

10th November 2021

James Hughes
Development Management City Centre
Planning Building Control and Licensing - Growth and Development
Manchester City Council

Dear Mr Hughes,

**RE: 131213/LO/2021 - Listed building consent for Internal and external alterations to facilitate the refurbishment of an existing restaurant.
Ground Floor Lloyds Bank Buildings 53 King Street Manchester M2 4LQ**

- 1 Many thanks for yours and Paul Mason's time on site and for the comments raised by Paul in relation to the proposed works at the above building. Please find below our response on behalf of our client to the matters raised which further justify the proposals, relevant images are in the appendices.

Internal Plans

- 2 Conservation Officer comments reads as follows:

"On site, it was highlighted that there appears to be errors, conflicting information and inaccuracies on submitted plans. The plans will require careful review and amended/accurate plans provided. The CGIs, whilst not formal plans, are inaccurate and are causing some degree of confusion."

Our reply is as follows:

- 3 We have reviewed the plans and request that the following CGI images are removed from the submission:
- Drawing No. A05
 - Drawing No. A06
 - Drawing No. A08
- 4 The Materials and Finishes Schedule REV 0 has now been updated to confirm the preferred wall cladding details. Please find the revised schedule attached.

Amended Plans

- 5 The following plans have been amended and are attached:

- A09 Proposed General Arrangements Plan.
- A15 Bar Plan, Elevation
- A16 Bar Plan Elevation and Section B-B
- A17 Bar Detail
- A22 Proposed Wall Installation Detail
- Internal Window Sign Facing Cheapside
- A26 Signage Drawing.
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Queens House | Queen Street | Manchester | M2 5HT

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Kitchen Extension

6 Conservation Officer comments reads as follows:

"The kitchen extension intrudes further into the space under the glazed vaulted roof. A kitchen in this highly significant space was only reluctantly accepted in the past in order to secure a new use for the building. It was only agreed based on its minimal footprint and minimised physical and visual intrusion in the space. The further encroachment under the current application is significant and harmful to the heritage asset. This element of the proposal requires further review to minimise the intervention."

Our reply is as follows:

- 7 We recognise that the kitchen area proposed is larger than that built out previously in 2014 for the Zizzi restaurant chain, but it is also noted that the approved plan (860.01-133 REV A GA Plan) as listed on the Decision Notice (ref: 07451/LO/2014/C1) shows a kitchen arrangement similar to that now being proposed (Plate 1). There appears to be some discrepancy between the approved plans listed in the Decision Notice and thereby it might be considered that a similar layout to that currently being proposed has been consented previously. However, we acknowledge that the layout built out by the previous tenant was not the layout shown on 860.01-133 REV A GA Plan. It is also noteworthy that the earlier applicants considered the kitchen layout should have been laid out as now proposed from an operational perspective.
- 8 The conversion of the internal space from bank to restaurant in a building that lacked any ancillary / back of house area would undoubtedly have an impact on the internal layout and understanding of the space. This was clearly a consideration in the determination of the 2014 Listed Building Consent application where it is notable that the proposed location of the kitchen was originally in the area currently proposed, which at the time the applicant considered to be the better location when taking into account potential impacts on internal arrangement of the building. The layout and kitchen location were subsequently amended following advice from the Historic Buildings and Conservation Areas Panel at the Council.
- 9 Whilst the amended layout and kitchen area might have met the operational needs of the previous tenant, Zizzi, it does not necessarily follow that the need of one restaurant operator can be followed for others without some change or alteration. Indeed, the '*Addendum to the Feasibility Heritage Assessment and Critical Analysis of Proposals*' that supported the 2014 scheme stated the following very clearly in its conclusions:

"Whilst the applicant and architect have been pressed to reduce the impact of the more utilitarian areas of their proposal, care must be taken to ensure that this process does not go too far and that they are presented with the flexibility and freedom to operate the use to its maximum, this providing the building with the best opportunity for commercial success which will have the cumulative benefit of a long term viable and sustainable use which limits the danger of failure resulting in either an unoccupied heritage asset, or further more invasive proposals in the future".

- 10 This statement suggests that the final approved layout was a compromise from an operational perspective, and this has now been highlighted once again by the current proposals where the need for kitchen space in the area between the pizza oven and wall is needed.
- 11 The former banking hall has impressive proportions, and its columns and barrel vault roof are defining features of its internal significance. However, Edwardian banking halls were frequently subdivided with screens, partitions and ceilinged offices when in use as banks, and were not always open plan spaces (Plate 2). Whilst these partitions and screens were often of architectural interest and formed part of banking hall's fitting and fixtures, the proportion and understanding of the internal space was still maintained as nothing would extend highly into the space to detract from a view of the ceiling. This is a point that is reflected in Historic England guidance – *Making Changes to Heritage Assets* which states.

"The sub-division of buildings, such as threshing barns and churches, that are significant for their open interiors, impressive proportions and long sight lines, may have a considerable impact on significance. In these circumstances the use of pods or other design devices that allow the entirety of the space to be read may be appropriate."
- 12 The proposed kitchen extension is effectively one additional wall and a ceiling and continues at the height of the existing consented modern partition walls within the space (Plate 3). Neither the new wall or ceiling affixes to the marble lined walls or the barrel-vaulted ceiling, and the design ensures that the marble column and capital remain exposed. Neither the proposed wall or ceiling impinge on the ability to view and appreciate the barrel-vaulted ceiling with the only notable change from the previous layout being the inability to access part of the floor (approx. 15m²) directly from the public areas and view a small area of the marble wall or to look directly up at the vaulted ceiling from within this space.
- 13 When the proposal is considered alongside the previously consented layout which allowed for an open kitchen that severed more significant longer sight line across the internal space to the marble walls due to its height, the proposals here cannot be considered as being any more harmful (Plate 4). It is considered that the existing view of the wall and vaulted ceiling from within this 15m² area does not contribute significantly to the understanding of the special architectural or historic interest of the building as a whole.
- 14 When consideration is given to how the building was used originally as a banking hall, especially around the date of Listing, these longer sightlines across the space and in views from the entrance doors were severed by banking counters and screens at a greater height than the partition walls consented and proposed here (Plate 5). It is well understood and expressed in Historic England's *Commerce and Exchange Buildings Listing Selection Guide* that greatest architectural effort was given to the entrance, front elevations, public areas and the banking hall for large banks. The area affected by the proposed kitchen enlargement was not a public area as it was originally the clerks area (Plate 6) and thereby not designed to be viewed by the public at close range, although the barrel vaulted ceiling would evidently have been visible to all visitors to the bank in longer sight lines. The original layout plan (Plate 6) also demonstrates how the ground floor has been altered with the removal of the staircases, fireplaces, and offices and had been adapted throughout its banking period.

- 15 It is thereby important that a false sense of how banking halls were used when in their original use is not generated when determining applications for their alterations as part of new uses today.
- 16 In considering the application and impact on the overall heritage significance of the Listed Building, the proposals, in our view, must be considered alongside what has previously been consented and whether the proposals, i.e., 1 no. additional wall and low ceiling, result in any additional harm to the special interest of the interior.
- 17 Should the Local Planning Authority consider that harm would arise this can only be considered to be classified as less than substantial harm, at the lowermost end of the scale, for which both the justification for the proposals and the public benefits would need to be taken into account as per the requirements of the NPPF. Within this context, the following should be considered:
- The proposed alteration is a minimal alteration to the existing layout and has been kept as low and small as practicable to lessen its impact on the internal space.
 - The alteration is consistent with those designed originally in 2014 which further suggests that this area has been considered operationally necessary as part of the kitchen by others also.
 - The proposed alteration to the kitchen layout is at the furthest point from the principal entrance and does not detrimentally impact on long sight lines towards the barrel-vaulted roof any more than the consented open kitchen did/does or banking counter screens historically.
 - The proposals do not prejudice alternative solutions in the future. The additional wall and ceiling have no damaging impact on the fabric of the building and is fully reversible.
 - An element of the visual clutter from the previously consented open kitchen will be removed with this proposal by the loss of the high-level framework above the counter and lights. This will result in a decluttering of the space to the benefit of the interior.
 - The new restaurant is a different operation to the previous tenant, Zizzi, and has a much larger menu and uses many more fresh ingredients. A larger menu and more ingredients require larger food stores, more fridges and more preparation areas, all of which could not be accommodated in the previous kitchen area. This is likely to be the situation for any operator that does not operate in exactly the same manner that Zizzi did.
 - Whilst open kitchens are suitable for the some of the 'theatrics' of a commercial kitchen, such as the pizza oven, the majority of the preparation area and food storage does need to be behind the scenes. From a heritage significance perspective an open kitchen with its noise and smells is drastically at odds with the special interest and significance of a former banking hall, and expanding the open

kitchen to accommodate the operational needs would be more harmful than the proposals here to enclose a small area of the interior.

- A further and important point is the matter of cross contamination and flour. As an Italian restaurant, flour is used extensively in its menu. Flour is a raw ingredient from which other foods can be cross-contaminated. An operator may choose how they wish to manage food safety risks and the preference of this operator is to separate flour from other foodstuffs and raw ingredients that would be used in the open kitchen. This is best achieved by retaining raw flour storage and mixing in a back of house area. Overall, the operation needs between restaurants are not like-for-like and allowance should be made for this.

Timber Screens

18 Conservation Officer comments reads as follows:

"The screens appear to replicate the line of an existing screen. Please can further justification/information be provided as to how the design and materials have been considered in the context of the highly decorative interior? Explanation/justification will be required as to how they sit alongside it in terms of impact, quality of finish within the space. When viewed on site, the timber screens appeared to lack the quality of the existing materials, which are high quality marble, decorative plaster, natural stained timber etc. Whilst this element may be seen as a modern intervention, it needs to be of the highest quality in the context of the highly significant interior."

Our reply is as follows:

- 19 The timber screens are not new additions but simply a decorative finish to the existing modern internal walls that were consented as part of the 2014 conversion to a restaurant. Due to the significance of the existing original marble lined walls and columns, which are desirable to retain, it is only the modern stud walls and general furnishings that enable the commercial operator to present its identity through décor. This was evident with the previous operator Zizzi where the walls were painted with modern scenes of Manchester and floral motifs, with free standing leafless trees positioned within the floor space (Plate 8). Modern painted scenes and fake trees bear no relation to the original use of the building as a bank, or reflected the context of the original interior, but did ensure the restaurant had a commercial identity and with no lasting harm to the special interest of the building.
- 20 The treatment of the modern internal walls, along with the décor of tables, chairs and bench seats is simply décor that reflect the use of the space and will change with each internal decoration fashion and trend. It is also noted that the use of dark painted slatted wood reflects the contrast that was often seen in banking halls traditionally (Plate 2) where the banking furniture and screens were constructed from contrasting materials and in contrasting colours from the walls. The vertical strips maintain the verticality of the space provided by the marble columns and the use of dark paint ensures that the walls remain a recessive feature of the décor whilst at the same time being evidently modern additions The walls and timber works do not confuse the ability to read and understand the original proportions of the banking hall.
- 21 The Planning (Listed Building and Conservation Areas) Act 1990 is clear that Listed Building Consent is required for works that affect the special architectural or historic interest of the

buildings. In our view the modern partition walls do not form part of the special interest of the building and it is arguable whether Listed Building Consent is required for their new treatment in the manner that painting internal walls of no significance in a Listed Building would not normally require Consent. These works are fully reversible and overall do not harm the special interest of the Listed Building.

Bar

22 Conservation Officer comments reads as follows:

"The CGIs show a new back to the bar which is open to allow views to the panelling behind, which is acceptable. However, the plans and drawings show a finish to the back which would hide the original material. Please can the plans be clarified to show that the panelling behind will remain in view."

Our reply is as follows:

23 The marble behind the bar area is not entirely original marble with part of the wall being covered with fake marble from where the former connecting doorway has been infilled, see Plate 6 and Plate 7 in appendix. It does not contribute to the special interest of the interior, and it is not desirable to see this fake marble in any view behind the bar.

24 Further, the proposed back bar is a modern introduction to the building, it is not an existing fitting that is Listed. The introduction of the back bar is nothing more than furniture, and whilst it could stand under its own weight and is not affixed to the wall, it is affixed to the floor only for safety purposes. The floor is considered to not be of special interest and is covered with a modern floor covering. The method and degree of fixing in itself would not be considered to be works that warrant Listed Building Consent in their own right under Section 16 (2) of the Act and are thereby considered de minimis. The back bar is shown on the plans for completeness of the drawings only. In our view the back bar is a piece of furniture and is not subject to additional control under the Act, in a similar fashion as most furniture is not subject to Listed Building Consent e.g., replacement of floor fixed kitchen units or floor fixed bookcases in an office or house.

25 In consideration of these points the opaque pink acrylic to the back of the shelving should be considered acceptable.

Black Marble Flooring

26 Conservation Officer comments reads as follows:

"The black marble flooring material is considered acceptable."

Our reply is as follows:

27 This is noted and appreciated.

Internal Window Sign/s

28 Conservation Officer comments reads as follows:

"There are no details provided as to how internal window sign/s will be fitted. Please can details be provided."

Our reply is as follows:

29 The signs will be free standing and attached to the modern floor. This will ensure that the marble window cills or window frames remain unaffected. See attached drawings.

Doorway Painting

30 Conservation Officer comments reads as follows:

"There is reference on drawings to the painting of doorways, but it is not specified which doors. There are many original finishes, including natural timber within the space and around entrances, which shall be retained and not overpainted. Please can clarification/amendments be provided."

Our reply is as follows:

31 The painting of doorways is shown on drawing Proposed General Arrangement Plan A09 – the existing entrance doorways or their surrounds are not proposed to be painted.

Storage of Materials

32 Conservation Officer comments reads as follows:

"It was observed that building materials were being stored against existing original/historic surfaces. This is not acceptable and the material/items should not be stored in this way, with any damage made good. All team members on site should be trained/made aware that materials should not be stored in this way."

Our reply is as follows:

33 This is noted and has been relayed to our client and contractors.

External Alterations

34 Conservation Officer comments reads as follows:

The drawings appear to have inaccuracies and will require review/amendments.

Our reply is as follows:

35 This relates to signage and has been amended.

Proposed Signage

36 Conservation Officer comments reads as follows:

The proposed signage to the main entrance needs to have balance and symmetry. The proposed menu cases should be of the same size, with the smaller dimensions being the more appropriate of the two.

Our reply is as follows:

37 The signage sizes have been amended to be of matching dimensions of the smaller size and are now symmetrical. The menu boards to either side of the door will affix to stone that has previously has signage as evidenced by numerous drill holes and will appear as neighbouring signage at the building, see Plate 9 and Plate 10 in appendix. The menu boards are at a height where there are capable of being read and are an improvement over the previous and presumably Consented signage under Zizzi, see Plate 11 in Appendix.

Signage Materials

38 Conservation Officer comments reads as follows:

"External materials for signage and menu casings should be of a high quality material, with finishes to be agreed."

Our reply is as follows:

39 The materials will be of high-quality finishes – this is to be brass as confirmed by email from Hannah Race (Pegasus) to James Hughes dated 2nd November 2021.

Summary

40 A restaurant use has been accepted and consented in the building since 2014 and whilst previous Consents might have been amended to comply with the requirements of the Local Planning Authority at that time, different restaurant operators do have different needs and the internal space should be allowed to be altered and be flexible enough to enable the continuation of a viable use. This was a point that was clearly expressed in the heritage assessment as part of the 2014 application and these proposals now demonstrate that need for flexibility highlighted previously.

41 The Historic England Listing Selection Guide for Commerce and Exchange Buildings recognises that commercial premises are intrinsically prone to change and alteration and cannot be expected to survive in their original configuration and that careful assessment is needed as to whether enough survives of the special interest for designation to be warranted.

42 The proposals here do not remove any of the original interior they are simply an alteration that serves the use and maintains the viability of the building and are entirely reversible. Importantly, they will not undermine the special interest or the reason for its Listing.

43 It is accepted that the interior of the building should be preserved, it is our opinion that the proposals presented do just that. The proposals have been designed to enable the ceiling to

still be seen and enjoyed, especially in the long sight lines across the interior, in the same manner and with very minimal visual impact or change from that consented previously. The covering over of a small area of the marble wall is a minor alteration with minimal impact to the overall special interest of the Listed Building and its interior.

- 44 The proposals adhere to the conservation principles of minimal intervention to the historic fabric to achieve the objective (physically there is no impact), are easily reversible and do not result in loss of heritage significance or understanding of the Listed Building, i.e., the building will still be readily recognisable as a former bank and the majority of its original architectural interior and materials will remain visible.
- 45 A restaurant use is not that which the building was originally designed but to maintain the building in a use that both benefits the building in the long term, the city centre economically, and still allows the public to access and enjoy the space, a degree of alteration is required and should be accepted.
- 46 It has been held by the Courts that compliance with the NPPF demonstrates compliance with the Planning (Listed Buildings and Conservation Areas) Act 1990. Thereby any harm identified does necessarily equate to a Listed Building Consent being refused and can be justified and outweighed by benefits. In NPPF terms any harm could only be considered to be less than substantial and at the lowermost end of the scale, in this case when weighed against the benefits, the justification provided, and that the work is entirely reversible with no lasting detrimental impact, then in weighing the balance the weight is clearly in favour of the proposals. We thereby respectfully request that the proposal be granted.

Yours sincerely



Simon Britt
Principal Built Heritage Consultant MRTPI IHBC
simon.britt@pegasusgroup.co.uk
dd. 0161 393 4532
m. 07825 861 440

Appendix : Images

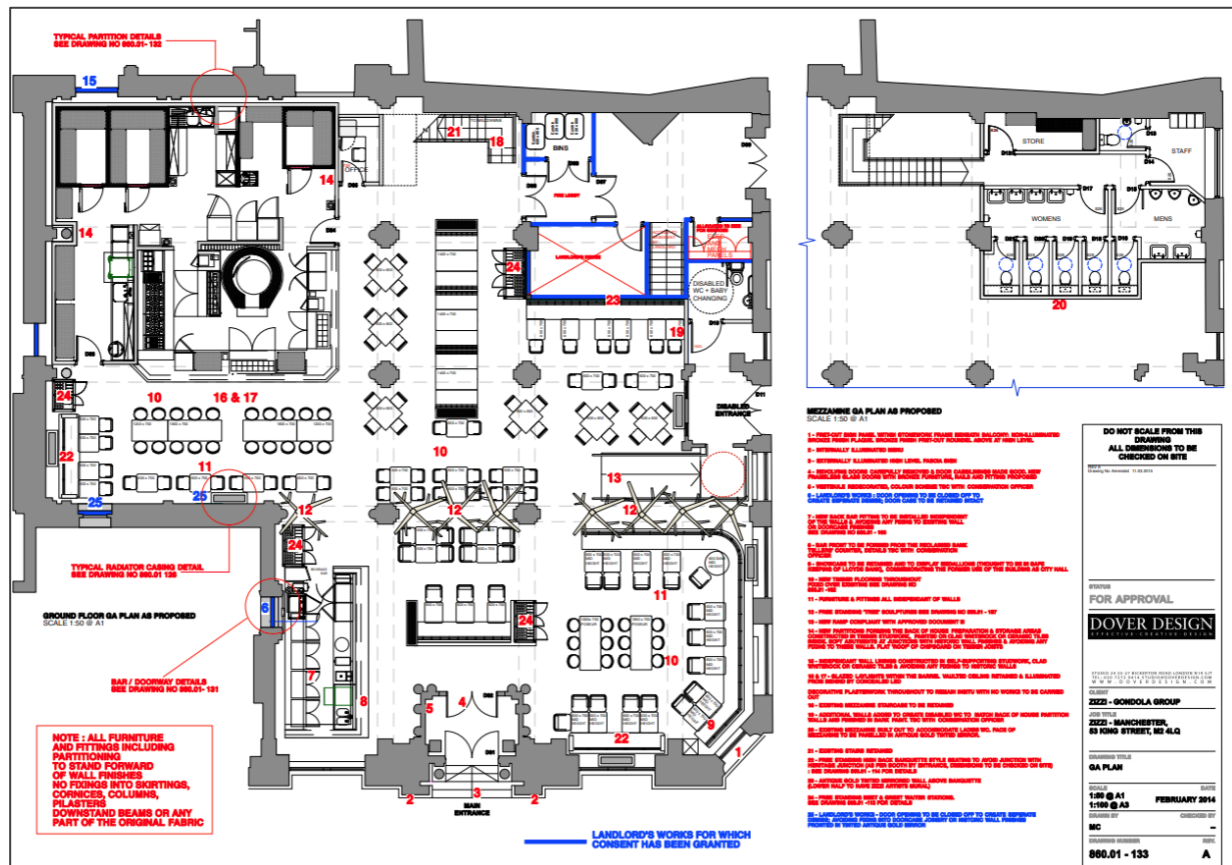


Plate 1: Approved Plan as per conditions imposed on Listed Building Consent 07451/LO/2014/C1



Plate 2: Examples of banking halls in the early 20th-century showing how the space was subdivided with screens and office 'pods'.



Plate 3: The proposed wall and ceiling.



Plate 4: The layout when Zizzis –the proposed impact on these longer views across of the space is minimal- area affected is circled.



Figure 1. View through to the Clerks Hall from the south-east corner of the building (on plan) demonstrates the impact the former relocated counter and security screen had on



Figure 2. The modern glass screening dominated the view of the vaulted ceiling and the space in general. The proposals are considered to be an improvement in this regard.

Plate 5: Photos of the banking screens submitted as part of the 2014 application – which were more detrimental to longer views than the proposals.

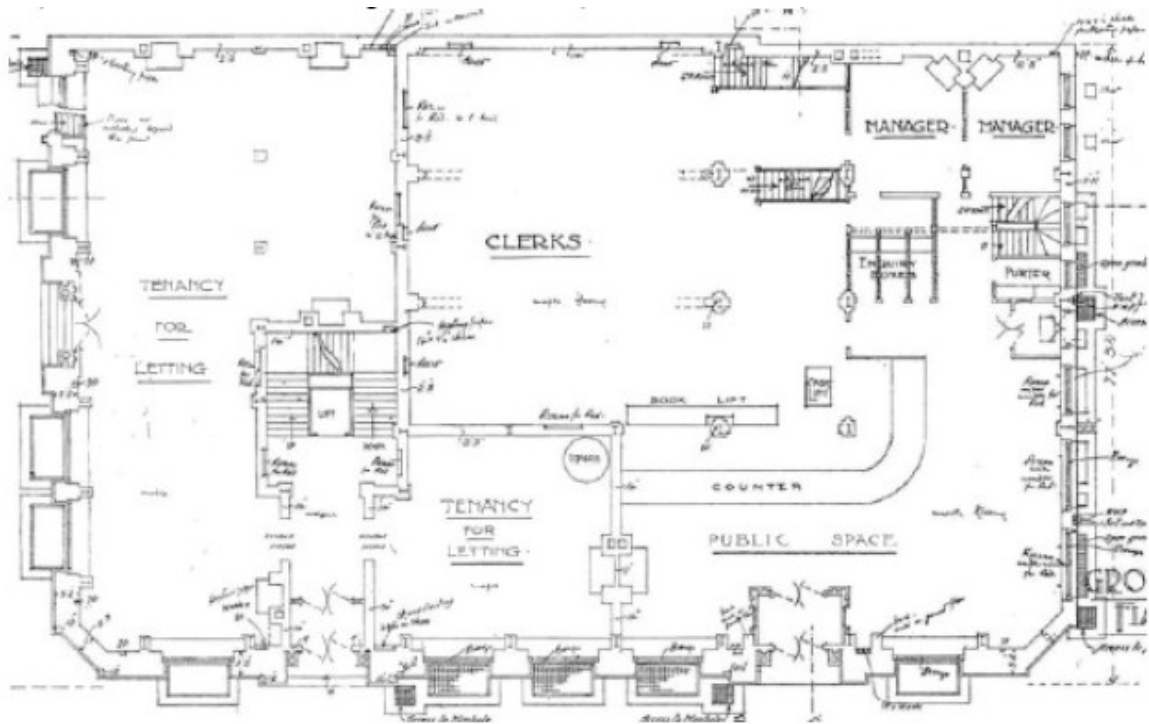


Plate 6: Ground floor plan as originally built showing public and staff areas and how the space has changed.



Plate 7: The fake marble panel covering area of former doorway.



Plate 8:: The modern décor when in operation as Zizzi.



Plate 9: The numerous drill holes where the signage will affix.



Plate 10: Signage at neighbouring premise (same building).



Plate 11: The unsymmetrical signage previously under Zizzi.