

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130979/LO/2021

Date registered valid: 16 August 2021

Proposal: Refurbishment of the office courtyard at the centre of the Tootal Buildings complex

Address: Broadhurst House , 56 Oxford Street, Manchester, M1 6EU

Ward(s): Deansgate Ward

Applicant: Mr Stephen Wormald PREC ManOff Propco 1 C/o XLB Property, Silver House, 31-35 Beak Street, London, W1F 9DP

Agent (if any): Miss Caroline Lord Planit-ie 2 Back Grafton Street, Altrincham, WA14 1DY

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 16 November 2021

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 23 August 2021

Standard consultations:

Printed: 18 August 2021 Expired: 8 September 2021

Neighbour notifications

Printed: 18 August 2021 Expired: 8 September 2021

Site notice

Posted: Expired:

Press advert

Published: 24 August 2021 Expired: 14 September 2021

Departure from Development Plan: No

Environmental Statement: Not required

Listed building: Grade II Star

Conservation area:

Tree Preservation Order:

Description of Site/Area

This application relates to a Grade II* listed building located at 56 Oxford Street in the City Centre. The building isn't located within a Conservation Area.

The building is a former textile warehouse that dates from 1896-1968 and was built by and originally occupied by Tootal, Broadhurst and Lee Co. Ltd. In the early 1990's the building was stripped out to create offices to rent. It is a large red brick building with orange terracotta stripes that was built in the Edwardian Baroque style. It has been amended over the years, but retains a number of original features and is in good condition. The building has its main frontage on Oxford Street, but also has frontages onto Great Bridgewater Street and the Rochdale Canal.

The Grade II Listed St James Buildings are located opposite the building and the Grade II listed Portland Buildings, Palace Theatre, Ritz Dancehall, Oxford Road Station and Canada House and the Grade II* Listed Palace Hotel are nearby. The building shares a courtyard with the adjacent Grade II listed Lee House, which was constructed in 1931.

Surrounding uses include a theatre, hotels, offices, shops, restaurants, cafes, bars and residential properties.

Description of Development

The application seeks Listed Building Consent for the refurbishment of the office courtyard at the centre of the Tootal Buildings complex.

Consultations & Notification Responses

Local residents and businesses were consulted and a site notice was posted for 21 days, however no responses were received.

Issues

Policy

The main issue for consideration relates to the impact of the proposals on the identified heritage assets in regard to preserving and, where possible, enhancing identified assets. The main policies that relate to the proposal are Section 16 (Conserving and enhancing the Historic Environment) of the revised National Planning Policy Framework (NPPF) (2019), and Policies DM1 (Development Management), EN3 (Heritage), EN1 (Design Principles and Strategic Character Areas), CC9 (Design and Heritage) and SP1 (Spatial Principles) of the Adopted Core Strategy for the City of Manchester (2012), and saved policies DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for Manchester (1995).

The revised NPPF (2019) Section 16 (Conserving and enhancing the Historic Environment) paragraph 193 highlights that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 196 of the revised NPPF (2019) highlights that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Core Strategy policy CC9 (Design and Heritage) states that development in Manchester City Centre should preserve or enhance the heritage assets that have been identified. Developers must recognise the specific design challenges that must be overcome to ensure complementary of function and form.

Core Strategy policy EN 3 (Heritage) states that the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods. 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.

Core Strategy policy SP1 (Spatial Principles) states that development in all parts of the city should protect and enhance the built and natural environment.

Core Strategy policy DM 1 (Development Management) states that development should have regard to appropriate siting, layout, scale, form, massing, materials and detail; impact on surrounding areas in terms of the design, scale and appearance of the proposed development; development should have regard to the character of the surrounding area; and effects on amenity.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development) Policy EN4 states that the Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO2 emissions, and rising fossil fuel prices through a number of actions.

Saved UDP policy DC18.1 (Conservation Areas) states that the Council will give particularly careful consideration to development proposals within Conservation Area. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully

considering; the relationship of new structures to neighbouring buildings and spaces; and the effect of major changes to the appearance of existing buildings.

Saved UDP policy 19.1 (Listed Buildings) states that 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 settings by; not permitting any external or internal alterations or addition to a listed building where, in its opinion, there would be an adverse effect on its architectural or historic character; and seek to preserve and enhance the setting 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.

Legislation

Section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Listed Building Act") provides that "in considering whether to grant listed building consent for any works to a listed building, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"

Section 66 Listed Building Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and considerable importance and weight should be given to the desirability of preserving the setting. Members should consider whether there is justification for overriding the presumption in favour of preservation.

Section 72 of the Listed Building Act provides that in the exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Issues

The main issue to consider is impact on the character of listed building:

The proposed works consist of the following:

- o New lighting to be installed within loading bay area to Great Bridgwater Street;
- o Proposed new natural stone paving in stretcher bond to central courtyard (existing stone paving to loading bay to be retained);
- o Proposed 'Tootal Ties' signature print (referenced as the 'courtyard diamond' on relevant plans); to be incorporated as a stone centrepiece to the courtyard space;
- o Proposed new raised deck / garden area with seating;
- o Introduction of low level step lighting and mounted festoon fittings throughout;
- o Introduction of new trees and ornamental planting;
- o Proposed painting of existing canopy, 1950s elevation (ground floor only);
- o Proposed like-for-like painting of soffit to loading bay (subject to paint sample sign off).

Whilst the reinstatement of the original surface and character of the space would be the ideal scenario, it is accepted that the complex of buildings is an office use, which has assisted to secure a sustainable future for the building into the future. It is also accepted that the courtyard provides an opportunity to contribute to the existing office use by providing a space that can be used positively - and enjoyed - by workers and visitors. The introduction planting and other features into this space would not be an obvious approach in terms of heritage significance but this, it is felt, could be feasible provided the sense of the original character remains dominant. The courtyard was comprehensively altered and modernised in the 1990s, around the same time that the Tootal Buildings were substantially altered for office use and investigations have been carried out to assess the podium slab (over the basement car park below) and existing

paving build ups. These have revealed no original historic setts or other such materials and a relatively shallow surface build-up of 195-295mm.

The existing, original gates to the loading bay (Great Bridgewater Street) and the cobbles present in the loading bay are to be retained and cleaned.

The central raised garden area will be lightweight, removable and will not physically impact upon any significant historic fabric; set away from the elevations of the listed buildings. The planters adjacent to the façade have been removed from the plans.

The proposal also includes the introduction of low-level step lighting and mounted festoon fittings throughout. There are 6 proposed lighting columns which are 140mm in section and sit adjacent to the existing canopy columns and have been reduced in number. The proposed columns are not fixed to any historic fabric and the lighting strings are entirely removable.

Proposed architectural lighting has been proposed to the loading bay however the submitted information suggested an extensive installation of visible cabling to serve a number of light fittings some of which would be in highly visible locations on key features. While the use of some clamp fittings would be a means of reducing the extent of physical intervention of existing built fabric this reduction would be minimal in an installation that would require a considerable number of fixings including into elevation material which would be difficult to repair in the future when the installation is removed. The applicant has therefore agreed to revisit the wiring and cabling proposals to the loading bay and this information will be required by condition.

The original submission also included new artwork to existing hoardings covering elevation openings within the loading bay area. This past over-boarding of the elevation openings is considered unsympathetic and the ideal solution would be to bring these elevation openings back to their original condition and appearance. It is recognised however that due to these past works there are issues as many of the openings have been blocked and intrusive investigation is required to understand how these could be treated whilst maintaining the security of the building. The applicant has therefore agreed to a condition for intrusive investigations to take place and final designs to be developed.

It is recognised that there would be some harm caused by the proposals to the character of the listed building. However, it is considered that this harm would amount to less than substantial harm and would be outweighed by the public benefits which include would ensure the sustainable use of the building as modern office spaces by upgrading the courtyard area to provide an improved space for office worker. Overall, the proposals largely impact on non-original fabric as the courtyard was comprehensively altered and modernised in the 1990s, and therefore the overall design is considered to be an improvement of the existing.

Given the above, the proposal is considered to be acceptable and consistent with policies NPPF Section 16 (Conserving and enhancing the historic environment), DM1 (Development Management) SP1 (Spatial Planning), CC9 (Design and Heritage) and EN3 (Heritage) of the Core Strategy and saved policy DC19 (Listed Buildings).

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including

Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

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:

Received on 07 July 2021:

Drawings referenced:

- Location Plan ref. 2688-PLA-XX-XX-DR-L-0003
- Existing Site Plan ref. 2688-PLA-XX-XX-DR-L-8000 REV P01
- Proposed Softworks GA ref. 2688-PLA-XX-XX-DR-L-2000 REV P01
- Proposed Furniture GA ref. 2688-PLA-XX-XX-DR-L-4000 REV P01
- Proposed Lighting Intent GA ref. 2688-PLA-XX-XX-DR-L-4001 REV P01
- Proposed Works / Demolition Plan ref. 2688-PLA-XX-XX-DR-L-8001 REV P01
- Proposed Hardworks & Levels GA ref. 2688-PLA-XX-XX-DR-L-1000 REV P02

Received on 13 October 2021:

Drawings referenced:

- Proposed Landscape GA ref. 2688-PLA-XX-XX-DR-L-0001 REV P02
- Proposed Detail Landscape GA ref. 2688-PLA-XX-XX-DR-L-0002 REV P02

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.

3) Notwithstanding the approved plans and documents as specified in condition 2, full and final details of the treatment of the loading bay openings, including removal of any redundant

wiring/cabling shall be submitted to and approved in writing prior to commencement of those works.

The works shall then be carried out in full in accordance with the approved full and final details.

Reason - In the interests of visual amenity, and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

4) Notwithstanding the details shown in the approved documents and detailed in condition 2 of this decision, full and final details of the following shall be submitted and approved in writing prior to any works to those elements commencing on site:

- a) Proposed paint finish samples for the loading bay soffit and gates
- b) Full and final details (including options analysis, justification, and specification as relevant) of the lighting installations and cabling to the loading bay
- c) Method statement for the cleaning of the existing original gates, original stone floor surface of the loading bay and original metalwork kerbs within the loading bay area

Reason - In the interests of visual amenity, and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Urban Design & Conservation

Flat 506, 51 Whitworth Street West, Manchester, M1 5EB
810 , 51 Whitworth Street West, Manchester, M1 5ED
Flat 510, 51 Whitworth Street West, Manchester, M1 5EB
Flat 513, 51 Whitworth Street West, Manchester, M1 5EB
Flat 605, 51 Whitworth Street West, Manchester, M1 5ED
Flat 822, 51 Whitworth Street West, Manchester, M1 5ED
Flat 323, 51 Whitworth Street West, Manchester, M1 5EB
Flat 413, 51 Whitworth Street West, Manchester, M1 5EB
Flat 424, 51 Whitworth Street West, Manchester, M1 5EB
Flat 502, 51 Whitworth Street West, Manchester, M1 5EB
Flat 509, 51 Whitworth Street West, Manchester, M1 5EB
Flat 609, 51 Whitworth Street West, Manchester, M1 5ED
Flat 624, 51 Whitworth Street West, Manchester, M1 5ED
Flat 704, 51 Whitworth Street West, Manchester, M1 5ED
Flat 708, 51 Whitworth Street West, Manchester, M1 5ED
Flat 724, 51 Whitworth Street West, Manchester, M1 5ED
Flat 805, 51 Whitworth Street West, Manchester, M1 5ED
Flat 823, 51 Whitworth Street West, Manchester, M1 5ED
Flat 208, 51 Whitworth Street West, Manchester, M1 5EA
Flat 218, 51 Whitworth Street West, Manchester, M1 5EA
Flat 303, 51 Whitworth Street West, Manchester, M1 5EB
Flat 308, 51 Whitworth Street West, Manchester, M1 5EB
Flat 228, 51 Whitworth Street West, Manchester, M1 5EA
Flat 231, 51 Whitworth Street West, Manchester, M1 5EA
Flat 302, 51 Whitworth Street West, Manchester, M1 5EB
Flat 117, 51 Whitworth Street West, Manchester, M1 5EA
Flat 201, 51 Whitworth Street West, Manchester, M1 5EA
Flat 115, 51 Whitworth Street West, Manchester, M1 5EA
Flat 107, 51 Whitworth Street West, Manchester, M1 5EA
Flat 105, 51 Whitworth Street West, Manchester, M1 5EA
Flat 416, 51 Whitworth Street West, Manchester, M1 5EB
Flat 125, 51 Whitworth Street West, Manchester, M1 5EA
Flat 425, 51 Whitworth Street West, Manchester, M1 5EB
Flat 316, 51 Whitworth Street West, Manchester, M1 5EB
Flat 407, 51 Whitworth Street West, Manchester, M1 5EB
Flat 422, 51 Whitworth Street West, Manchester, M1 5EB
Flat 607, 51 Whitworth Street West, Manchester, M1 5ED
Flat 621, 51 Whitworth Street West, Manchester, M1 5ED
Flat 816, 51 Whitworth Street West, Manchester, M1 5ED
Flat 309, 51 Whitworth Street West, Manchester, M1 5EB
Flat 111, 51 Whitworth Street West, Manchester, M1 5EA
Flat 114, 51 Whitworth Street West, Manchester, M1 5EA
Flat 426, 51 Whitworth Street West, Manchester, M1 5EB
Flat 404, 51 Whitworth Street West, Manchester, M1 5EB
Flat 503, 51 Whitworth Street West, Manchester, M1 5EB
Flat 703, 51 Whitworth Street West, Manchester, M1 5ED
Flat 711, 51 Whitworth Street West, Manchester, M1 5ED
Flat 803, 51 Whitworth Street West, Manchester, M1 5ED
Flat 811, 51 Whitworth Street West, Manchester, M1 5ED
Flat 832, 51 Whitworth Street West, Manchester, M1 5ED

[illegible]

[illegible]

[illegible]

Flat 821, 51 Whitworth Street West, Manchester, M1 5ED
Flat 826, 51 Whitworth Street West, Manchester, M1 5ED
Flat 321, 51 Whitworth Street West, Manchester, M1 5EB
Flat 325, 51 Whitworth Street West, Manchester, M1 5EB
Flat 224, 51 Whitworth Street West, Manchester, M1 5EA
Flat 225, 51 Whitworth Street West, Manchester, M1 5EA
Flat 207, 51 Whitworth Street West, Manchester, M1 5EA
Flat 108, 51 Whitworth Street West, Manchester, M1 5EA
Flat 112, 51 Whitworth Street West, Manchester, M1 5EA
Flat 131, 51 Whitworth Street West, Manchester, M1 5EA
Flat 317, 51 Whitworth Street West, Manchester, M1 5EB
Flat 419, 51 Whitworth Street West, Manchester, M1 5EB
J Sainsbury Plc, 51 Whitworth Street West, Manchester, M1 5EA
60 Oxford Street, Manchester, M1 5EE
Ground Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW
First Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW
Third Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5RR
Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW
Sixth Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW
Basement, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Upper Ground Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Fourth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Third Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Ground Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Window Display 3, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
First Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Sixth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Window Display 4, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Window Display 2, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Window Display 1, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Window Display 5, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Second Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Fifth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Temple Of Convenience, Great Bridgewater Street, Manchester, M1 5JW
50 Oxford Street, Manchester, M1 5EJ
48 Oxford Street, Manchester, M1 5EJ
44 Oxford Street, Manchester, M1 5EJ
Cafe Ground Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
Second Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
First Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
Ground Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
46 Oxford Street, Manchester, M1 5EJ
Third Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
BANNATYNES HEALTH CLUB, Basement Health Club G.3, Canada House, 3 Chepstow Street, Manchester, M1 5FW
Ground Floor And First Floor, 1 Chepstow Street, Manchester, M1 5FW
Canada House, 3 Chepstow Street, Manchester, M1 5FW
Puma United Kingdom Ltd, Sixth Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
Henry Kaye Family Settlement, Fourth Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
Fifth Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Area Team Boundary - Name: CITY1