provided through our Planning and Development Department.

PROFESSIONAL BACKGROUND

2.4 An overview of my background and experience is provided within my Curriculum Vitae at **Appendix 1.0**, which also includes a list of my publications.

2.5 As a partner in the Planning and Development Department I provide specialist advice on sites that involve development on and adjoining sensitive land, and my particular work over many years has focussed on the historic environment. I also specialise in townscape and visual impact work and have developed expertise as a design assessor. I should say here I have no formal design qualification but have achieved this through experience, drawing on my training as an historian of C19 and C20 architecture.

2.6 Much of this VIA and townscape work involves promoting and giving evidence on tall buildings, which often have a heritage impact. In this case, the urban design evidence is given by Mr Colin Pullan. Our evidence overlaps to some extent and I have reviewed his evidence and agree its findings. See Section 6.

2.7 I have advised on many tower schemes which affect heritage assets, including those of the highest value. For example, I have advised on many buildings in the Vauxhall and Nine Elms Opportunity Area in central London. These towers form part of the wider setting of the Westminster World Heritage Site. I have also given advice on towers at Waterloo, again in that WHS' setting. Staying with the WWHS, I acted on behalf of MHCLG (as was) promoting the National Holocaust Memorial and Learning Centre, which was subject to a called–in appeal. I gave evidence to that inquiry, and the proposals have been consented albeit they are subject to challenge.

2.8 I have advised on tall buildings proposals which affect the Greenwich Maritime World Heritage Site, for example on the Isle of Dogs and at Lewisham, and in the background setting of the Tower of London and involving major office development in the Eastern Cluster. I have discharged many tall building instructions in north Southwark and Lambeth too, and again identifying and seeking to mitigate the potential for harmful setting impacts on major listed buildings, for example the National Theatre and the Royal Festival Hall. I have advised the trustees of the South Bank Centre on its estate for many years, and including on works to the grade I listed RFH.

2.9 My public and charitable clients have included the Royal Shakespeare Company, the Trustees of the British Museum, of and many universities (Oxford, Durham, Leicester, Sheffield, Sussex, UCL and Kings). Recently I gained all consents for the artistic re–lamping of 15 bridges in central London, many listed, for the Rothschild Foundation.

2.10 I have had some experience outside London too, albeit until recently relatively few instructions in Greater Manchester. Recently, however, I assisted an applicant in gaining consent for a tower in north Deansgate, a resubmission of a refused proposal with which I had no involvement. See planning reference 131314/FO/2021. Other tower cases outside London include that at Goldsworth Road in Woking (appeal heard by this inspector) and at Guildford Station (another appeal).

2.11 I have also worked for the Greater London Authority ("GLA") on both the preparation of the London View Management Framework 2002 edition (supplementary planning guidance to the then London Plan). I mention this because that instruction marked the start of my involvement with the promotion of tall buildings through the planning process.

2.12 My main body of client instructions come from private companies, and I work for the leading ones in this country. These include: Delancey, Orion, Hammerson plc, Chelsfield Advisers LLP, CIT, London and Regional, Qatari Diar, Land Securities, Henderson's, Threadneedle and many of the major house builders including Fairview, Barratt, Berkeley, St William (a JV with National Grid), and Taylor Wimpey.

2.13 I have over the years come to specialise in expert witness work, appearing mostly for commercial developments at section 77 and 78 Appeals.

2.14 I have also given evidence at a number of called in appeals, for example, 'Land at Citroen Site, Brentford, London Borough of Hounslow (ref: APP/G6100/V/19/3226914): acting for the appellant on the allowed appeal for 441 residential units (Class C3) including 50% affordable housing with ancillary facilities in buildings of 12, 13, 16, 17 and 18 storeys in height, with particular focus of the impact upon the Royal Botanic Gardens Kew World Heritage Site'.

PAST EMPLOYMENT

2.15 Before joining Montagu Evans, I was a professional officer of English Heritage (now Historic England, "HE", 1991–98) advising in connection with its statutory duties. I was then a Director at Alan Baxter and Associates (1998–2003) and Senior Planning Director at RPS (2004–05).

2.16 I joined Montagu Evans as Partner in 2005 and became a senior and owning partner in 2011.

ACADEMIC QUALIFICATIONS AND CREDENTIALS/PUBLICATIONS

2.17 Before settling in the United Kingdom, and whilst completing my masters and doctoral work, I held several academic and museum appointments at Columbia University, New York University and the Metropolitan Museum of Art and Museum of Modern Art, all in New York.

2.18 I continue to work as an independent scholar and have published widely in my specialist area, C19 and C20 architecture and planning, and in recognition of this independent historical work, I have been elected a Fellow of the Royal Historical Society and of the Society of Antiquaries. I have two pieces this year appearing in major collections of essays on William Morris (one from Routledge and the other from the V&A/Thames and Hudson).

2.19 I am an Honorary Professor in the Social Sciences Faculty at Glasgow University, and outgoing Chair of the Board of the Centre for Urban History at Leicester University.

3.0
SCOPE OF EVIDENCE
LAND AT DEANSGATE SOUTH, MANCHESTER

SCOPE OF EVIDENCE

3.1 I address Reasons for Refusal (RfR) 4 and 5 which state (CD-A88):

(4) The proposed building, by reason of its scale, design and appearance would form an over-dominant and intrusive feature within the street scene and would thereby have a detrimental impact on the settings of the nearby listed buildings. The proposed building would cause less than substantial harm to the significance of these heritage assets, which would not be outweighed by the public benefits of the scheme. It is therefore considered to be contrary to guidance within the National Planning Policy Framework, policies SP1, CC9, EN3 and DM1 of the Manchester Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

(5) The proposed building by reason of its scale, design and appearance would form an over-dominant and intrusive feature within the street scene and would thereby have a detrimental impact on the character and appearance of Castlefield Conservation Area. The proposed building would fail to preserve or enhance the character and appearance of Castlefield Conservation Area, and would cause less than substantial harm to the significance of this heritage asset, which would not be outweighed by the public benefits of the scheme. It is therefore considered to be contrary to guidance within the National Planning Policy Framework, polices SP1, CC9, EN3 and DM1 of the Manchester Core Strategy and saved policy DC18.1 of the Unitary Development Plan for the City of Manchester.

3.2 I cite the Committee Report's (CD-A85) treatment of these matters here and for completeness:

The site is not within a conservation area, but it is adjacent to Castlefield Conservation Area, which lies immediately to the west on the opposite side of Chester Road/Bridgewater Viaduct. The following listed buildings are potentially affected by the proposal: the former Bridgewater Canal Company offices; Middle Warehouse on Chester Road; Merchants Warehouse; Artingstalls Auctioneers (former Congregational Chapel) on Bridgewater Viaduct; Rochdale Canal Lock 92 (Dukes Lock); Manchester South Junction and Altrincham Railway Viaduct; Deansgate Station, all Grade II; and St Georges Church (Grade II listed), including its walls and gates (Grade II), across the Mancunian Way roundabout. There is one Scheduled Ancient Monument within a 250m radius of the site, which is the eastern wall fragment of the Roman fort.*

The Conservation Area has an industrial character defined by the low-rise warehouse buildings, the presence of the Rochdale Canal and the railway viaducts, all with a horizontal visual emphasis. The Grade II listed Middle Warehouse, Artingstall's Chapel, the railway viaduct and the Bridgewater Canal Offices all add to the industrial, low rise horizontal character of the area. The route into the City Centre along Chester Road is framed to the right by the high rise towers within the SRF with the built form stepping down to the Bridgewater Canal Offices, the Deansgate Quay development straight ahead and the conservation area to the left.

The medium rise building at 2-4 Chester Road appears to the left hand side and provides a stepping up to the Beetham Tower in the distance. The application site lies at a point where the main road bends round to the left, resulting in the site forming the central focal point of the view when travelling into the City Centre. A tall building on this site would form a hugely dominant feature in the centre of the view when looking towards the City Centre, detracting from the lower scale conservation area and listed buildings. It is considered therefore that the proposal would have a detrimental impact on the setting of Castlefield Conservation Area and would not preserve or enhance the character or appearance of the area.

It can be concluded, therefore, that, overall, the proposal would result in less than substantial harm to the heritage assets. In this case, paragraph 196 [now 202] of the NPPF requires the harm to be weighed against the public benefits of the proposal. As discussed above, the proposed use is considered to be unacceptable and contrary to regeneration efforts in the area and it is considered therefore that there are no public benefits to the scheme that would outweigh the harm caused to the heritage assets.

3.3 Again, citing the report (CD-A85) but on listed buildings, I note the following analysis:

The main listed buildings affected by the proposal would be Artingstall's Chapel and the Bridgewater Canal Offices. The introduction of such a large-scale building would result in certain views towards to the tower of the chapel being affected, with the tower dominating the view and detracting from this much smaller scale building. The Bridgewater Canal Offices form the lower scale part of the streetscene along Chester Road. The proposed tower would alter this scale forming a prominent large-scale feature that would dominate views and detract from views of the listed building. It is considered therefore that the proposal would have a negative impact on the settings of the listed buildings, which would be less than significant.

COUNCIL'S STATEMENT OF CASE (CD-C4)

3.4 The Council's SoC (CD-C4) identifies the assets at issue at 7.9 as:

- Former Bridgewater Canal Offices (Grade II) (In the CCA)
- Manchester South Junction and Altrincham Railway Viaduct (Grade II) (In the CCA)
- Congregational Chapel (Grade II) (In the CCA)
- Deansgate Station (Grade II) (Not in the CCA)
- Atlas Bar at 376 Deansgate (Non-Designated Heritage Asset (Not in the CCA)

3.5 Again for completeness, I cite relevant parts of that SoC (CD-C4).

7.9 The Council will demonstrate that the appeal proposals, due to their scale, design and appearance, would cause less than substantial harm to the settings of the nearby heritage assets, in particular the former Bridgewater Canal Offices on Chester Road, the former Congregational Chapel at 378-380 Deansgate, Deansgate Station and the Manchester South Junction and Altrincham Railway Viaduct, as well as the non-designated heritage assets Atlas Bar at 376 Deansgate, and that any public benefits of the scheme would not outweigh that harm. This will be demonstrated by analysis of the heritage assets and their settings and assessment of impact upon then, including any group value that they and their context have.

7.10 The Council will demonstrate that the appeal proposals, due to their scale, design and appearance would cause less than substantial harm to the setting of the adjacent Castlefield Conservation Area, and that any public benefits of the scheme would not outweigh that harm. This will be demonstrated by an assessment of the significant of the conservation area and its setting and the impacts of the proposal upon it, including views and how it is experienced.

3.6 In summary therefore my evidence deals with the impact of the Appeal scheme on:

1. The former Bridgewater Canal Offices on Chester Road (GII)
2. The former Congregational Chapel at 378-380 Deansgate (GII)
3. Deansgate Station and the Manchester South Junction and Altrincham Railway Viaduct (GII)
4. Atlas Bar at 376 Deansgate – non designated heritage asset
5. The Castlefield CA

4.0
INVOLVEMENT IN THE PROPOSALS
LAND AT DEANSGATE SOUTH, MANCHESTER

INVOLVEMENT WITH THE PROPOSALS

4.1 I was not involved in formulation of the proposals subject to this Appeal.

4.2 I was contacted in July 2021, after the application was refused, and at the suggestion of the Appellant's legal advisors.

4.3 I was sent relevant papers that I reviewed and then visited the site, after which I confirmed my findings (no harm to the identified assets). I then contributed to the Appellant's Statement of Case (CD-C3) and took part in meetings and conferences in the usual way.

4.4 I was also asked to consider the submitted visualisations (CD-A78) and whether any more views would be of assistance. I undertook this review with Mr Pullan whose evidence on townscape and urban design overlaps with mine on heritage to some extent.

4.5 We took this as an opportunity to advise the reshooting of a number of base survey shots and fresh renders which provide a more accurate impression of the architectural and urban design qualities of the proposals.

4.6 These renders have been prepared by the same company that prepared the first ones and to the same verifiable methodology, and they are included as a Core Document CD-D15.

4.7 I naturally reviewed the HIA accompanying the application, and which was prepared by historic environment consultants, Bidwells. This is an inquiry document (CD-A80).

4.8 I think this is a comprehensive and detailed study, prepared according to best practice. It applies judgments in a transparent way, combining quantitative and qualitative assessments.

4.9 I agree with most of its findings (either a neutral impact on the ability to appreciate significance or a modest beneficial one).

4.10 My findings differ from its assessment of the setting impact on one of the listed buildings at issue, the former Congregationalist Chapel. Bidwells concluded that the scale of the proposals reduced the prominence of the chapel in its local environment. I will explain the reasons why I differ from their findings in the part of my proof discussing that asset.

4.11 In discharging this instruction, I have adhered to the RTPI Code of Conduct and prepared evidence consistent with the terms of the guidance to Part 35 of the Civil Procedure Rules and which governs the work of expert witnesses. The required affirmation concluding this evidence sets out my understanding of those duties. There I also confirm that I am not paid under any contingency or success-fee arrangement.

5.0
STATUTORY PROVISION, POLICY, MATERIAL CONSIDERATIONS AND GUIDANCE

LAND AT DEANSGATE SOUTH, MANCHESTER

STATUTORY PROVISION, POLICY, MATERIAL CONSIDERATIONS AND GUIDANCE

5.1 In this Section I deal with the statutory provision relating to the settings of listed buildings and conservation areas, national policy and the development plan with its supporting documents. These are extensive in this case.

LEGISLATION

THE PLANNING (LBCA) ACT 1990 AND FRAMEWORK

5.2 First is the familiar statutory provision relevant as set out at 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("PLBCAA"). This requires the decision maker to pay special regard to the desirability of preserving, amongst other things, listed buildings and their settings. The courts have clarified that any harm attracts particular weight in the planning balance, engaging a presumption against the grant of consent. That presumption is rebuttable on the balance of benefits. See the cognate policies in NPPF 199 – 204.

DEVELOPMENT PLAN

5.3 The following documents form the statutory development plan:

- Manchester Core Strategy (2012) (CD-G1);
- Extant Unitary Development Plan (1995) (CD-G2);

5.4 The following table identifies the development plan policies which are relevant to the proof of evidence. I cite this policy because the criteria it contains are consistent with the cognate Framework policies and provide a helpful framework for a criteria-based assessment of the scheme.

DEVELOPMENT PLAN POLICY	KEY PROVISIONS
Manchester Core Strategy (2012)	Policy SP1 (Spatial Policy) Policy CC6 (City Centre High Density Development) Policy CC9 (Design and Heritage) Policy EN1 (Design Principles and Strategic Character Areas) Policy EN2 (Tall Buildings) Policy EN3 (Heritage)
Extant Unitary Development Plan (1995)	DC181. Conservation Areas DC19.1 Listed Buildings RC20: Area 6: Deansgate/St Mary's Gate/Cross Street/John Dalton Street

5.5 I am aware that the site falls within the area designated by the Great Jackson Street Framework (CD-G7) but am not giving evidence on the weight to be given to this planning document. I have considered the document which identifies that area will be subject to significant regeneration and investment in low, medium and high-rise residential development.

Table 5.1 Development Plan Policy

NATIONAL POLICY

NATIONAL POLICY	KEY PROVISIONS
National Planning Policy Framework (July 2021)	**Chapter 12**: Achieving well designed places • Paragraph 126 • Paragraph 130 • Paragraph 131 • Paragraph 132 • Paragraph 133 • Paragraph 134
National Planning Policy Framework (July 2021)	Chapter 16: Conserving and Enhancing the historic environment Paragraphs 189 – 208

LEGISLATION AND PLANNING POLICY DISCUSSION

5.6 The Inspector will be familiar with the policies on the historic environment in the Framework (CD-F1) and supporting guidance in the PPG (CD-F2). Instead of reciting them, I think it is more helpful here to set out the broad approach that flows from these documents.

1. The significance of the heritage assets affected should be identified and assessed (paragraph 194 NPPF). Heritage interest may be archaeological, architectural, artistic or historic (Glossary to the NPPF);
2. The impact of the Proposed Development on the significance of the identified heritage assets is then to be considered (paragraph 199 NPPF);
3. If the Proposed Development is held to cause harm to the significance of a designated heritage asset, such harm should be categorised as either less than substantial or substantial, and within each category the extent of harm should be clearly articulated (PPG paragraph 18). The nature and extent of harm is important to ascertain because that analysis informs the balancing out of any harm under the terms of 202;
4. In either case, if a proposal would result in harm to the significance of a designated heritage asset, great weight should be given to the asset's conservation (paragraph 199 NPPF);
5. Any harm to the significance of a designated heritage asset should require 'clear and convincing justification', as per paragraph 200 NPPF. A clear and convincing justification does not create a freestanding test requiring the demonstration of less damaging alternatives. To the extent that there is a test it is to be found in paragraphs 201 (in the case of substantial harm) or 202 NPPF (in the case of less than substantial harm). Post Bramshill, the question of harm vs heritage benefits can be dealt with either internally or as part of an overall 202 balance;
6. In either case, and particularly looking at less than substantial harm, the clear and convincing justification the Framework requires are countervailing public benefits, and these can include benefits to the way an area appears or functions or to heritage assets (through, for example, improvements to their townscape setting) or land use planning benefits;
7. As a matter of policy, heritage benefits also attract great weight in the planning decision making (and assessment process).

5.7 I understand that if the decision maker follows the above approach, then this approach is consistent with the extensive case law which has emerged in relation to designated assets since the publication of the Framework. I confirm I am aware of this body of case law, but I see no real benefit in me reciting it or summarising it. Any matters of interpretation in dispute as to the meaning of the statutory provision and policy would be subject to submissions or specific rebuttal evidence if deemed expedient.

5.8 One area of debate is whether, in cases of harm, it is right as a matter of planning practice to take account of any countervailing benefits and to engage 202 only in cases of net harm (the so-called 'internal heritage balance' also known as the Palmer approach after a Court of Appeal decision). The alternative is to treat any harm at all as engaging the 202 balance, and then to introduce benefits to the affected asset (not engaging in the heritage balance but applying the Bramshill principle after another Court of Appeal decision). As I understand the decision just referenced, either approach is potentially open to the decision maker on the facts of a case. I leave it to others to say which applies in this case and on what basis. The difference in approach doesn't affect my qualitative judgement on impacts.

MATERIAL CONSIDERATIONS

5.9 The following guidance documents are also material considerations:

- The previous consents for redevelopment on the site which had similar impacts on the setting of listed buildings (115591/FO/2017 which was itself a later application following the grant of consent in 2016 with reference 110730/FO/2015/C1 – see my commentary below) (CD-I14)
- National Planning Practice Guidance (online) (CD F2);
- National Design Guide (2019) (CD F3);
- Historic England, Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (2015)
- Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (2017);
- Tall Buildings: Historic England Advice Note 4 (2015);

5.10 The previous consents for the redevelopment of the Site date from 2016 and 2017, prior to which the site had consent for buildings in 2002 and 2005. I focus on the latter consents as these were considered under the same policy regime and with at least the 2012 version of the NPPF.

5.11 The 2016 application (110730/FO/2015/C1) was for the following description of development: 'Erection of a 13 storey building (plus basement level) comprising 53no. one and two bedroom apartments (Use Class C3), a commercial unit (Use Classes A1/A2/A3/A4/B1/D1), associated car parking, landscaping and vehicular and pedestrian access, approved 04.03.2016.' I consider the assessment of the impact on the individual heritage assets in more detail in my **Sections 8.0** to 11.0, but I summarise the conclusions reached by MCC in the following.

5.12 The discussion in the Committee report (CD-I17) found that the proposals met the requirements of Policy EN2 stating that:

> *'The proposal will represent a tall building in the street scene which will mark a contrast with the other development in the area. It is considered that the proposal accords with policy EN2 in that it will provide a development of high quality in terms of its composition and use of materials that will assist in stimulating regeneration in the local area.'*

5.13 In relation to the identified heritage assets, the Proposals were considered to:

> *'...enable the removal of vacant site opposite the Castlefield Conservation Area along with being located in close proximity to a number of Listed Buildings and non-designated heritage assets. It is considered that the proposal responds positively to the local context and will enhance the setting of the area with a building of high quality.'*

5.14 MCC considered the application submitted in April 2017 (115591/FO/2017) for the 'Erection of a 13-storey building comprising 53 residential apartments (Use Class C3a) together with ground floor commercial unit (135 sqm) (Use Classes A1/A2/A3/A4/B1a or D1), landscaping, loading bay and pedestrian access, approved 02.06.2017.'

5.15 The committee report (CD-I17) considered that:

'The proposal is for a tall building in a key regeneration area. The design would provide a high-quality development in the street scene.'

5.16 In relation to the impact on heritage assets it was considered that:

'The proposal would remove a vacant site opposite the Castlefield Conservation Area and would respond positively to the local context and enhance the setting of the area and its heritage assets.'

OTHER CONSENTS IN THE GREAT JACKSON STREET AREA

5.17 To provide some further context for the consideration of heritage issues at this appeal I have looked at a number of recent consents in the immediate area and which have had an impact on the same assets. Those are given below and these are reproduced in the core documents.

5.18 I have considered the following nearby consents:

5.19 Land Bounded by Owen Street (ref. 111719/FO/2016/C1), Committee June 2016 (CD-H9)

5.20 2-4 Chester Road, (ref. 113870/FO/2016), Committee January 2017 (CD-H1)

5.21 Elizabeth Tower (ref. 126668/FO/2020), Committee July 2020 (CD-H4)

5.22 Each of the above sites were located in the Great Jackson Street Development Framework area and in the settings of listed buildings considered in the Appeal case. The Owen Street and Elizabeth Tower sites are in the setting of the Castlefield Conservation Area and the Chester Road site is in fact in the Conservation Area itself, thus engaging the s72 test.

6.0
DESIGN CHARACTERISTICS OF THE PROPOSALS
LAND AT DEANSGATE SOUTH, MANCHESTER

DESIGN CHARACTERISTICS OF THE PROPOSALS

6.1 In this section I report my findings on the design quality of the proposals, highlighting those features which are particularly relevant to my assessment of impact.

6.2 This is a necessary part of any heritage impact assessment, because the qualities of a proposal are part of its mitigation and because there is a material difference in effect between a well-designed building, suitable to its context, than a poorly designed one.

6.3 My analysis is brief because Mr Pullan provides a full assessment.

6.4 I have read his assessment and confirm I agree with it.

6.5 I set out my own thoughts on the design in this section.

OBSERVATIONS ON THE DESIGN SCHEME

6.6 The site in its present condition detracts from the townscape and visual amenity of the area, harming the setting of listed buildings.

6.7 The context for the site is mixed and varied, comprising tall and very tall development within the Great Jackson Street framework area (CD-G7).

6.8 The historic layering of infrastructure and buildings associated with the railway and road infrastructure have created an area of varied character and which include historic infrastructure. This is the dominant characteristic (see the Castlefield CA).

6.9 The materials of the area vary from a dark red brick with dressings, characteristics of the Victorian period and some recent development (for example Deansgate Quay), to modern brick facing (2-4 Chester Road and the consented scheme on the site) and highly glazed cladding that has a smooth finish to create strong shapes and silhouettes.



Figure 6.1 Photograph of the existing condition of the Site. Source: Google Street View October 2020.



Figure 6.3 View of the proposal behind the Grade II listed viaduct.



Figure 6.2 Photograph showing the 1849 Castlefield Viaduct, located to the West of the Site.



Figure 6.4 Photograph of Deansgate Quay.

6.10 The site itself is the creation of changes relating to the development of the area's infrastructure in the Victorian period, creating this island or flat-iron type site on what is an ancient way into the City Centre from the south.

6.11 The site as a point of arrival is a characteristic that is reinforced by its proximity to the viaduct.

6.12 And it may be for this reason, I surmise, that the Great Jackson Street area plan included the site expressly, as a kind of spur on the edge of the main area.

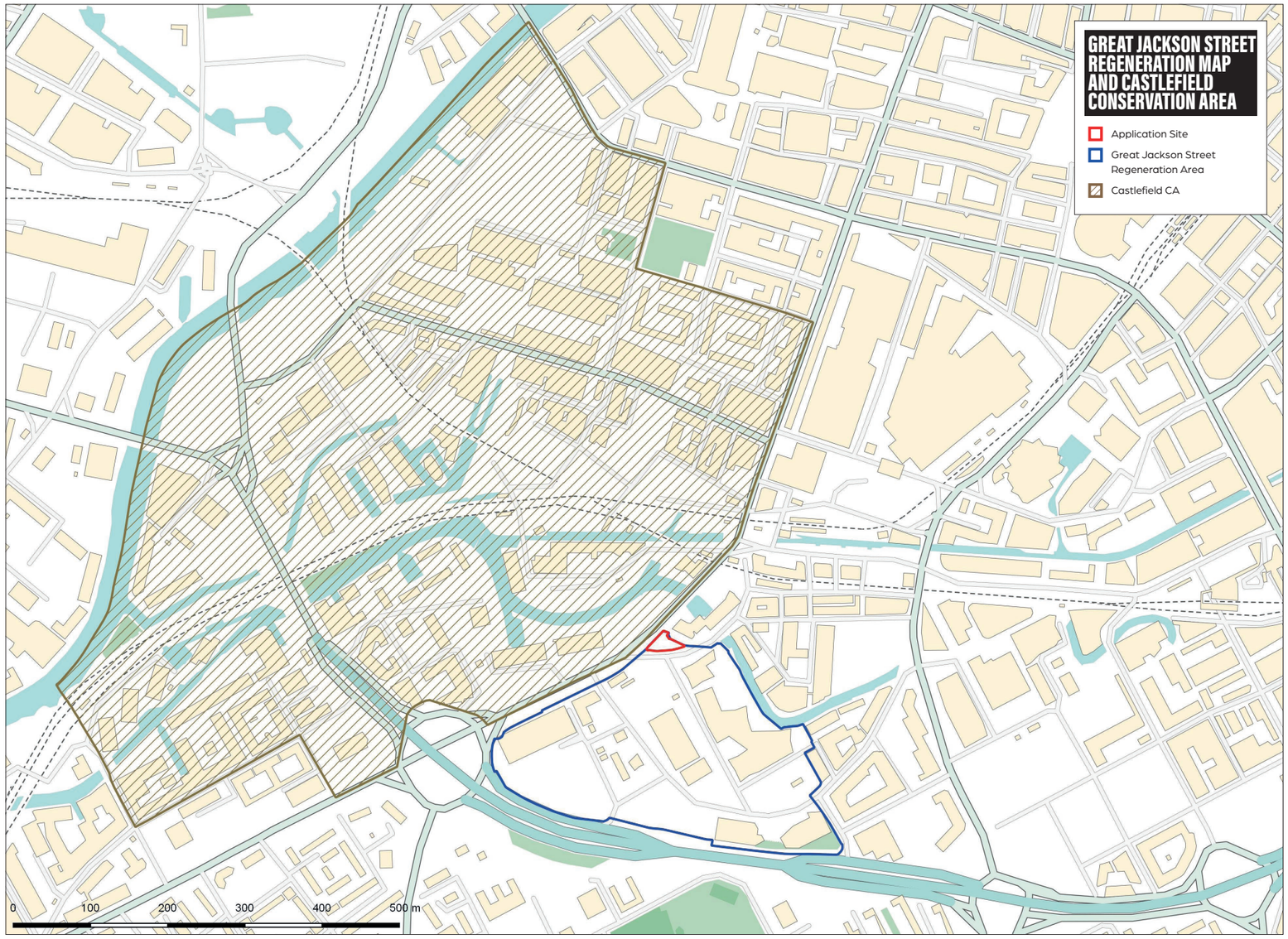


Figure 6.5 Plan showing the boundary of the Great Jackson Street Area in context of the Application Site and Castlefield Conservation Area.

6.13 Older buildings are everywhere experienced in the context of modern ones, and a changing urban environment. That older material varies in scale, but some of the most striking features comprise works associated with the industrial expansion of the town (again see the parts of the Castlefield area near to the site, and further north into Deansgate).

6.14 The rail and canal infrastructure create a clear boundary or threshold between the approach and the core of the city centre (a descriptive term not one meant in a development plan context).

6.15 As a consequence of this varied townscape, identified for growth and changing radically, the townscape is not sensitive to change of the kind proposed. I say this notwithstanding that some of that land is formally designated sensitive land. This is not to say any change will be acceptable, only that the historic environment in this part of the City has accommodated and can accommodate major change without materially undermining its significance.

6.16 The unusual site shape generates the building form in an obvious and satisfying way.

6.17 That form has unity of expression by its vertical organisation and three-part hierarchy (base, middle and top).

6.18 The design is, therefore, compact and easy to understand.

6.19 Its proportions (height to width or span, since the plan is triangular) are pleasing overall.

6.20 The limited material palette reinforces that simplicity of form, and one material in particular, the weathered steel facing, gives the buildings its signature identity.

6.21 The material has an industrial chic that is appropriate to the historic context of the site. It also interacts with the environment, in the way of more traditional materials, and develops richness over time, introducing visual interest.

6.22 The depth of reveal in the cladding and contrast of solid to void will produce light and shade, giving the building mass and so distinguishing it from the much taller glazed towers to the east.



Figure 6.6 Photograph showing the former Congregational Chapel in conjunction with Beetham Tower.



Figure 6.8 View of the ground floor southern elevation of the design proposals.



Figure 6.7 Visualisation of the proposal in views looking east along the Chester Road.

6.23 The open corner to the main approach modulates the scale or mass of the building, and with the bay module, three-part composition, active frontage and materials give the building a human scale.

6.24 The height, scale and mass of the building mediates between the super tall buildings and the lower heights of modern and then historic development, a point demonstrated through massing diagrams in the DAS (CD-A5).

6.25 The two long frontages are active, and the short base of the triangular plan, placed to the rear, off the main frontages, provides service access.

6.26 This arrangement enables significant areas of active or overlooked frontage, which delivers an obvious benefit along with associated landscaping.

6.27 Critically, and point that goes to my topic, the colour, materials, and depth or sculptural quality of the facades provide a visual 'bridge' between the super tall glazed towers and the Victorian context.

6.28 This has the effect, in my opinion, of rebalancing the townscape, drawing attention to the distinctive qualities of the Victorian townscape and infrastructure and consolidating their identity as against the much larger scale of Great Jackson Street.

6.29 Thus, I conclude the proposals are informed by context.

6.30 They have a distinct identity which reinforces the prominent role of the site and the importance of the approach from the south.

6.31 That identity complements and enhances the Victorian industrial heritage (see context again).

6.32 The built form of the design is compact and integrated, so there is no extraneous or superfluous detail.

6.33 The experience of movement to the site from the south will be enhanced by the marking of this important entrance. In a more local context, where one appreciates heritage assets, the active frontages have an obvious benefit. The way the area functions will, as a consequence be enhanced and so too its appearance (which is my assessment, mindful of national and local policies that support good urban and architectural design).



Figure 6.9 View of the proposal in the context of the Victorian townscape and neighbouring tall development.



Figure 6.10 View of the proposal in the context of recent tall development.

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7.0
HISTORIC DEVELOPMENT OF THE SURROUNDING AREA

LAND AT DEANSGATE SOUTH, MANCHESTER

HISTORIC DEVELOPMENT OF THE SURROUNDING AREA

7.1 This section describes the historical development of the area, on the basis that the history assists in our understanding the nature of the townscape we see today and illuminates the history and significance of the assets which are at issue in this Appeal.

7.2 The historic development of the area surrounding the Site and supplementary historic map regressions are comprehensively set out in the Heritage Statement prepared by Bidwells at pages 15– 20 (CD–A80). We provide a brief summary of this below.

7.3 The origins of the immediate area surrounding the Site date back to the Roman Period when a fort was located at Castlefield, approximately 300m to the north of the Site, which subsequently evolved into a village. The area of Castlefield remains today, located to the south west of the City Centre.

7.4 Following the rapid expansion of Manchester in the C18, the River Irwell from which the Site sits in close proximity was made navigable in the 1730s, allowing access to Liverpool via the Mersey. This became the Manchester Ship Canal.

7.5 This infrastructure marked the start of Manchester's development into a world famous manufacturing centre in the C19 and C20. In particular, Castlefield had become a hub for the canal–related developments, complementing the railway–related developments which can be observed to the north of the site and beyond the viaduct. On Roper's map of 1807, the area of Deansgate was known as Knot Mill, owing to the presence of a large mill which crosses the Bridgewater Canal, in close proximity to the Site.



Figure 7.1 Bridgewater Canal at Barton, Manchester in 1891.

7.6 By the mid–C19 the area had become much more developed, in the 1848 OS map the Bridgewater Canal and newly constructed viaduct are clearly visible to the northern boundary of the Site. By 1850 there were distinct zones devoted to housing, warehouses and transport.

7.7 The Liverpool Road was a key thoroughfare, sloping gently down to the River Irwell whilst the area occupied by the Roman road, connecting the fort with the north, had been re–developed for other uses. Deansgate now occupies the site of this road.

7.8 Slater's map of 1886 illustrates the area now comprises of the railway lines to the north of the Canal, with Deansgate Station opening in 1896. Housing in the area was now being demolished to make way for railway infrastructure and industrial works. This included the Knot Mill iron works, Castle Field Coal Wharf, Timber Wharf and Castle Field Iron Works. Much of the land, particularly around the intersections of the Canal is taken up by large scale warehouses. By the turn of the century the area had established itself as the industrial heart of the city.



Figure 7.2 Canals, Castlefield Coal Wharf, Bridgewater Canal, Manchester in 1972. Source: Milligan, H.



Figure 7.3 Railway Bridges, Bridge over the Rochdale Canal, Castlefield, Manchester in 1980. Source: Manchester Local Image Collection at Manchester City Council.

7.9 The interaction of canal, road and rail infrastructure at this point is a dramatic demonstration of the move from early to mature industrialisation processes, and illustrates the twin reliance Manchester had on first road, then canal and finally rail infrastructure.

7.10 That coincidence and the site's interaction with it, gives the site a particular relevance, tying it into the historic grain of the area and in part expressing that.

7.11 The area around the Site underwent extensive bombing during World War Two, with the Engineering works to the south of Site suffering badly. Also damaged or destroyed was an area of housing on the corner of Chester Road and Owen Street. Firebombs and high explosives were dropped in close proximity to the Site. The targeting of the area reflects its importance as an infrastructure nexus. Hence, the opportunities for development in the part of the City are the direct result of the historic infrastructure's legacy.

7.12 In the post-war period, much of the housing in Castlefield was cleared, establishing a far more open urban grain. In the 1950s the building on Site became a petrol station, owing to the Site's strategic location at the junction of Chester Road; a primary route into the City.



Figure 7.4 Deansgate Railway Bridge at Knott Mill, taken August 22, 1944. Source: City Engineers Department.



Figure 7.5 Albert Warehouse, Castlefield, Manchester in 1990. Source: Luft.M.



Figure 7.6 Demolition in Castlefield, In 1988. Source: Luft, M.



Figure 7.7 Aerial view of Slum Clearance around George Street, the Gaythorn Gas Works, Manchester, 1939.

7.13 Towards the end of the 20th century, the remaining housing in the area was cleared and much of it was replaced with large warehouses and garages. This solidified the industrial character of the area. The building on Site was still in use as a Garage by this time which continued until its demolition in the 2010s.

7.14 In recent years a number of tall buildings have been built in the area, which has introduced a new building form into the predominantly Victorian industrial character of the townscape, and in particular in the area around Deansgate and Chester Road where the Jackson Street area framework is focussed on encouraging significant regeneration and the diversification of uses.

HISTORY OF THE SITE ITSELF

7.15 The first record of the Site's development is illustrated by Roper's map of 1807. The map illustrates a small building of unknown usage located adjacent to the main thoroughfare of Knot Mill, which is now Deansgate. The building forms part of several larger buildings positioned around the Castle Quay Warehouse.

7.16 By the 1848 OS Map, the Bridgewater Canal Viaduct had been constructed, which redirected the main route to the northern boundary of the Site. This established the current triangular form of the site, by virtue of its location on this key junction. The map shows additional smaller, ancillary buildings to the eastern end of the Site.

7.17 The 1896 OS more clearly identifies the buildings on Site. There now appears to be two rectangular buildings of unknown use.

7.18 An aerial photo from 1934 (see page 23 of the Design and Access Statement prepared by Corstorphine & Wright Architects) (CD-A5) shows the buildings on Site, which appear to be of low scale, constructed of brick with a slate roof. There are what look like smaller ancillary buildings or units associated with a larger rectangular building. The front of the Site appears to be used as some form of industrial yard. The surrounding buildings, especially the low rise, commercial warehouse to the rear reinforce the industrial character of the Site.

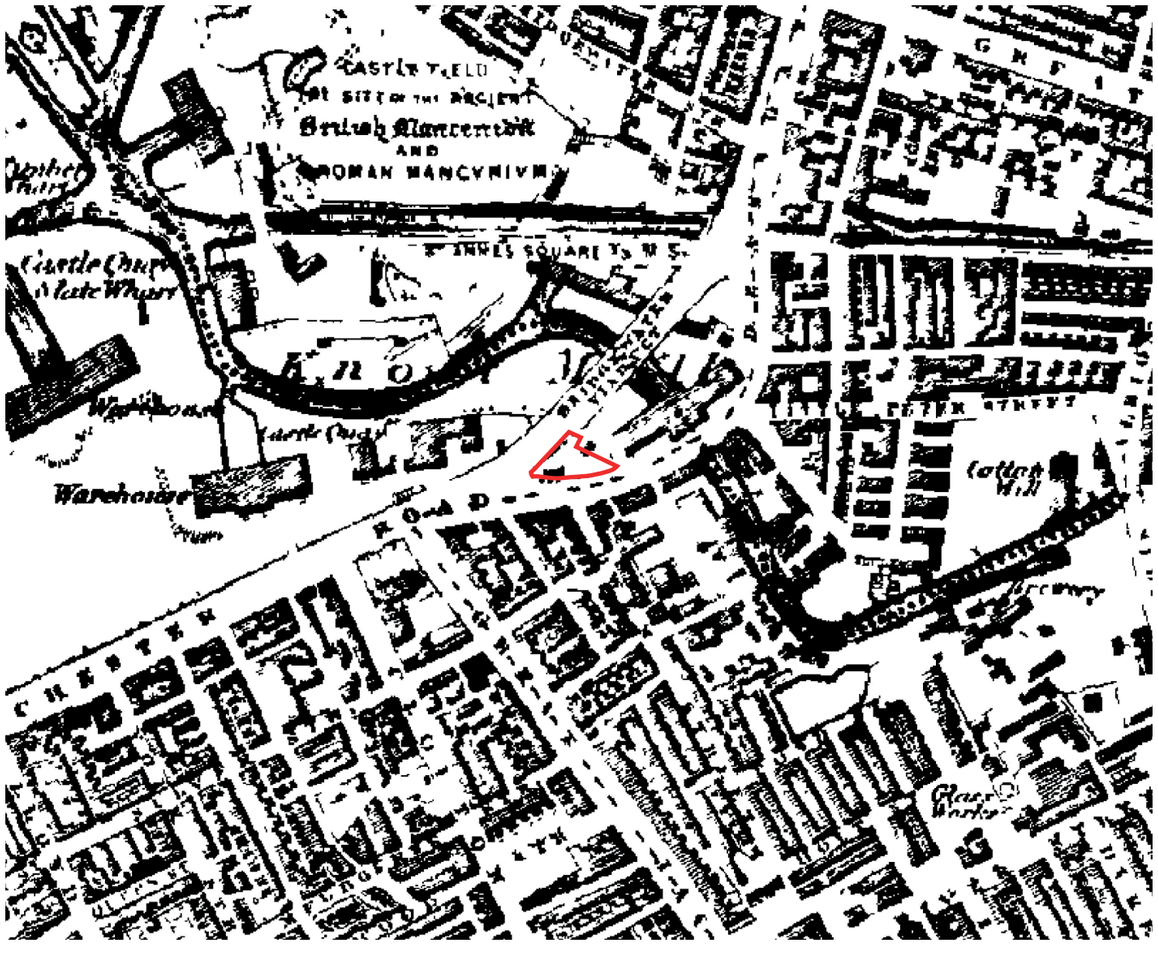


Figure 7.8 1848 OS Map showing the Application Site. Source: Promap.

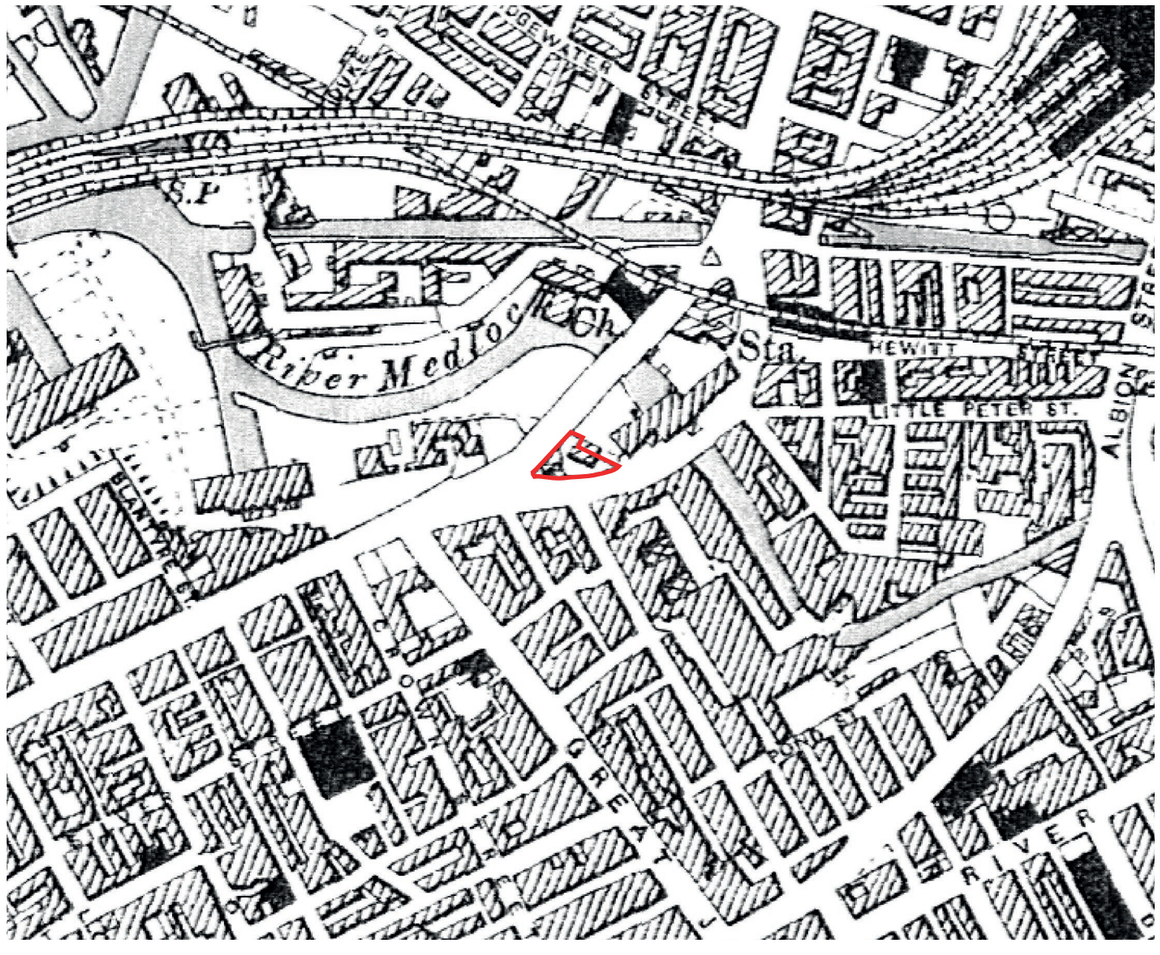


Figure 7.9 1896 OS Map showing the Application Site. Source: Promap.

7.19 The extract from the Record of Location of Aerial Bombs on the City of Manchester, 1941, (see page 23 of the Design and Access Statement prepared by Corstorphine & Wright Architects) (CD-A5) shows that the buildings on Site escaped bombing, this is confirmed by their remaining presence on the OS map of 1950–51.

7.20 The Site was redeveloped in the early 1950s as Rootes Motor Garage: see the 1984–90 OS Map. The petrol station remained a recognisable landmark for a number of years, serving as a kind of marker into the City Centre but not a positive one.

7.21 The site is now secured and derelict awaiting redevelopment. The story is brought up to date with reference to the recent planning consent (see plan and illustration).

7.22 The Site, in its current form, comprises a vacant plot bounded by protective wooden hoardings which has established a hostile frontage within the immediate area. There is a deteriorating brick wall and scrub vegetation beyond this which marks the boundary of the Site.

7.23 The inactive frontage, lacking any character is a poor marker for the important southwestern approach to the City Centre and key historic junction. There is no permeability and interaction between the Site and its surrounding streets, establishing a neglected space that appears uninviting and does not interact with the surrounding townscape. The site in its current state detracts from an experience of the streetscape.

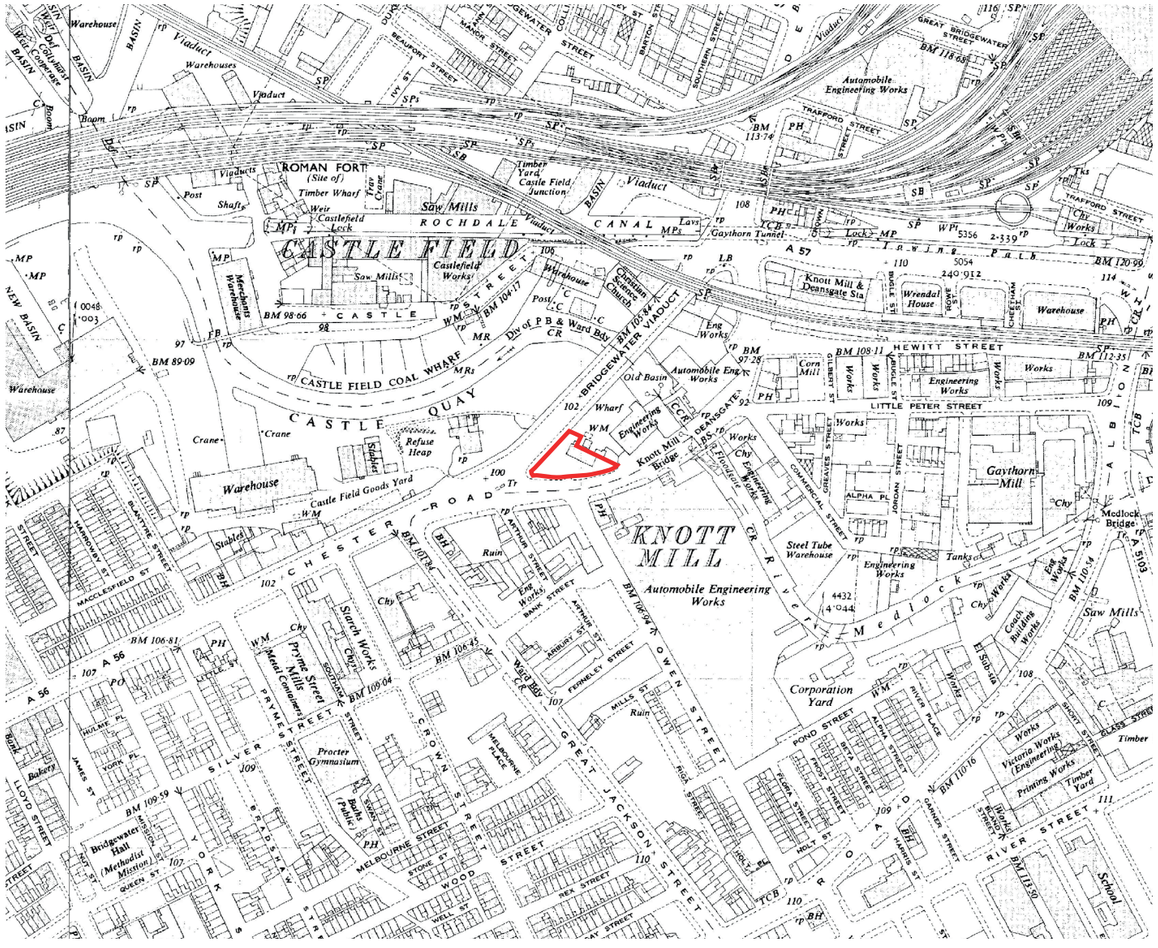


Figure 7.10 OS Map of 1950–51 showing the Application Site. Source: Promap.

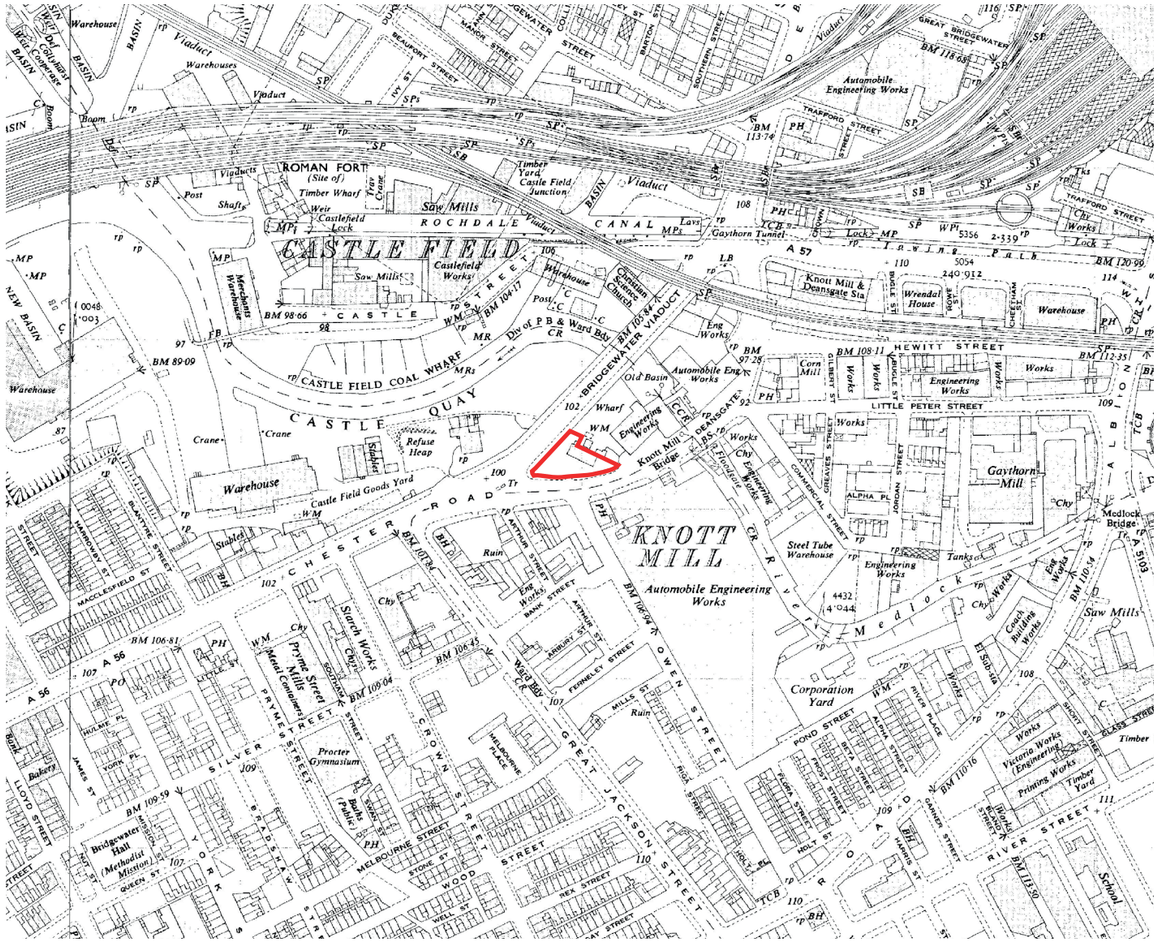
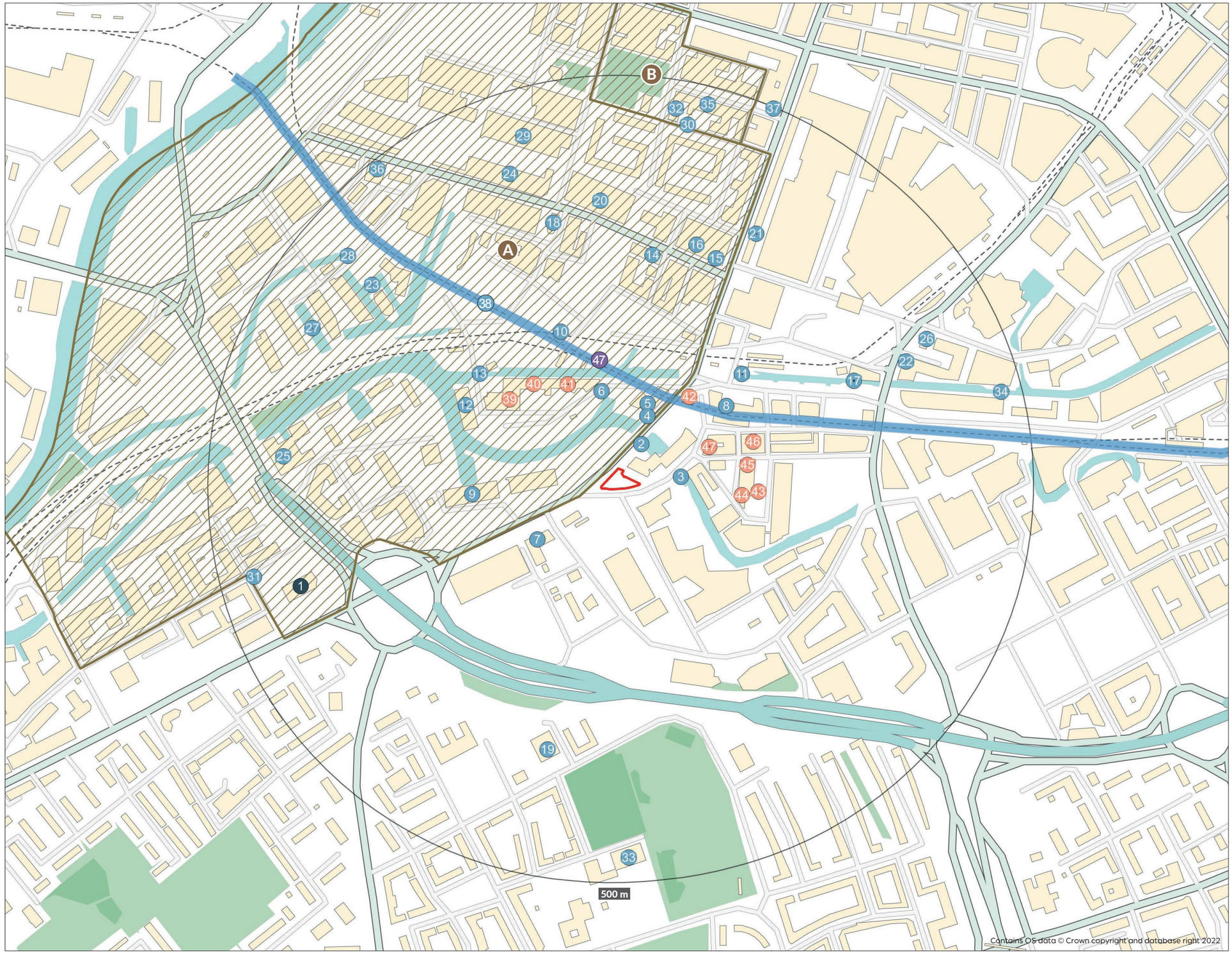


Figure 7.11 OS Map of 1984–90 showing the Application Site. Source: Promap.

HERITAGE ASSET PLAN



Application Site

Conservation Areas

A. Castlefield CA
B. St John Street CA

Listed Buildings

Grade II*

1. Church of St George

Grade II

2. Electricity Junction Box in Castlefield Canal Basin, Manchester
3. Boundary Stone on Knott Mill Bridge, and Floodgate on East Side of Knott Mill Bridge
4. Electricity Junction Box in Castlefield Canal Basin, Manchester
5. Former Congregational Chapel
6. Electricity Junction Box on Castle Street, Manchester
7. Bridgewater Canal Offices
8. Deansgate Station
9. Middle Warehouse, at Former Castle Field Goods Yard
10. Castlefield Railway Viaduct From G-Mex to Dawson Street
11. Rochdale Canal Lock Number 91 at East End of Gaythorn Tunnel, and Rochdale Canal Lock Keepers Cottage at Lock Number 91, Next to Gaythorn Tunnel
12. Merchants Warehouse
13. Rochdale Canal Lock Number 92 and Castle Street Bridge
14. 29–41, Liverpool Road
15. Castlefield Information Centre, and K6 Telephone Kiosk Beside South West Corner of Number 330 Deansgate
16. Former Market Hall
17. Rochdale Canal Lock Number 90, approx. 30 Metres West of Albion Bridge
18. Former St Matthews Sunday School
19. School House
20. Museum of Science and Industry, Air and Space Museum
21. 235–291, Deansgate
22. 13–17, Albion Street
23. The Giants Basin
24. Power Hall of Museum of Science and Industry
25. Former Canal Flour Mills
26. The Britons Protection PH
27. Bridgewater Canal Basin at Potato Wharf
28. Pair of Culvert Arches Over River Medlock and Associated Overflow Channel
29. Manchester Museum of Science and Industry, Former Lower Byrom Street Warehouse
30. Manchester & Salford Junction Canal Tunnel
31. Churchyard Walls, Gate Piers and Gates at Church of St George
32. Numbers 25 to 31 and attached Former Chapel
33. Roman Catholic Church of St Wilfrid
34. Rochdale Canal Lock Number 89 (Tib Lock), on South Side of Havelock Mills
35. 11–17, 19, and 21–25, St John Street
36. 123, Liverpool Road, and Former Commercial Hotel
37. K6 Telephone Kiosk in Front of St John Street Chambers
38. Manchester South Junction and Altrincham Railway Viaduct

Locally Listed Buildings

39. Dukes 92 Bar,8–25 Castle Street
40. Bass Warehouse, 4 Castle Street
41. Eastgate, 2 Castle Street
42. The Atlas Bar, 376 Deansgate
43. 4 Jordan Street
44. 5–7 Constance Street
45. 1 Constance Street/10a Little Peter Street
46. 21 Little Peter Street/8–12 Hewitt Street
47. 357–361 Deansgate

Scheduled Monuments

48. Remains of eastern wall of the Roman fort

LOCATION:
Fusion Students, Deansgate

DATE:
February 2022

SCALE:
1:5,000 @ A3

FIGURE 7.1 Heritage Asset Plan showing the Site.

▲ **NORTH**

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8.0
CASTLEFIELD CONSERVATION AREA
LAND AT DEANSGATE SOUTH, MANCHESTER

CASTLEFIELD CONSERVATION AREA

8.1 The Appeal Site lies adjacent to the south-eastern boundary of the Castlefield Conservation Area.

8.2 It is a large Conservation Area and at the time of writing the Appellant has sought to clarify with MCC the part of the Conservation Area which is affected by the Appeal scheme. MCC have not yet clarified on this point and so I have focussed on the part around the Bridgewater canal basin which is closest to the site and the part of the Conservation Area assessed in the previous applications consented on the site.

8.3 It must be remembered, however, that the judgments on impact and effect are made with reference to the whole of the asset and not just this part. Of course, particular parts of a CA may have greater or lesser significance and some allowance needs to be made for that. For example, this part of the CA has relatively few listed buildings to the rest.

SUMMARY OF CONSERVATION AREA INTEREST

8.4 The Castlefield Conservation Area was designated on 13th October 1979. There is no formal Conservation Area Appraisal, but the history and present character of Castlefield is described in detail on Manchester City Council's website. This is summarised below.

8.5 Castlefield has Roman origins; evolving from a historic fort. Subsequently a village followed. In the 18th and 19th centuries the area, aided by its close proximity to the River Irwell became the hub of Manchester's can

8.6 The townscape of Castlefield CA can be characterised by the existence of the Canal waterways and railway infrastructure, much of which characterises the immediate vicinity of the site. Canal basins and wharves were so numerous by the time the railways were built that the only practical means of introducing railway transport was by building viaducts which established a unique, multi-level environment.

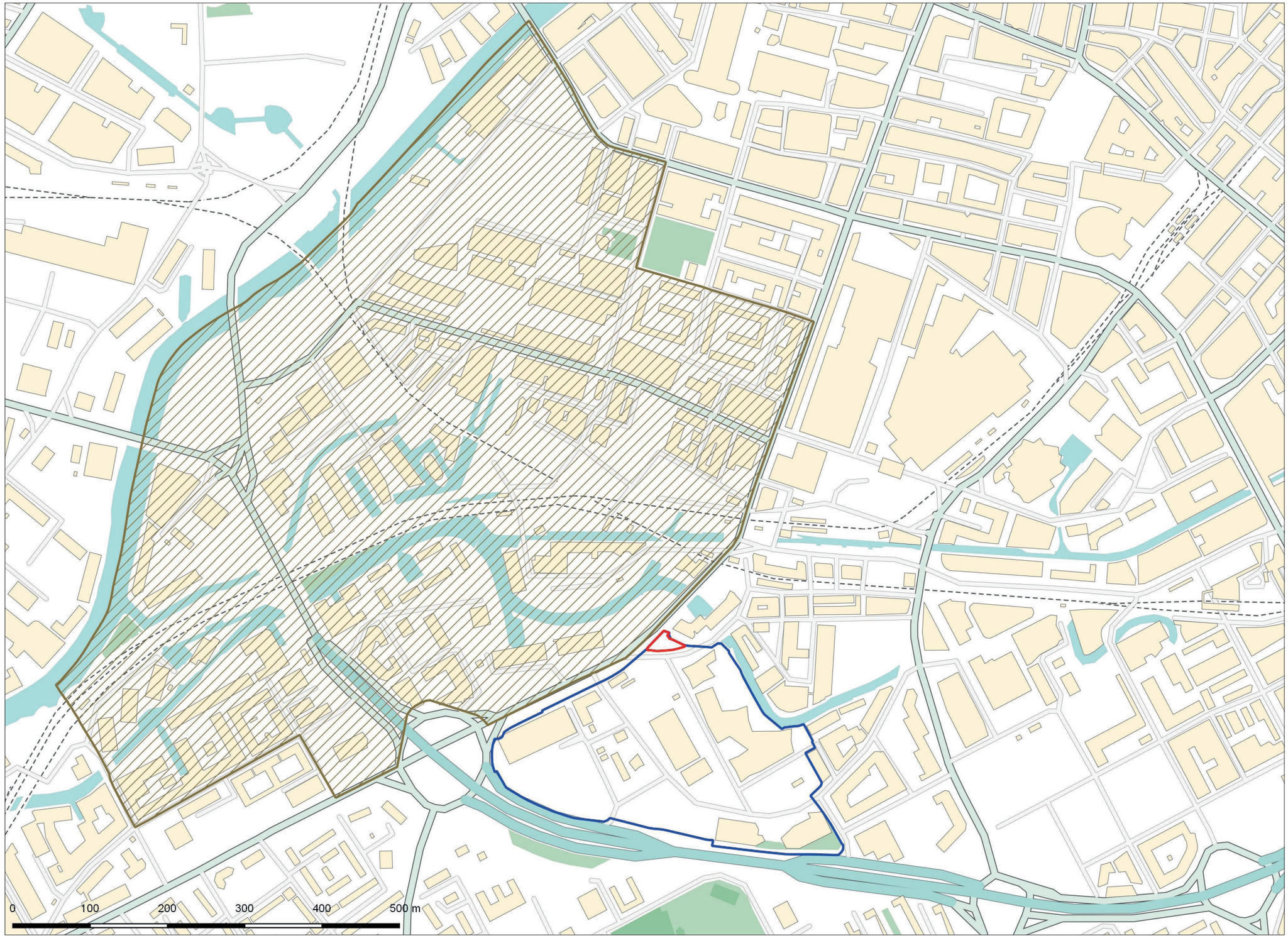
8.7 Building typologies today remain varied but bound by a shared industrial character. The building materials tend to be more 'rugged'; with stone, brick and slate being used extensively. The cast iron railway viaducts are particularly telling of the area's industrial past. Victorian, red brick buildings are the dominant historic building form that remain throughout Castlefield.

8.8 Manchester City Council has expressed a 'recent revival of interest in Castlefield' which is having significant impacts on its townscape. Much of the area is being regenerated, with some new development; many of the modern buildings are large scale and adopt a warehouse aesthetic, echoing the industrial history of the area.

8.9 The boundary of this large CA is shown on the accompanying plan and I have marked that same boundary indicatively onto aerial photographs so the Inspector can understand the grain and character of the CA in its context.



Figure 8.1 Aerial Photograph of the Castlefield Conservation Area.



GREAT JACKSON STREET REGENERATION MAP AND CASTLEFIELD CONSERVATION AREA

- Application Site
- Great Jackson Street Regeneration Area
- Castlefield CA

LOCATION:
Fusion Students, Deansgate

DATE:
February 2022

SCALE:
1:5,000 @ A3

FIGURE 8.2 Map showing the boundary of the Castlefield Conservation Area.

▲ **NORTH**

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Figure 8.3 Castlefield Canal.



Figure 8.4 The Grocers' Warehouse, Castlefield Basin.

8.10 In the absence of any detailed appraisal, I have reviewed the Bidwell's HIA (CD-A80) accompanying the appealed scheme's application.

> *"The Conservation Area has a very industrial character defined by the presence of both the Rochdale Canal and the railway in addition to the industrial structures which historically would have been associated with these two pieces of infrastructure. The area has been densely developed with only two green spaces within the designation. Many of the structures are of a large scale and often have a warehouse aesthetic, adding to the very industrial appearance of the area. These buildings predominantly have brick elevations punctuated with large, regular openings. Many of the old industrial structures have now been converted into residential or office use.*
> *A number of the buildings within the Conservation Area have been added to the Statutory List of Buildings of Special Architectural or Historic Interest. The majority of these are listed at Grade II, but the collection also includes the Grade II* listed Cobden House and the Church of St George.*
> *The Grade I Listed Former Liverpool Road Railway Station Master's House and the Old Warehouse to the North of the Former Liverpool Road Railway Station are also both contained within the boundaries of the Conservation Area.*
> *The Castlefield Conservation Area is considered to hold a good level of heritage significance as a result of its retained industrial character. "*

8.11 I agree.

8.12 Likewise, I agree with the HIA's (CD-A80) assessment of the contribution of setting to the significance of the asset and of the site to that significance expressly.

8.13 Again, and in the absence of a published appraisal, I think it is helpful to cite these sections in full.

> *"Beyond the boundaries of the Conservation Area, the area continues to be very urban in its character. However, much of the built form is of a more recent construction and is of a greater height, resulting in its feeling somewhat enclosed. The construction materials of the structures, as well as the roofscapes, found within the setting of the Conservation Area are far more varied than that found within it, helping to clearly defined the designation as a historic area with a distinct industrial appearance.*
> *Overall, the setting of the Castlefield Conservation Area is considered to make a minor beneficial contribution to its significance.*
> *Contribution of site to the setting of the Conservation Area*
> *The application sit is located immediately adjacent to the Conservation Area's south-eastern boundary.*
> *The application site and the majority of Conservation Area have a very limited visual relationship due to the low scale of the site in its current form, to the presence of tall buildings along the northern side of Chester Road and the lower level of the Castlefield Canal Basin.*
> *Where the site can be seen from the Conservation Area, its current vacant appearance, hidden behind protective hoardings, results in the site forming a detracting feature in the surrounding streetscape. As a result, it is considered to make a negligible adverse contribution to the setting of the Castlefield Conservation Area."*

8.14 I understand from officers' reports on previous applications (for example, the Elizabeth Tower) (CDH1-H9) that the diverse character of the conservation area, with different building typologies, forms a key element of the assessment of the impact of the proposals on the character of the area. In the report recommending that development of the Elizabeth Tower (CD-H4), officers wrote that this variety 'offers flexibility to designers' (paragraph 1 of page 19 of the report).



Figure 8.5 Visualisation of Elizabeth Tower, Deansgate.

8.15 The report continues by drawing attention to the position of the site on a route into the City Centre which is framed to the right by the high rise towers within the SRF (CD-G7), with the built form stepping down to the Bridgewater Canal Offices, the Deansgate Quay development straight ahead and the conservation area to the left. The medium rise building at 2-4 Chester Road appears to the left hand side and provides a stepping up to the Beetham Tower in the distance.

ASSESSMENT OF THE IMPACT ON THE CONSERVATION AREA

8.16 I understand that the alleged harm to the CA is to the component containing the former chapel, the canal and the viaducts and not to any of the non-designated, former industrial premises to the west (NW) of the site.

8.17 The non-designated heritage assets are identified in the HIA, at pages 55, 56 and 57 and comprise the following:

- Dukes 92 Bar, 8-25 Castle Street
- Bass Warehouse
- Eastgate, 2 Castle Street

8.18 If the Council's evidence raises points specifically in relation to these, then I must reserve the Appellant's position to prepare a rebuttal to allegations of harm. Whilst the proposals undoubtedly would have a setting impact as a consequence of intervisibility at different points, I do not think that would be harmful by reason of separating distance, the strong group value of these assets (appreciated with the rail and canal infrastructure to give them context), their robust industrial character and the degree of change to setting on this side, which is marked.

8.19 In short, there is no view towards the site I could identify from within the adjoining part of the CA that did not also include the SRF towers, whose scale and number create a strong presence contrasting strongly with the lower buildings in the CA and more recent development.

8.20 These are striking vertical forms, albeit their scale and proportions are the result of their continuity of surface which emphasises their scale.

8.21 Returning to the Committee Report (CD-A845), then, I conclude the Council's concerns to be expressed in the following modelled visualisations, nos. 1, 7 and 8.



Figure 8.6 2-4 Chester Road, Deansgate, Manchester.

SEEN ACROSS THE CA FROM THE EAST, VIEWPOINT 8

8.22 I start with VP 8, which I reproduce here. New modelled views are presented in the list of Core Documents (CD-D15). VP 8 is made from a position to the west, looking across the Castlefield CA, and includes some converted historic buildings and modern pastiche development in a complementary manner (and adding positively to the historic townscape).

8.23 The new image illustrates 2-4 Chester Road, which like the Appeal proposals has a largely solid cladding (masonry in its case).

8.24 The proposals form part of the cluster, stepping down from the larger towers to nos. 2-4. The marked difference in colour, materials and form of expression, distinguish it from the glazed buildings in the SRF, and relate the proposals to the foreground setting elements.

8.25 Applying the step 3 checklist in HE's GPA3, I make the following points.

8.26 The proposals are clearly outside the asset boundary, associated with the SRF cluster and nos. 2-4, and will not isolate any components of the CA from any other heritage assets.

8.27 The proposals will be noticeable, by reason of their height and cladding, but seen as part of a larger skyline composition, providing a transition in height down to 2-4 Chester Road and, in my opinion, consolidating the cluster beneficially.

8.28 The materials and relative scale seen in association with the larger cluster will ensure the proposals will not distract from an appreciation of the well defined industrial townscape in this part of the CA.

8.29 The architectural language and materials reinforces one's appreciation of the historic red brick which is associated with the city's industrial heyday.

8.30 There is no change to the general character of the setting, as experienced in these views, rather an enhancement from cluster consolidation, softening the rather dramatic scale and material difference that is visible now.



Figure 8.7 Viewpoint 8.

FROM THE NORTH, DEANSGATE, ALONG AND INTO THE CA BOUNDARY, VIEWPOINT 3

8.31 VP3 has been reshot to show the completed nos. 2–4 Chester Road.

8.32 The proposals are seen in association with that building, together forming a gateway across the historic viaduct, which defines the core of the city centre.

8.33 Whilst the railway viaduct is low, equivalent to a two-three storey traditional structure (see the station buildings) it has a strong presence by reason of its engineering design and form, communicating its function. It has a considerable extent too, appreciable in nearer views.

8.34 The vertical articulation of the façade and stepped silhouette, combined with the open corner, break down the mass of the building, and create a sense of orientation or direction, aligning, roughly, with Deansgate to the north. Its steel cladding obviously complements the industrial materials and design of the viaduct, and the colours of associated structures (brick viaducts and stations).

8.35 The ability to appreciate the industrial character of the older structures is not undermined at all.

8.36 Rather, the proposals' position in relation to a key view reinforces the historic alignment of Deansgate and the industrial buildings here and to the north. So, and taking all the above into account, I conclude that whilst the proposals are prominent in the setting of the CA, they will not distract from an appreciation of the adjoining parts of the CA because of the detailed design and materials. The marked change to skyline is appropriate because the building marks a major way into the city centre from the south, and is associated with the threshold created by the railway.

8.37 My perception of the architectural quality of the building (see section 6) is an essential part of this positive assessment. Accordingly, I think the setting of the CA and of the assets in the view is enhanced by the introduction of a landmark feature that marks the main route and provides a counterfoil to the SRF towers whose form and materials contrast with the industrial legacy of the CA.



Figure 8.8 Viewpoint 3.

FROM THE SOUTH ALONG CHESTER ROAD, VIEWPOINT 1

8.38 This the nearest position, more or less, from the south, where one can gain an appreciation of the older structures in the CA. notably the church and the railway viaduct with associated structures.

8.39 From this and positions nearer to, I do not think one would have any real awareness of the full height or scale of the tower. Awareness of height increases with distance from a tall building, and in close proximity one is mostly aware of the lower storeys of the building and particularly of those parts that relate directly to the pavement.

8.40 Here, I think one can appreciate to good effect the architectural quality of the building, and in particularly the way the open corner breaks down the mass and creates two planes that define the street edge. The open corner enhances the drama of the architecture and its interaction with the geometry of the plot.

8.41 The open quality of the two lower floors gives this part of the building a lightness of expression which contributes to the activation of the street provided by the uses within.

8.42 The success of this is evidence, I think, by comparison with the lower storeys of nos. 2–4 Chester Road, opposite to the west, where the slab edge and set back columns have a somewhat heavy quality, and the upper parts project forward, from a wall plane that is very strongly modelled, giving the whole a heavy quality that, I think, challenges the singular nature of the listed chapel's spire (I will come back to this asset later).

8.43 The prevailing use of weathering steel, its colour, and the relief in the wall place reinforce the materiality and industrial qualities of the viaduct in the distance, and so reinforce the identity of this feature and the CA. That identity has come to be rather watered down through recent development. In saying this, I accept the Council found them acceptable.

8.44 The proposals also obscure the south façade of the Deansgate apartment block, a design of no real distinction or quality.

8.45 Overall, then, I see a marked enhancement to the townscape setting of the CA through architecture of a high design quality (see section 6) and through active frontages. The proposals have the added benefit of reinforcing the materiality of the CA and its industrial identity, both of which have been weakened by recent developments.



Figure 8.9 Viewpoint 1.

8.46 Thus, and notwithstanding the proposals' proximity to the CA, on a key approach view, and its prominence, I consider its detailed design, materials and proportions do not cause harm to the CA at the very least, and potentially enhance it.

VIEWPOINT 7, SW FROM DEANSGATE FROM ROCHDALE CANAL BRIDGE

8.47 This viewpoint is positioned just inside the boundary of the CA, which runs down the middle of the road. It is of particular assistance in assessing the setting impact on the listed viaduct in the foreground, with the closely associated station, and so I will return to it in the next section. Whilst a view in the CA, it is really one that focuses on this particular close group of listed buildings.

8.48 As noted earlier this view is one enabling an appreciation of the tower and open work spire of the listed chapel, appreciated in an industrial context (not just the viaduct but the canal itself which is a CA feature). This stretch of townscape is a pocket, well enclosed by the two listed viaducts, and from it there is a very striking view of the Great Jackson Street Towers which are dominant. Some might see this striking contrast – between the older industrial buildings and the modern towers – as surprising and harmful. I do not think the proposals cause harm because it demonstrates historical change and the railway and canal infrastructure resonates with that.

8.49 Those judgments to one side, I note that 2-4 Chester Road is a strong feature too, backdropping the spire and either harming it or highlighting, again depending on your point of view.

8.50 The proposals are seen to the side, across the gap created by the street, and they will be prominent, but no more so than the other buildings just described. The open corner range and the stepped profile on this side are here seen to particularly striking effect. That vertical accent and glazed area reduces the scale of setting impact and for reasons discussed in relation to VP 1 (and so which I do not repeat). The staggered profile of the building likewise mitigates the scale impact.

8.51 Importantly, in this view the proposals would mitigate the scale change across the road gap, down from the towers in Great Jackson Street to the recent Chester Road development, and so create a more harmonious composition.

8.52 This is the one point where I think it is helpful to consider the lapsed consent, for a lower tower. That would undoubtedly have a lesser impact but it would not have the general setting benefit I see of consolidating the cluster here by providing a more regular step transition from the super tall buildings in Great Jackson Street to the mid-rise (in relative terms) tall building at 2-4 Chester Road. I make this point not to invite the Inspector to give weight to that past consent but only because a comparison of this kind often helps to crystallise our appreciation of impacts.



Figure 8.10 Viewpoint 7

8.53 It may be stated, to the contrary, that the material used for the facing introduces a discordant note in this background layer, so heightening the setting impact on the tower and notwithstanding the mitigating aspects of the design.

8.54 If that is a point to be made, I take a different view and again recalling earlier analysis. The complementary palette and colour here relates well to the historic brick palette and adds visual weight to the tower and viaduct (discussed in the next section), countervailing the intensity of the setting change without adding cumulatively to it.

8.55 If a different judgment is formed, then the consequent harm is agreed to be less than substantial. On my analysis of that alternative, the order of that harm would be low because a) of setting benefits elsewhere and taking a rolled up approach (sometimes called the 'internal heritage balance' and assuming that view is taken) and b) of the fact that the really important views locally are not affected and c) the impact is indirect and does not affect the intrinsic qualities of the asset.

8.56 To conclude, given the size of the CA, only one part of the large CA is affected. The impact is indirect, the intrinsic character is not affected. If some harm is identified then this must be a low level of less than substantial harm.

WEST ALONG ALBION ROAD NEAR THE JUNCTION WITH WHITFIELD STREET WEST

8.57 This long view towards a small part of the CA is characterised by its linear form and varied townscape, which includes, out of shot, taller development. The industrial buildings associated with the railway and the viaduct itself comprise a distinct townscape unit of traditional scale, now somewhat isolated on what is, in many respects, a dull and forlorn street.

8.58 The proposals are seen in the background of this group, stepping down from the SRF towers. Its broken form creates a stepped silhouette which reduces the scale and shapes the building attractively. The open corner reduces the sense of mass too, and the building scale provides a transition down to 2–4 Chester Road. The proposals are oblique to the viewing angle, and in the cumulative state their impact markedly reduces. The development of the south side of the road provides enclosure and so creates visual separation from the towers.

8.59 The colour and scale features of the proposals complement the historic architecture of the older buildings. Overall, however, the proposals provide a modest background element, one of many modern features of striking design that are experienced in the context of scattered older elements.

8.60 Thus, I conclude the proposals are oblique to the linear view towards the CA, and do not orient to it. Whilst noticeable, its design qualities reduce its apparent scale and produce a complementary and not harmful relationship, notwithstanding change to skyline which is limited in this much changed context.

8.61 The proposal also creates legibility, marking the route into town, but this is a modest benefit, and overall I conclude no harm to the heritage interest of the conservation area as a whole.

BACKGROUND TO THIS APPEAL: THE COUNCIL'S TREATMENT OF OTHER CONSENTS ON THE SIGNIFICANCE OF THE CONSERVATION AREA

8.62 MCC considered the impact of the previously consented schemes on the Conservation Area. The discussion of the issue was assessed more fully in the 2015 application (110730/FO/2015/C1) and I think helpful to consider this here.

8.63 On pages 27 and 28 of the committee report (CD-I17) for the 13-storey tower, officers stated that:

'The building would be seen from these key views in the context of other large scale residential developments and as such, it would not materially affect them or impact on the significance of the Conservation Area...

The heritage statement concludes that the proposal, whilst visible, would not adversely affect the visual understanding and coherence of the basin area as it would form a part of the varying townscape in this location.'

8.64 The committee report (CD-I17) concluded on page 28 that:

'It is therefore concluded that the proposal would have less than substantial harm to the setting of the Conservation Area as outlined within paragraph 134 of the NPPF and is considered to contribute positively to the variety of the urban landscape in this location with a high quality development.

Indeed, it is considered that the proposed building complies with paragraph 131 of the NPPF in that the proposal would make a positive contribution to the setting of the Conservation Area by sustaining its significance along with making a positive contribution to the character of the area whilst promoting a development which is distinctive.'

8.65 I reproduce here some images in that scheme, and which illustrate the visual setting interaction that officers may have had in mind when they drafted the above.

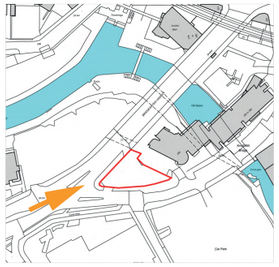






Figure 8.11 View of the scheme from Chester Road. Source: Ombler Iwanowski Architects.



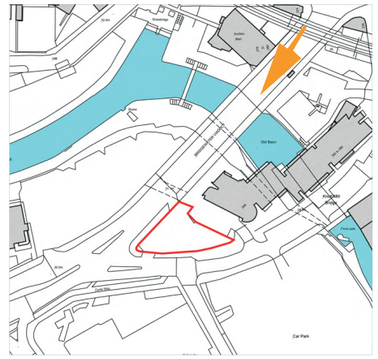


Figure 8.12 View of the scheme from the Bridgewater Viaduct. Source: Ombler Iwanowski Architects

IMPACT OF THE APPEAL SCHEME ON THE CONSERVATION AREA

8.66 Overall, then, and leaving LBs to one side for the moment, I conclude a benefit to this part of the conservation area through improved legibility, the introduction of forms and materials that reinforce some of the characteristics of the historic environment, and by reason of high design quality, adding something of interest and value to a much changed setting and delivering benefit for that reason. I note that these findings are different to the Committee Report's (CD-A84) as I have reported them earlier. I consider the above analysis explains my reasons for finding differently to the officers of the Council.

8.67 As a consequence, therefore, the proposals achieve the objectives of NPPF 199 (CD-F1) and related development plan policy (CD-G1). If the Inspector agrees with my assessment and identifies a benefit to the setting of the CA, enhancing its significance, then this should be given significant weight, calibrating that weight in proportion to its extent and degree, and relative to the CA as a whole.

9.0
THE FORMER CONGREGATIONAL CHAPEL AT 378-380 DEANSGATE

LAND AT DEANSGATE SOUTH, MANCHESTER

THE FORMER CONGREGATIONAL CHAPEL AT 378-380 DEANSGATE

9.1 The Former Congregational Chapel was Grade II listed in June 1988. It sits just within the Castlefield CA, and close beside the grade II listed viaduct (Manchester South and Altrincham Railway – see next section). As such it forms part of that larger industrial landscape associated with the canal and railway infrastructure and which is an important aspect of the city's history.

9.2 The Chapel was constructed in 1858 to designs by architect Edward Walters, known locally, and has undergone later alteration. It was originally constructed as a place of worship with funds from the Congregational Chapel Building Association. This was one of many charitable societies established in the C19 to fund places of worship for so called 'Nonconformist' sects, as non-Anglican (or CoE) Protestants were called. The term 'Nonconformist' is historic, and itself reflects the lower social standing of individuals who worshipped as Congregationalists, Baptists or Methodists.

9.3 Such places of worship were often funded by small donations, and their clergy funded locally, which meant that many of them did not continue in religious use for very long. As a consequence fewer survive, proportionally, than Anglican churches were founded on a more secure economic basis in the main.

9.4 Thus, the chapel's later historic use is typical. It only functioned for its original use for a little more of thirty years, until 1888 when the congregation was disbanded. The building, was however, kept in religious use by other groups until the late 20th century. But for that it would have been demolished after the first user abandoned it. In the mid-2000s it was converted into offices, ensuring its survival.



Figure 9.1 View of the Former Congregational Chapel with Beetham Tower behind. Source: Historic England

9.5 The location of the chapel is highly evocative and tells us a great deal about social and urban history. First, Nonconformism was popular in the north west of England and particularly in its manufacturing centres. Second, many adherents are understood to have been working-class people. Third, and as a consequence (and taking into account the evangelical nature of Nonconformism), such facilities were often located on odd sites in industrial areas and near to working class housing. The siting on small, oddly placed pieces of land reflects the relatively limited means of the congregations.

9.6 And so this chapel is perched on a small piece of land bounded by the road and railway, and near to the dock and canal basin.

9.7 The limited funds available also meant that many such chapels have limited or modest architectural qualities.

9.8 This is distinct from new Anglican churches and restorations of the period, where greater funds led to more prominent sites and more ambitious and widely visible forms of architecture, particularly taller towers and spires.



Figure 9.2 View of the Former Congregational Chapel in views looking northeast along the Chester Road. Source: Historic England.

9.9 The chapel is of three storeys on the northern, canal fronting side and two storeys on the elevation facing the Bridgewater Viaduct, owing to the change in levels.

9.10 It is simply detailed, with red-brick facing and sandstone dressings and has a slate clad roof. The statutory list entry describes the features of front elevation:

> *"The gabled east front has a three bay pedimented centre with pilasters, coupled round-headed windows at the lower level and tall round-headed recessed windows above, with carved imposts and glazing with coloured margin panes, a saw-tooth band above the windows, and bracketed cornice to the pediment which contains a crude wheel window."*

9.11 The statutory list entry describes the chapel's architectural style as 'Italianate'. The nave and aisles incorporate porches at the front ends, with a tall square tower rising from the south aisle, behind the porch. This has an open work termination with pointed roof, having flared eaves and modest decoration.

9.12 I surmise the tower was placed on this side, in this position, because here it was open to views from the south, along Chester Road.

9.13 The elevations are organised on two levels to express the internal arrangements. Chapels had small, galleried interiors reflecting the focus in services on preaching and singing.

SIGNIFICANCE

9.14 The chapel therefore has historical interest in a regional context particularly, and is a good example of well-designed Nonconformist place of worship. Its particular characteristics contributing to significance comprise its neat detailing and consistency of materials, the architectural features organising its facades, and including its rear 'chancel' projection, and of course the tower, a slender feature set to the side. Its piered elevations reflect contemporary Victorian interest in the medieval architecture of northern Italy. I have not seen its interior, but it would have been relatively simple, and I do not know if its most characteristic features – galleries on three sides, survive.

9.15 The designer is known in the northwest for his chapel designs, which is not unusual because architects tended to specialise in this period, particularly around specific building types such as religious buildings, pubs, hospitals or schools.

9.16 The change of use changes its character, because office buildings are not community buildings, and it has undergone some alteration over time, though not sufficient, in my view, really to undermine its architectural quality and historic associations which are manifest in its design and it siting.

9.17 The HIA (CD-A80) notes various alterations, which I agree, but I do not think these materially erode its significance since it is a robust and distinctive building, notwithstanding its relatively modest scale. Of greater risk to its conservation, is its condition externally, needing some care and attention. The lack of that is demonstrated by the presence of some vandalism and vegetative growth, but again none of this seems to me to be fundamental, and in the fullness of time, as the area regenerates further, then this is the sort of asset that will probably continue to be attractive and so warrant investment. Clearly, its listing and inclusion in the CA is critical to that.

CONTRIBUTION OF SETTING TO SIGNIFICANCE:

9.18 As already noted, the setting of the building is highly evocative, reflecting on its particular significance and the social and religious history it exemplifies.

PERCEPTION OF THE TOWER ON THE CHAPEL FROM THE NORTH

9.19 It does not really have any townscape presence from Deansgate to the north because the scale of its tower is modest and has no skyline presence I could make out. Its limited visual envelope on this side is also the product of the two listed viaducts separating it from the city centre proper, not just the Manchester and South Altirincham Railway Viaduct which it abuts but also the Castlefield Railway Viaduct, just north of that (and whose setting the City Council say is not harmed – or so I infer because it does not feature in the SoC (CD-C4) or the RfR (CD-A88)).

9.20 One becomes aware of the slender spire in the area between the viaducts, where it can be seen to good effect and in particular the open work top and pointed roof. In these views the spire is backdropped by 2-4 Chester Road. The contrast of materials (stone on the latter, brick on the listed building) enables one clearly to pick out the silhouette. This is a setting relationship of proximity and backdropping that often leads to an allegation of harm to the ability to appreciate significance by reason of distraction or competing.

9.21 I do not offer a view on that, except I do note that the presence of the spire is reinforced by its association with the elaborately detailed listed viaduct bridge which defines the chapel's foreground in this view. Similarly, 2-4 is associated with the larger SRF development to the east (broadly) which together form a layer of modern development. The appeal site does not, at the moment, figure in this relationship.

9.22 I would not identify the spire as a prominent feature in the context just described because it is modest and experienced as one element in a wider industrial landscape, with the station in the foreground and which is also grade II listed. I discuss this in the next section.

9.23 I should add that the CA boundary runs down the middle of Deansgate at this point and for some reason I do not know excludes the listed station. I can only conclude this was done because the listed viaduct is quite a long structure and one has to draw a CA boundary somewhere.



Figure 9.3 Viewpoint 7



Figure 9.4 Viewpoint 9

APPROACHING FROM THE SOUTH

9.24 Approaching the chapel from the other direction, heading towards the city centre on Chester Road, the chapel is not visible because of the road alignment, and as it becomes visible towards the Canal Company offices (see later section), it is seen as a modest feature in a changed environment, having no real contextual relationship with any older features save the railway viaduct which here is a more recessive element.

9.25 What I noticed on my site views in this stretch, past the Appeal site, is Beetham Tower which clearly is prominent in the background setting of the listed chapel, conspicuous and distracting attention from it. The foreground setting is established by nos. 2–4 Chester Road, and I find its heavily relieved façade, with an overhanging element to be intrusive and not sympathetic at all, but it is there.

9.26 388 Deansgate is separated from the chapel, appreciated here by its tower. The red brick facing complements the materials of the chapel and so helps to compensate for the distraction caused by Beetham and 2–4.

9.27 The Appeal site is seen here to the right, and its poor condition has a forelorn quality that undermines the setting of the Chapel, intruding on our appreciation of it (recognising, however, that appreciation is affected materially by recent development).

FROM WITHIN THE CA

9.28 The best views of the chapel in a significant, and less changed context are more immediate ones from within the CA, and this is captured in a striking way in HIA (CD–A80) figure 33. Shot on a sunny day, with the larger part of 2–4 cropped out of the view, and the basin in the foreground, the building continues to make a significant expression, representing the cultural and historical context for it, and associated with structures that are of a complementary scale (again looking selectively). The Appeal site is not visible in this view, but 388 Deansgate is. Here one appreciates particularly the benefits of red brick cladding for reinforcing the historic context of the CA and the chapel within that.

9.29 The chapel is a focal building, then, in this part of the CA, and makes a much stronger and favourable impression than on the street sides.

9.30 Thus, and turning to GPA3's step 2 checklist, I make the following observations about setting's contribution to significance.



Figure 9.5 The Former Castlefield Congregational Chapel as seen from the North West. Source: Heritage Impact Assessment prepared by Bidwells.

9.31 First, the interaction with other historic structures and the canal and railway landscape does directly contribute to the historic interest of the listed buildings, and the architectural qualities can be appreciated particularly well from the CA and in the stretch of road abutting. The view of the spire between the viaducts makes, in my opinion, a lesser contribution to significance. Thus orientation and aspect relative to setting and other assets are highly important, and so too continuity of materials and functional relationships.

9.32 However, a good deal of the building's original setting has changed, and it is now appreciated in a very different context too. The two contexts sit close to one another in a very interesting way, and it is possible to switch between them from certain vantage points.

9.33 The site in its current condition distracts from views along the main frontage. The general character of the setting is busy and urban and changing, and road and rail infrastructure are part of one's perceptions of the building. Several of these characteristics reduce the sensitivity of the asset to change of the kind contemplated. From my experience, the setting of a chapel in an industrial landscape is hardly unique, either in the north of England (where it reinforces a particular historic narrative) or elsewhere, but the view from the CA (see figure 33) is special and distinctive, and the most resonant and sensitive/important.

IMPACT ON SIGNIFICANCE:

9.34 The proposals are about 80 metres at the nearest from the LB, and so not abutting it, and the development is sited on the other side of a busy approach road and so oblique to views of it. The proposals would not visually isolate the listed building from associated assets I have identified.

9.35 The proposals are of course of a much greater scale than the church, but the lower parts have an open quality and the frontage is made active and enhanced. The weathered steel cladding has an industrial chic and a tonality that reinforces the palette of the chapel and surrounding buildings.

9.36 There is no material interaction as between the chapel tower seen in skyline profile and the skyline impact of the proposals, and certainly no impact comparable to that arising from the Beetham Tower, to the north, and 2-4 Chester Road to the south.

9.37 The proposals do not interfere with access, and the interaction of the chapel with patterns of movement past it or into the CA.

9.38 As to the scale difference, I make one further observation. The ability to see the chapel together with the proposals takes place over about 160 metres, from about the junction with Great Jackson Street and listed canal offices building, to the corner of the site itself and across the junction with the Chester Road or A56.

9.39 Over that kind of distance, I do not think one notices or appreciates the full height of the proposals. One is aware, instead of the lower half of the development, decreasing to the lower parts only in the more immediate setting that enables a better appreciation of the tower on its own and in relation to the body of the church.

9.40 In those circumstances, taking all the above into account, I do not think the proposals cause harm to the ability to appreciate the architectural significance of the chapel. To the extent there is an impact, it is beneficial as a consequence of good architecture, the particular material (reinforcing the palette of the chapel in a local context) and the improved frontage (see my earlier analysis in section 6.0).

9.41 Thus, I report a different finding to the HIA (CD-A80), which identified a low order of less than substantial harm to the prominence of the tower of the chapel. I do not agree.

9.42 On my evidence, then, the terms of 199 NPPF (CD-F1) are met fully, and no cognate development plan policy is breached. If anything, my evidence invites the Inspector to give significant weight to a beneficial setting change.

9.43 I have in these circumstances particularly to consider whether the proposals lead to incremental harm, on the basis previous tall developments have caused harm to the baseline condition, to which the proposals add.

9.44 It is clear from my analysis, that I do find some harm from past development and in particular 2-4 Chester Road. However, since I find no harm arising from the development, the pre-existing harm is not increased.

9.45 However, it is right also in the circumstances of this case, and taking account of this designated asset, to look at cumulative harm (which I understand to be slightly different). And so this is a good place to reflect on the final rendered views which I reproduce for convenience (certain views prepared included from CD-D15)

VIEWPOINT 1, LOOKING NE FROM DEANSGATE

9.46 The viewing position was chosen, I am advised, because this is the first point where one gets a really clear view of the larger part of the tower (notwithstanding the overhang of 2–4 marginally encroaches).

9.47 This view demonstrates, first, that from this position there is little difference in impact as between the height proposed and a building of about half the height.

9.48 But in fact the impact is even less than that because a vertical shift is used to set the base shot, and that means the vertical field of view is actually greater than the normal c. 30 degree off the perpendicular of the eye line. Hence, in focused attention, one would in fact only notice the lower several storeys from this part, and the upper parts would not be in focus.

9.49 This shot demonstrates particularly the way the open corner reduces scale impact. Instead of a solid, expressive corner (the classic flat-iron site response), there is an open one, and the mass of the building becomes a skin that recedes as a single plan, with less mass. The gathering together of the lower two floors in a single pilastrade (in effect) brings the focus of attention lower down, further mitigating scale impact and adding visual interest.

9.50 The colour of the proposals obviously also reinforces that of the chapel, and so rebalances the scene so that the chapel gets something back in the local context. I identified a similar effect in views from the CA and in its setting, in the previous section. Any townscape setting benefits to the CA I identified there, and any Mr Pullan likewise identifies, go on the enhancement side of the balance.

9.51 Hence, in the cumulative condition, the proposals do not have any greater impact, and taking into account recent consents too, which are modelled here and in the new aerial model shot before the Inquiry.

9.52 Accordingly, even on a incremental and/or cumulative basis, the terms of NPPF 199 (CD-F1) and cognate development plan policy are met, and I invite the Inspector to give significant weight to the benefits I identify.



Figure 9.6 Viewpoint 1.

10.0
THE GRADE II LISTED DEANSGATE STATION AND THE MANCHESTER SOUTH JUNCTION AND ALTRINCHAM RAILWAY VIADUCT AND THE ASSOCIATED 'ATLAS BAR' (NON-DESIGNATED HERITAGE ASSET)

LAND AT DEANSGATE SOUTH, MANCHESTER

THE GRADE II LISTED DEANSGATE STATION AND THE MANCHESTER SOUTH JUNCTION AND ALTRINCHAM RAILWAY VIADUCT AND THE ASSOCIATED 'ATLAS BAR' (NON-DESIGNATED HERITAGE ASSET)

DEANSGATE STATION

10.1 Deansgate Station was Grade II listed in August 1998.

10.2 The station was built in 1896, constructed of red brick with stone and terracotta dressings, originally known as Knott Mill Station, articulated by a stone scroll carved with this name. Two storeys and built in the 'Baronial' architectural style.

10.3 It is not in the Castlefield CA.

10.4 It is closely associated with the listed viaduct, some of which is in the CA and which is also grade II listed, and with the Atlas Bar an NDA close by the road, abutting the viaduct on the north side.

10.5 Practically speaking, I think these three assets come together to form a group but as a matter of assessment, it is important first to treat each one individually.

SIGNIFICANCE OF THE STATION:

10.6 The listing schedule states that this was one of the first truly suburban railways and was instrumental in the development of its hinterland.

10.7 The existing building is not the original. It was replaced in 1896, according to the HIA (CD-A80), with the present building designed by R Neill and Son, and in permanent materials. The original station had been timber. The listing is of the building itself.



Figure 10.1 Deansgate Station. Source: Historic England.



Figure 10.2 Deansgate Station and its wider setting. Source: Google Street View April 2021.

10.8 It has a modest scale, and a corner emphasis where one finds the entrance. It has two storeys, and is faced in brick with contrasting lighter bands. It has Tudor-styled, flat-arched lintels but with tall sashes, not mullioned windows. The corner entrance is given slight more elaboration with a parapeted cornice and a Gothic-styled entrance below. Structurally I noticed no real, evident issues, but the external fabric is tired and in poor condition, requiring local repairs and cleaning. It has a shabby quality, albeit a programme of refurbishment would bring it back to something like its original appearance. In other words any defects are relatively superficial.

10.9 It is quite similar to suburban railway stations I have seen elsewhere in the region, understated and having a local presence, demonstrating no particular design flair or engineering innovation.

10.10 Its main significance is, then, historic and its association with the railway materially enhances that significance, and in fact absent the railway and the function, the building would not merit listing on architectural grounds. It is experienced locally in the context of this infrastructure.

SETTING ASSESSMENT:

10.11 Clearly, and as noted, the listed station's significance is materially enhanced by its association with the railway, and the continued function for its original purpose sustains that.

10.12 The association with the other listed viaduct, nearby, reinforces that significance and speaks to the Victorian expansion of Manchester as an employment and industrial powerhouse.

10.13 The views contributing to this appreciation/association are limited and local in nature, and incidental (that is, not planned but fortuitous), and the station was not positioned to be a marker or destination in the wider townscape insofar as it is possible now to judge. Thus, it is the sort of building one is familiar with as a destination in a local area.

10.14 The building orients locally to pocket of townscape between the viaducts, and it has a positive relationship with the listed viaduct and Atlas Bar, see below.

10.15 There is no formal aesthetic design intention at play here, rather an expedient set of relationships. Its functional form and integration with the viaduct and position by the road edge, all contribute to significance. Thus, it has no real focal role, and to the extent it address views, those are towards its corner entrance, which are oblique to the Appeal site.

10.16 The Appeal site does not have any real role in the experience of the asset at the moment.

10.17 And its setting is much changed, and influenced by vehicle movements. As noted, there is nothing particularly special about these set of relationships taken as a whole, excepting the design of the railway bridge over the road.

10.18 Turning to GPA3 step 3, I consider the impact of the proposals on the ability to appreciate the significance defined above.

10.19 First, the proposals do not interfere with the important relationship between the building and the viaduct.

10.20 Second, the proposal is not proximate to the asset, separated from it by some 120m at the nearest point and positioned on the other side of the Viaduct which is a clear boundary in townscape terms, separating the area north of the viaduct from the regenerating area to the south.

10.21 The proposals are not prominent in key views of the asset, which are looking broadly east, since the site does not directly orient towards the station, and as a consequence the proposals will not be a distracting feature in the setting of the asset, undermining our appreciation of its modest architectural form and detailing. As noted, this is best appreciated in a very local context, and the scheme is set off to one side. So the skyline change does not impact our appreciation of the building, and one only has to contemplate the impact of the Great Jackson Street development with views of the station to get a sense of this point.

10.22 I have to note here that there is no viewpoint prepared to illustrate the potential visual interaction as between the two. The nearest best one is VP 03, discussed in my analysis of the chapel earlier. See here again. Here the field of view in the shot effectively means that the station is not visible. In fact, in the local area, one would appreciate the station in the context of the proposals and vice versa because of the peripheral and serial characteristic of visual perception.

10.23 But, the camera demonstrates helpfully that degree of separation and different orientation, and so makes the point helpfully as an aide memoire.

10.24 That said, the materials of the proposals do complement the red brick of the building and other foreground elements.

10.25 Accordingly, I conclude the proposals do not affect the historic interest of the building reflecting the suburban development of Greater Manchester, or the building's interaction with the railway, or the ability either to appreciate its architectural characteristics.

10.26 Hence, I conclude that the terms of NPPF 199 (CD-F1) are met and there is no breach of cognate development plan policy (CD-G1).



Figure 10.3 Atlas Bar, Manchester. Source: Google Street View April 2021.

THE ATLAS BAR, NON-DESIGNATED ASSET

10.27 This is a convenient place to discuss the Atlas Bar, an NDA not in the CA, but closely associated by reason of scale, proximity and general architectural character/age with the listed station.

10.28 The Heritage Statement prepared by Bidwell's (CD-A80) describes the building's architectural style as 'Baronial', similar to Deansgate Station, albeit of a modest design. At ground floor level there has been a retail conversion with the shopfront dating to the late 20th century, designed to look like a Victorian shopfront.

10.29 It is unclear what the building's original use was, but it was likely associated with the nearby Deansgate Station and Viaduct, as a speculatively built commercial premises, taking advantage of an irregularly shaped plot left over from the construction of the railway. As such its position would have benefitted, and presumably does not benefit, from passing trade associated with the station's use.

10.30 The Atlas Bar is now in use as a gin bar, hence the name. I have not been inside.

10.31 This is a building of little real distinction, its value, I consider, arising from its association with the station, whose materials and age value it reinforces. Consequently, and also it contributes to the setting of the station and provides an infill element of complementary character linking the attractive rail bridge with the station, so the three form a little group which is attractive and evocative of the industrial landscape which would once have been predominant.

10.32 VP 3 does allow an appreciation of the setting relationship in play, however, and for the reasons already discussed in relation, to the station, I do not think the proposals undermine our ability to appreciate its architectural characteristics which are best appreciated in a local context, and enhanced by grouping with the other assets. So, whilst the proposals effect a noticeable skyline change, they do not interrupt the relationship amongst the assets or really distract from an appreciation of them. This judgment is taken in the context of the wider setting change, and the relationship of the proposals to the dramatic cluster which is a striking component of the setting. The proposals thus add to an effect, and, for reasons set out in my discussion of the chapel, actually consolidate that effect.

10.33 If a different view is taken, then I still think that the setting impact is peripheral and does not go to undermining the essential reason for identifying this building, which can only really be its group value.

10.34 Accordingly, I see no harm to this non- designated asset or the role it plays linking listed assets.

THE DEANSGATE STATION AND MANCHESTER SOUTH JUNCTION AND ALTRINCHAM RAILWAY VIADUCT

10.35 After the chapel, this is the most significant asset in the area which is potentially affected by the Appeal proposals.

10.36 The railway viaduct was constructed in 1846-9 by David Bellhouse Jnr. It is constructed of red brick with sandstone dressings and cast iron bridges (possibly involving some wrought iron as well.



Figure 10.4 The Deansgate Station and Manchester South Junction and Altrincham Railway Viaduct. Source: Google Street View April 2021.

10.37 The larger structure consists of numerous brick arches, many of which have been in-filled and converted into commercial units. This robust style is standard railway construction, and its sensitivity to change within its setting is quite low because of that. The listing designation of the larger part of the structure will be largely due to its historic interest, because long, large viaducts are rare in the mid 1840s. I know this from past experience as a listing inspector at English Heritage, where, in the 1990s, I undertook a review of early viaducts in London in connection with the designation of the Greenwich to London viaduct, terminating at London Bridge. This entailed comparative analysis nationally. I have since advised on development of and in the setting of many railway viaducts.

10.38 However, the intrinsic interest of this structure really increases where it crosses streets or the Bridgewater and Rochdale Canals, the viaduct is formed of arched cast-iron bridges, many of which incorporate Gothic motifs into their design as well as castellation detailing on the towers. There are other dramatic engineering structures too, as evident in the Castlefield CA.

10.39 The attractive arched iron bridge spans are repeated to the west, where they are seen in association with the chapel and the canal and historic warehouse buildings. At this point the two viaducts creating what in my experience is one of the really distinctive and exciting industrial townscape 'moments' I have ever seen.

10.40 None of that is alleged to be harmed, but I make the point for completeness.

10.41 The span over Deansgate is the most widely seen expression of this larger project

SIGNIFICANCE AS DEFINED IN THE LIST ENTRY:

10.42 The statutory list entry is here fairly detailed because it is of the most recent variety. I quote it below and confirm here I agree with it.

Design interest: it is an impressive 1 3/4 mile long urban viaduct incorporating a series of well-detailed bridges; some with highly decorative Gothic-style ironwork;
Date: it is an early example of a railway viaduct dating from the second phase of railway development - the period from 1841-50 often referred to as 'railway mania' - in which commercial speculation and competition for routes led to the rapid construction of lines and expansion of the railway network;
Historic interest: the viaduct forms an important and integral component of the Manchester South Junction & Altrincham Railway, which was one of the country's earliest suburban railways, and Manchester's first; helping to bring this form of transport to the hinterlands;
Group value: the viaduct has strong group value with neighbouring railway structures (both contemporary and later), including two other railway bridges crossing the River Irwell (the 1830 Grade I listed stone bridge and the 1869 Grade II listed girder bridge) and their associated viaducts, the Grade II listed Castlefield Viaduct (c1880), the Grade II listed stations of Manchester Oxford Road (1958-60) and Deansgate (1896), and the Grade II listed former goods offices (c1850-60) and train shed (c1881) at Manchester Piccadilly Station.

10.43 I would add that there is good group value with the chapel and that the structure is a signal feature of the CA, providing a threshold defining north from south character areas. List entries do not make such contextual points but they are relevant to the facts of this case.

10.44 I would add that a viaduct is a robust, linear feature, having a high degree of intrinsic value and a strong identity. By its nature viaducts often span across areas of very different townscape, and which have experienced change. For the most part these contrasts have no particular impact on these intrinsic qualities which are the product of history, function and engineering design plus construction (since they were substantial civil undertakings). They are in many ways, then, similar to canals.

10.45 I would also add, on a design note, that the fine Gothic cusping on the principal trusses and Gothic canopies to the panelled parapet reflect the Victorian desire to reconcile ideas of modernity with the past. They are also a pragmatic response to the recognition that such features have a townscape presence and so warrant ornamentation. Thus, the engineering aesthetic is combined with the revival of past styles and in a way we recognise as characteristic of this moment in cultural history.

CONTRIBUTION OF SETTING TO SIGNIFICANCE:

10.46 The setting of the structure comprises the listed viaduct to the north and the canal, and various associated structures and in particular the station and Atlas Bar just discussed.

10.47 This setting is urban. It has changed greatly in part and is changing further. Setting contributes most where the viaduct is appreciated with other industrial features, so notably within the CA.

10.48 At the moment the site contributes little to the experience of the asset, except as a detracting feature seen in views of it from the south on the approach route.

10.49 In this viewing sequence, see viewpoint 1, it appears as a background feature and has the practical function now of acting as a threshold or gateway.

10.50 In a more local context, the detailing of the iron spanning arches and the panelled treatment of the parapet with associated abutments (to one side only) have an architectural or design quality make an impression and communicate that cultural history noted earlier.

10.51 Apart from the associated industrial and attached older structures, which contribute a lot to significance, the wider setting of the listed viaduct contributes only a little. The strong identity of its design and its important purpose give it a freestanding quality.

10.52 The crux of the Council's identification of harm must come down to the visual setting interaction as demonstrated in viewpoint 3, which I have reproduced earlier.

10.53 The proposals do not abut the asset, but rather background it, and are located prominently in relation to a key view illustrating significance from the north (and shown in the accurate visual representation). The scale of the proposals is broken down by those design devices already discussed and which I do not repeat here.

10.54 The industrial associations of the material are, however, appropriate to the engineering aesthetic of the viaduct, and to the extent the setting change has any relevance at all (and I think its relevance is quite limited), then this is complementary.

10.55 Finally, I note that the railway bridge has a striking character, distinctive and which is reinforced or fortified by its purpose and by its role as a threshold.

10.56 I can deal briefly with the setting impact from the other direction, and as represented in viewpoint 1. Here the viaduct is a relatively recessive feature as a consequence of its scale and the longer viewing area in which it is appreciated. Its setting on this side is very much changed, and the element particularly contributing to its significance is the chapel, which I have treated already.

10.57 The site itself is a detracting feature and its enhancement through good quality development and an active frontage are a benefit to setting, and I do not think, in the local context relevant to this assessment, that the scale of the proposals would distract from the appreciation of the viaduct or its significant relationship with the chapel.

10.58 Accordingly, I see no harm to the ability to appreciate its historic or technical interest, and no harm to the design interest which is the product of engineering combined with the aesthetics of the Gothic Revival. If anything the contrast as between the proposals and the new skyline is a striking demonstration of the role of engineering in remaking our towns and cities. The railways wrought a major change on urban form. Regeneration of former industrial and bombed sites is another chapter in this transformational story.

THE ROLLED UP OR GORUP ASSESSMENT AND INCREMENTAL/ CUMULATIVE IMPACT

10.59 My individual assessment on each asset is positive, the terms of 199 are met. It follows therefore that the group identity of these assets is not harmed.

10.60 It remains only to discuss whether the addition of another prominent new building to the cluster to the south of the viaduct has a cumulative effect on it or the group.

10.61 I do not think there is such an incrementally harmful or cumulatively harmful relationship because the scheme consolidates the cluster, relating the Great Jackson Street towers to nos. 2–4 Chester Road, so the group appears as a single and coherent layer in the background, with a distinct place in the city structure created by the railway bridge itself, dividing one area from the next.

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11.0
THE FORMER BRIDGEWATER CANAL OFFICES ON CHESTER ROAD

LAND AT DEANSGATE SOUTH, MANCHESTER

THE FORMER BRIDGEWATER CANAL OFFICES ON CHESTER ROAD

11.1 The Former Bridgewater Canal Offices on Chester Road were Grade II designated on the 3rd October 1974.

11.2 The offices date to c.1800, with the Historic England Listing Entry suggesting that they have undergone subsequent alteration. Originally built as the Officers Mess of the Manchester Regiment, the asset was later used as the offices for the Bridge Water Canal Company. The Bridgewater Canal has been described as Britain's first canal, it was opened in 1761 to connected Worsley and Manchester and later extended from Manchester to Runcorn and from Worsley to Leigh.

11.3 The canal is of national importance historically, as a work of civil engineering which has considerable scale and is linked to the exploitation of coal for locomotive power. The latter event is seen as accelerating the pace of industrial, economic and social change which had far reaching consequences into the C19. The canal has particular relevance in a regional context for its role in the economic and social development of the northwest of England and Manchester in particular.

11.4 As stated in Bidwell's HIA (CD-A80), the building has been unoccupied for a number of years and is currently in poor condition. It is now surrounded by later development, of much greater scale. I understand that these proposals will fund its restoration and support its reuse, delivering a major conservation benefit.

11.5 Notwithstanding the historical associations of the building with the nearby industrial features, the offices are not included in the Castlefield CA. There is no published statement explaining why this is so but I surmise the reasons are at least twofold. First, the building has the characteristics of Georgian architecture and so visually is unlike the majority of the later structures in the nearby CA. Second, the building is separated from the canal by the Chester Road and has no continuous context of old buildings linking it with the Victorian structures on the other side of the road. It has an isolated quality. Its setting has been subject, obviously, to very considerable change desensitising the asset. It now appears as a stand-alone feature, albeit one of national importance as reflected in its statutory listing at grade II.

11.6 Building Description

11.7 The structure comprises a L shaped plan and is two storeys in height. The building is constructed of red brick, laid in Flemish Bond to its external face, with slated hipped roofs. The principal elevation which affronts Chester Road has been designed to resemble two symmetrical houses, articulated by two coped gables. Each 'house-range' is five bays wide with the central pedimented bays projecting slightly forwards from the building line in the usual way.

11.8 Entry in the statutory schedule describes the architectural style as "Georgian". Expanding on this, the structure is typically Neo-Classical, articulated by the Roman Corinthian style of the principal gable pediments, as well as the symmetrically placed sash windows.

11.9 A single storey extension exists on the eastern end of the principal elevation; it is one bay wide and "has a moulded stone doorcase with rectangular over light and cornice", again to cite the statutory schedule entry.

SIGNIFICANCE:

11.10 The asset's main significance is, in my opinion, its historic associations communicated obviously by its age. This aspect of significance has two limbs. The first derives from its use as the Officers Mess of the Manchester Regiment, which I understood gained in prominence at the time and following. The loss of related context undermines the appreciation of this function, but the works of restoration which will be, I understand, forthcoming will enhance an appreciation of this value.

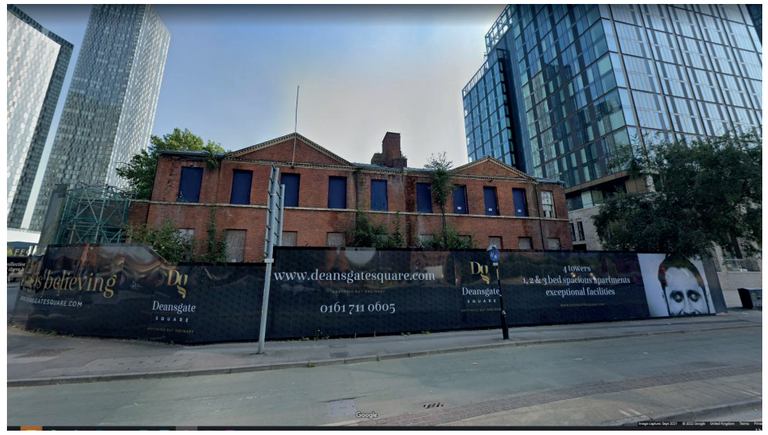


Figure 11.5 Former Bridgewater Canal Offices. Source: Google Street view September 2021.

11.11 The building is also of historical interest as a purpose-built Officers Mess which here is treated in a stripped-down classical style, still evident and appreciable notwithstanding its condition. This is best appreciated from the assets principal elevation which affronts the Chester Road.

11.12 The latter association with a major industrial undertaking, as already described enhances that historical value and makes it relevant to the city's international profile as the cradle of the industrial revolution's later stage expression.

11.13 The current hoarding around the Site obstructs full views of the Grade II building and thus prevents one from appreciating the asset's full significance.

11.14 There is a considerable amount of vegetation growing on the structure, the brickwork appears damaged in some places. The addition of modern guttering has eroded the historic integrity of the asset and subsequently its architectural significance.

11.15 Further to this, the asset has undergone substantial alteration with the later addition of a single storey extension adjacent to its eastern elevation.

11.16 Thus, its significance has been undermined but is capable of recovery and enhancement through greater public understanding and a new use.

CONTRIBUTION OF SETTING TO SIGNIFICANCE:

11.17 The asset is located on the junction between Great Jackson Road and Chester Road. Chester Road is a historic thoroughfare to and from the city centre, which adds to an understanding of the asset's important strategic location on this key route.

11.18 The asset's proximity to the canal is of significance, reinforcing its later role. This significant setting relationship is latent, that is, requiring interpretation because of the physical separation and the polite Georgian classical detailing. In other words, understanding is needed to appreciate that relationship.

11.19 Owing to redevelopment in the C20, the building has lost much of its historic context. The Middle Warehouse opposite, which is listed (no point is taken by the Council on grounds of impact to its setting), provides a more tangible connection with the industrial associations of the building, but that is not obvious because of their difference in style and their physical separation.

11.20 Otherwise the setting of the site is changing considerably through major regeneration on all sides of it. The context is being improved in stages, and the Appeal site's poor condition is one of the last components of that setting which it is desirable to enhance. These enhancements are accepted to comprise development of a considerably greater scale and character

11.21 The 51 storey Elizabeth Tower is located close to the listed building, with the development stepping down to create a local scale relationship and soften what would otherwise be a dramatic change in scale and contextual design. To the east of the asset is the 64-storey development of Deansgate Square. The modern tower blocks are constructed of contemporary materials comprising brick and steel and includes glazed elements to the principal elevations.

11.22 2-4 Chester Road opposite (roughly) is also significantly scaled but in the context may be termed mid rise. It has a stone clad façade which is heavily articulated and a light tonality. I do not see this development has any real connection with the industrial profile of the adjoining CA or the canal offices.

SETTING ANALYSIS

11.23 Thus, and turning to the checklist in GPA3 (stage 2), I do not consider the setting of the asset makes any material contribution to its setting, save for the asset's orientation to the main road which communicates it was a building of some status, on an historic approach. In the circumstances, the derelict condition of the site is regrettable but that very little influence on the appreciation of the asset's significance. This is as a consequence of the distance, orientation and aspect as between the site and the listed building, and their interaction in key views, as I will now explain.

11.24 The Site is located to the east of the asset, some 120m away and the two have different orientations. As a consequence, when one is looking at the listed building, the site is off to the side or rear. When approaching the City centre from the south, the listed building is set to the side of the direction of travel, and not really appreciable in the context of the site. Instead I noticed the large towers mainly, and then the older building really only when I was close to it. Similarly, travelling out from the city centre, and past the site, the listed building is to the side and backdropped by much larger development. Therefore, the Site makes a limited contribution to an understanding of the asset's significance.

11.25 The Site is, however, visible in oblique views looking east along the Chester Road. The Site is currently vacant and enclosed by hoardings in the form of wooden fencing. There is a deteriorating brick wall and scrub vegetation beyond this which marks the boundary of the Site.

11.26 This has established an undesirable, inactive frontage which lacks character and appears oppressive. The taller, contemporary tower blocks that appear behind the Site increase the urban scale of the townscape.

11.27 The Site, in its current form therefore, makes a negative contribution to the appreciation of the heritage asset.

THE IMPACT OF THE PROPOSALS ON THE ABILITY TO APPRECIATE SIGNIFICANCE

11.28 Therefore, and turning to the attributes of the development potentially affecting the ability to appreciate significance (stage 3 in the HE setting guidance), I note the following:

11.29 First, the development is not near to the asset, and, second, the relationship of the two visually is not direct, and in all instances influenced anyway by much taller development. Given, third, the lack of any obvious physical or visual connection with the industrial architecture to the south, the proposals do not isolate the structure, removing those associations. There remains a more direct physical connection with the CA on the other side of the road, which is unaffected.

11.30 Therefore, and fourth, whilst the proposals would be prominent in the setting of the asset, they will not compete for attention or distract from it. The redevelopment of a derelict site, with architecture of a high quality and an active frontage, removes an eyesore from the setting of the asset, but because I do not see any particularly relevant association as between the two, I conclude this townscape benefit to be neutral in respect of significance.

11.31 Accordingly, those wider effects of the development (change to skyline and land use, and so forth) have no real relevance to the matter.

11.32 Accordingly, I consider the proposals do not harm the ability to appreciate the significance of the listed building, and as a consequence its significance is preserved in line with 199 of the Framework (CD-F1) and related statutory development plan policy (CD-G1).

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12.0
POLICY COMPLIANCE
LAND AT DEANSGATE SOUTH, MANCHESTER

POLICY COMPLIANCE

12.1 I have considered performance against NPPF policy (CD-F1) in relation to each asset, concluding either no harm or modest benefit. In the cases of these benefits, I note the terms of paragraph 199 and invite the Inspector to consider giving them significant weight if and to the extent he finds similarly.

12.2 I confirm I have in mind the particular importance and weight that flows from the setting provision in section 66 (1) in relation to the settings of the listed buildings. I see no conflict with the terms of s66(1) and the need for the decision maker to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest that it possesses.

12.3 The CA does not benefit from that provision. However, it is covered by paragraph 199.

12.4 I move now to look at the development plan policies (CD-G1) which treat heritage and as identified in my section 5 above.

12.5 These are Policy SP1 (Spatial Principles), Policy CC9 (Design and Heritage), Policy EN3 (Heritage), Policy DC18.1 Conservation Areas and Policy DC19.1 Listed Buildings.

12.6 Policy SP1 (Spatial Principles) States:

"Development in all parts of the City should protect and enhance the built and natural environment."

12.7 I conclude the proposals meet the terms of this policy for the reasons set out in the substantive part of my evidence on each asset.

12.8 Policy CC9 (Design and Heritage) states:

"Development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments."

12.9 I conclude the proposals meet the terms of this policy for the reasons set out in the substantive part of my evidence on each asset.

12.10 Policy EN3 (Heritage) states:

"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 of the City Centre.

New developments 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 ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains. "

12.11 I conclude the proposals meet the terms of this policy for the reasons set out in the substantive part of my evidence on each asset.

12.12 I cite the relevant parts of Policy DC18.1 (Conservation Areas) where these relate to development within the vicinity of, or setting of, a CA. The final part of Policy CD18.1 states:

...

Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

12.13 I conclude the proposals meet the relevant terms of this policy for the reasons set out in the substantive part of my evidence on the CA.

12.14 Similarly the relevant part d) of Policy DC19.1 Listed Buildings states:

'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:

...

d. 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;

12.15 I conclude the proposals meet the terms of this policy for the reasons set out in the substantive part of my evidence on each asset.

12.16 For the reasons set out in this proof of evidence I consider that RfR 4 and RfR 5 (CD-A88) cannot be upheld and that the appeal should be allowed on that basis.

13.0
SIGNED AFFIRMATION
LAND AT DEANSGATE SOUTH, MANCHESTER

SIGNED AFFIRMATION

13.1 The evidence which I have prepared and provide for this appeal reference APP/B4215/W/21/3287525 in this proof of evidence is true. It has been prepared and is given in accordance with the guidance of my professional institution, namely the Royal Town Planning Institute. I confirm that the opinions expressed are my true and professional opinions.

13.2 If, after I have produced this report, my views should change on any material (for example, on the basis of new information or in the event an omission is drawn to my attention), I will communicate that to all parties without delay and, when appropriate, to the Inspector.



Dr Chris Miele MRTPI IHBC

Senior Partner

Montagu Evans LLP

Registered Office: 70 St Mary Axe, London, EC3A 8BE

Date: 01.03.2022

APPENDIX 1: CHRIS MIELE CV AND LIST OF PUBLICATION

LAND AT DEANSGATE SOUTH, MANCHESTER



DR CHRIS MIELE

IS A PARTNER SPECIALISING IN PLANNING & THE BUILT ENVIRONMENT (HERITAGE AND DESIGN)

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Dr Chris Miele has been a Partner at Montagu Evans since 2006 and is highly experienced in advising on major regeneration proposals involving historic buildings, sensitive landscapes, conservation areas and tall and large buildings. He has particular skills in expert witness work (planning appeals, tribunals and the high court) and in enforcements.

KEY SKILLS

All aspects of planning, urban design and the historic environment with particular expertise in:

- Townscape and visual impact assessments
- Tall buildings
- Large-scale urban extensions and infill, edge of centre sites
- Heritage impact assessments/listed building advisory work
- Planning advice on sensitive sites
- New development in conservation areas
- Charitable and public projects, including health, education, museum and galleries
- Masterplanning in the historic environment
- Mixed use central London
- Historic landscape characterization

PROFESSIONAL MEMBERSHIPS

- Member, Royal Town Planning Institute (MRTPI)
- Full Member, Institute of Historic Buildings Conservation
- Fellow, Royal Historical Society
- Fellow, Society of Antiquaries, London

CLIENTS

- CIT
- The Royal Horticultural Society
- NHS Estates
- South Bank Centre
- St William/Berkeley Group
- U+I developments
- Ministry of Housing and Local Government
- Commercial Estates Group
- Columbia Threadneedle
- British Museum

SELECTED PROJECT EXPERIENCE

Chris is working on major developments at Earls Court, in Whitechapel, on the Isle of Dogs, Bankside and several office and hotel developments in the City of London. He continues to advise the trustees of the British Museum on planning and development matters. Past projects include the South Bank Centre, Westminster Abbey, and many large central London masterplans including Lewisham for Landsec and Tottenham for Lendlease.

Bromley by Bow Gasworks – in Newham, early-stage townscape and historic environment advice, working with RSHP Architects for St William.

Olympia - for YOO Capital, with Thomas Heatherwick and SPARCC, on applications for up to a million square feet of new commercial development and significant alterations to the Grade II and II* exhibition halls. The scheme is being implemented.

Colechurch House - LB of Southwark, for CIT, who developed More London on the commercial redevelopment of this important site beside London Bridge. Foster + Partners scheme involves the creation of a new park under a state of the art, tall office building. This is widely visible including from sensitive positions. The application is under consideration.

BT House 81 Newgate St - City of London. We helped achieve consent for the extension and enhancement of this large 1980s office building close to St Paul's Cathedral, working closely with architects KPF and our client Orion Capital. The scheme is being implemented.

Hulton Park, Bolton, Greater Manchester - for Peel Developments, gave expert evidence in support of proposals to form an international standard golf course in this grade II listed park. Now advising on revised proposals, which are expected to be referred to the Secretary of State.

Gilston Park urban extension - East Hertfordshire, a 10,000 dwelling extension in 7 villages, advising our client Places for People on heritage and related landscape matters, assisting with the site allocation and then worked closely with the Grimshaw-led design team on design and heritage briefs, successfully negotiating the approach with Historic England, who were closely involved in the allocation. We are now advising on the village masterplans.

Published Works

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- 'Architectural Culture', in *The William Morris Reader*, ed F. Boos, Routledge Academic, 2021
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