

**Application Number/s: 131268/LO/2021, 131269/LO/2021,
131301/AO/2021**

Applicant: Mitchells & Butlers Retail Limited

**Location: Browns Bar & Restaurant, GF and Part of Basement, 1-3
York Street**

Proposal: New signage scheme

Ward: Deansgate

Description of Site and Surrounding Area

The application relates to 1-3 York Street, which is occupied to the Ground Floor and Basement levels by Browns Bar & Restaurant. The building is listed, with Heritage England's listing containing the below information:

Bank. 1902, by Charles Heathcote, for Parr's Bank. Red sandstone on grey granite plinth, slate roof. Rectangular plan with splayed corner to Spring Gardens. Vigorous Edwardian Baroque style. Three unequal storeys and attic, 1:5:1 bays to York Street including the corner, which has a domed turret. The ground floor, which is taller than the next 2 floors together, has banded rectangular piers supporting coupled Doric columns with shaped entablatures from which inverted consoles rise (between the 1st-floor windows), and a large round-headed window filling the width of each bay, with moulded head, scrolled keystone, and plate-glass glazing with enriched bronze "ferramenta" including a horizontal mid-panel, bottom panels with stained glass, and arched upper lights with margin panes. The 1st floor has 3-light mullioned windows with eared architraves and triple keystones, and a prominent enriched cornice with modillions; the 2nd floor has arcaded segmental-arched windows with festoons between each group of 3; and the attic has 3-light dormer windows with shouldered architraves and segmental pediments. The 6th bay (at the right-hand end) differs: it is 4-storeyed to the same height, breaks forward slightly, has an open semi-circular pediment, a doorway at ground floor with emphatic Baroque architrave including blocked coupled columns and segmental pediment, a 2-storey canted oriel above (with little windows in heavy surrounds at 1st floor and a cross-window at 2nd floor), and a round-headed window at 3rd floor with enriched pilastered architrave. The splayed corner to the left has octagonal piers framing a large round-headed doorway with enriched granite surround, a pair of windows at 1st floor with Gibbs surrounds and triple keystones, an elaborately-detailed 2-stage feature above (rising into the turret) including a curved balcony with elegant Art Nouveau railings and a broken pediment containing a cartouche; and a cylindrical Baroque turret with projected Ionic aedicules, prominent modillioned cornice and domed lead roof with a lantern. Six-bay return side to Spring Gardens matching the York Street facade. Interior: imposing and richly decorated banking hall.

Background Information/Planning History

Though there are previous applications relating to this property, none are deemed to be especially relevant to this proposal.

Description of Proposal

This report is assessing the following three applications, which are all deemed to be significantly related to one another:

131268/LO/2021

Internal and external alterations to listed building to allow for internal refurbishment and replacement signage and detailing to windows externally.

The application was accompanied by a detailed heritage statement, which sets out the programme of works requiring listed building consent and proposed as below:

Basement

- Refurbishment of existing toilet (designated as 'female')
- Creation of new toilets (designated as 'male') (*subsequently removed*)

Ground Floor

- Reconfiguration of modern island bar
- Extend tiled apron around bar
- Adapt existing raised flooring to Spring Gardens frontage, to include new balustrade
- Create new store opposite disabled toilet (*subsequently removed*)
- Lower height of kitchen pass
- New tiled floor to secondary York Street entrance
- Creation of private dining room alcove

External

- Installation of Perspex panels to protect glazing
- Replacement of signage 'BROWNS' letters
- Replacement of banner over front entrance

Publicity

Site Notice/s Posted and Dates: Posted 10/09/21, Expiry 01/10/21

Press Adverts Published and Dates: Published 03/09/21, Expiry 28/09/21

Neighbour Notification: As per Appendix

Representations Received: None

Consultations

Urban Design & Conservation:

The Urban Design & Conservation team reviewed plans and conducted a site visit. The planning officer was unable to attend. Several points were raised following the site visit, which led to a number of alterations to the scheme and a new suite of proposed plans being issued. Of note:

- Omission of proposed clock to bar area (amended bar plan)
- Alterations to bar appearance and tiled floor to bar apron
- Removal of existing solid balustrading and replacement with a more open design
- Removal of built in store cupboard
- Revision to the design of the kitchen hatch
- Retention of matting to floor of secondary entrance

- Omission of painting of tiled corridor in basement
- Reduction in amount of panelling to basement
- Retention of carpet in basement corridors
- Alterations to existing female bathrooms in basement amended
- No panelling proposed in basement bathrooms
- Omission of proposed male toilets in basement
- Revised lantern details to exterior
- Revision of fixing details to external window elements

Save Unitary Development Plan Policies:

- RC20 Area 8
- DC18.1 Conservation Areas
- DC19 Listed Buildings

Core Strategy Policies:

- CC1 Primary Development Focus
- CC4 Visitors, Tourism, Culture and Leisure
- CC9 Design & Heritage
- C10 Leisure & Evening Economy
- EN3 Heritage

National Planning Policy Framework Policies:

- Achieving Sustainable Development (2)
- Decision-Making (4)
- Building a strong, competitive economy (6)
- Conserving and enhancing the historic environment (16)

Principle of Development

The applications seek listed building consent for internal and external alterations (not requiring separate planning permission), including a new signage scheme.

Design

The external appearance of the building would not be noticeably altered by the proposals under the applications for listed building consent. The signage scheme would replace existing signage and would not be expected to have any notable impact on the appearance of the building.

Heritage

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting “special regard” will be given to the “desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. The effect of this section is that decision-makers considering harm to heritage assets cannot simply treat the desirability of preserving the setting of a listed building as a mere material consideration to which they can simply attach the weight they see fit in their judgement.

The statutory duty provided by section 66(1) of the Act goes beyond that and treats the preservation of the setting of a listed building as presumptively desirable. The effect of the statutory requirement is to impose a duty on decision-makers to give “considerable importance and weight” or “high priority” to the desirability of preserving listed buildings and their settings.

Section 16 of the NPPF sets out that, in determining applications for listed building consent, local planning authorities must consider the potential impacts to designated and non-designated heritage assets. In terms of designated heritage assets, the impact can be assessed on a ‘sliding scale’ from the most harmful being ‘total loss’ to the least harmful being ‘less than substantial harm’.

The application property is Grade II* listed. As such, the building is of high historical importance. The proposed alterations to the interior, though relatively modest, require a high degree of consideration. While assessing the application, a few issues were raised with regards to what was being proposed. The applicant, agent and Authority worked proactively to address the concerns and come up with solutions or adapt the proposals accordingly. The alterations to the proposed scheme have led to a new suite of plans being produced. It is considered that the alterations to the initial proposed plans now result in a scheme that would have overall less than substantial harm to the character and appearance of the listed building, as defined under Paragraph 202 of the NPPF. Any harm caused should, in this instance, be weighed against the public benefit. In this instance, the public benefit would be the continued use as a high-quality restaurant. The occupier is considered to maintain the significance and use of the designated heritage asset appropriately and have demonstrated a willingness to adapt their plans to retain the significance of the asset and allow the appreciation of it. It is considered that the commercial use of the premises in the city centre of Manchester is its optimum viable use.

An accompanying application (131269/LO/2021) has been submitted with regards to a proposed replacement signage scheme to the exterior of the building. The proposed signage scheme proposes limited intervention to the exterior of the listed building. As such, it is considered that this element of the proposal is acceptable.

In summary, it is considered that the proposed alterations to the listed building would lead to less than substantial harm to the designated heritage asset, according with CS Policies CC9, EN3 and Section 16 of the NPPF.

Advertisements

The listed building consent applications are also accompanied by an application for advertising consent. The proposed advertisements are considered to be a like for like replacement of an existing signage scheme. The advertisements would cause no undue impact to amenity or highway safety in this location and are considered to duly accord with Paragraph 136 of the NPPF.

RECOMMENDATION:

That listed building consent be granted subject to the following planning conditions (131268/LO/2021):

Officers have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. No such problems have arisen on this application

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

- Location Plan (Drawing 132 dated July 2021) - Received 05 August 2021
- Existing Basement Plan (Drawing 2115/802 Revision A dated June 2021) - Received 09 December 2021
- Existing Ground Floor Plan (Drawing 2115/801 Revision A dated June 2021) - Received 09 December 2021
- Existing Basement Corridor Details (Drawing 2115/804 Revision A dated June 2021) - Received 09 December 2021
- Proposed Basement Floor Plan (Drawing 2115/812 Revision A dated June 2021) - Received 09 December 2021
- Proposed Ground Floor Plan (Drawing 2115/811 Revision A dated June 2021) - Received 09 December 2021
- Proposed Bar Details Sheet 1 (2115/819 Revision A dated June 2021) - Received 09 December 2021
- Proposed Bar Counter & Back Fitting Proposed Details Sheet 2 (2115/820 Revision A dated June 2021) - Received 09 December 2021
- Proposed Curtain Details (2115/831, undated) - Received 09 December 2021
- Proposed Bar Apron Details (2115/832, undated) - Received 09 December 2021
- Proposed Lanterns (2115/833, undated) - Received 09 December 2021
- Proposed New Balustrade Details (2115/412 Revision B dated June 2021) - Received 09 December 2021
- Proposed External Perspex Panels (2115/413 Revision A dated June 2021) - Received 09 December 2021
- Proposed Served Pass Detail (2115/414 Revision A dated December 2021) - Received 09 December 2021

- Proposed Basement Corridor Details Sheet 1 (2115/813 dated June 2021) - Received 05 August 2021

- Proposed Basement Corridor Details Sheet 2 (2115/814 Revision A dated June 2021) - Received 09 December 2021

- Proposed Ladies WCs Details (Drawing 2115/816 Revision A dated June 2021) - Received 09 December 2021

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

That listed building consent be granted subject to the following planning conditions (131269/LO/2021):

Officers have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. No such problems have arisen on this application

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

- Location Plan (Drawing Number JTS.1991.132 received 05 August 2021)

- Drawing Pack (Drawing 112253 M & B Browns Manchester - Planning received 05 August 2021)

- Proposed Lantern (Drawing 2115-833 received 09 December 2021)

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

That advertisement consent be granted subject to the following planning conditions (131301/AO/2021):

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

No advertisement shall be sited or displayed so as to:

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

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

- Location Plan (Drawing Number JTS.1991.132 received 05 August 2021)

- Drawing Pack (Drawing 112253 M & B Browns Manchester - Planning received 05 August 2021)

- Proposed Lantern (Drawing 2115-833 received 09 December 2021)

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.