

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129647/FO/2021

Date registered valid: 12 May 2021

Proposal: Proposed elevational alterations to the South King Street shop frontage of the ground floor commercial unit of 58 King Street.

Address: 58 King Street, Manchester, M2 4LY

Ward(s): Deansgate Ward

Applicant: P Randhawa PRMN Holdings Ltd 58, King Street, Manchester, M2 4LY

Agent (if any): Mr Lowe LIND Studio LIND Studio, Manchester

Case officer: Emily Booth
Tel: 0161 234 4193
Email: emily.booth@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 16 June 2021

Application details

Type of application: Full Application Consent

Development type: Minor Retail

Date of site visit: 19 May 2021

Standard consultations:

Printed: 17 May 2021 Expired: 7 June 2021

Neighbour notifications

Printed: 17 May 2021 Expired: 7 June 2021

Site notice

Posted: 19 May 2021 Expired: 9 June 2021

Press advert

Published: 25 May 2021 Expired: 15 June 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: St Anns Square Conservation Area 1970

Tree Preservation Order: Not applicable

Description of area

This application relates to an historic building located at 58 King Street. The building is not listed but is located in the St Anns Square conservation area and retains much of its original form and detailing at the upper levels and is considered to be a non-designated heritage asset by virtue of its age and design. It also forms part of the settings of a number of other listed buildings and non-designated heritage assets and makes a positive contribution. It is adjoined to the Grade II Listed 62 King Street and a number of other Grade II Listed buildings are located on King Street.

These proposals relate to the South King Street elevation of the building.

The first, second, third and fourth floors of the building were last used as offices and the ground floor is a travel agency. The office accommodation can be accessed via a lift and stairs and all of the office suites are currently vacant.

Surrounding uses include bars, restaurants, hotels, residential accommodation, offices and law courts.

Two further applications have previously been approved that relate to this application:

- Application 127250/FO/2020 for Change of use from shop (Use Class A1) to Nail and Beauty Bar (Sui Generis).
- Application 129648/AO/2021 for signage.

Description of development

Planning permission is sought for:

- The replacement of the existing modern timber and glazing door with a frameless fully glazed door.
- The installation of timber panelled flower planters beneath shop front windows.

The shop front and associated cornice would also be painted light pink and existing lighting and other detritus would be removed.

Consultations & Notification Responses

Highway Services - Advised that the elevational alterations are acceptable from a highway perspective, but for the avoidance of doubt, all external entrance doors (with the exception of fire doors) should be inward opening in order to prevent obstruction on the adjacent footway.

Also advised that a tables and chairs licence will be required as tables and chairs are shown to be located on the adopted highway and any requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams.

Greater Manchester Police - No comments received.

Publicity - The application was advertised in the local press as affecting a listed building and affecting a Conservation Area; a site notice was displayed on site and letters were sent to surrounding residents. No responses were received.

Issues

The main issues for consideration relate to the impact of the proposals on visual amenity and public safety. The main policies that relate to the proposal are Section 12 (Requiring Good Design) and Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework, Policies SP1 (Spatial Principles), EN3 (Heritage), CC9 (Design and Heritage), CC10 (A Place for Everyone), EN1 (Design Principles and Strategic Character Areas) and DM1 (Development Management) of the Adopted Core Strategy for the City of Manchester and saved policies DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Visual Amenity

The alterations would constitute a slight improvement to the character of this historic building, which is located within a conservation area, adjacent a listed building and is considered to be a non-designated heritage asset. The removal of the existing detritus would be beneficial.

The planters would add interest to the shop front and could have some benefits for wildlife, however they would cause damage to the shop front due to fixings and could over the long term they cause damage due to damp conditions. Given this, a condition would require the removal of these planters should they no longer be required and the submission and making good of the fabric affected.

The proposed alterations would be respectful of the historical significance of the building are not considered to cause harm to the surrounding conservation area or the adjoining listed building.

It is considered that the above benefits of the proposal would outweigh the less substantial harm caused to the affected heritage asset by the addition of planters and are consistent with paragraphs 196 and 197 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement.

Subject to compliance with conditions, the proposals are considered to have a beneficial impact on the setting of the adjacent listed building and the surrounding conservation area; and are consistent with the above identified policies.

Given this, the proposals are considered to be acceptable in terms of visual amenity including the impact on the character and appearance of the conservation area and the setting of the nearby listed buildings, in accordance with Sections 7 (Requiring Good Design) and 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework, policies EN3 (Heritage) and CC9 (Design and Heritage), SP1 (Spatial Principles) and DM1 (Development Management) of the Core Strategy for the City of Manchester and saved policies DC14.1 (Shop Fronts and Related Signs), DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Security

A condition will require the glazed door to comply with current security standards to help protect the use from break ins.

Given this, the proposals are considered to be acceptable and are considered to be in accordance with SP1 (Spatial Principles) and DM1 (Development Management) of the Core Strategy for the City of Manchester.

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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance, this has included advice about the information required to support the application.

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 91 of the Town and Country Planning Act 1990.

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

The site location plan referenced al(05)0001 Rev P03 received by the City Council as local planning authority on 12 May 2021

The drawings referenced:

al(05)0003 Rev P02

al(05)0006 Rev P01

received by the City Council as local planning authority on 23 March 2021

The Design & Access Statement prepared by Lind Studio received by the City Council as local planning authority on 12 May 2021

The Heritage Statement prepared by Lind Studio received by the City Council as local planning authority on 23 March 2021

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN1, EN3, CC9, SP1 and DM1 of the Core Strategy and saved policies DC18.1, DC19.1 and DC26.

3) In the event that the planters hereby approved are no longer required/used they shall be removed from the building only in accordance with a making good statement submitted to and approved in writing by the City Council as local planning authority prior to the removal of the planters hereby approved. The removal shall be carried out only in accordance with the approved statement and shall be completed and the fabric affected made good within three months of the date that the planters hereby approved are last used.

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 and careful attention to building work is required to protect the character and appearance of this building in accordance with policies DM1, SP1, CC9 and EN3 of the Core Strategy for the City of Manchester and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

4) The glazed door hereby approved shall include at least one pane of laminated glass rated as P4A under EN 356.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

Informatives

- 1) Any tables and chairs located on the adopted highway will require a licence, which can be completed by contacting Contact Manchester on 0161 234 5004.
- 2) Any requirements for licensing, hoarding/scaffolding, building maintenance and any associated temporary traffic management arrangements are required to be discussed and agreed with the council's Highways Applications and Network Resilience teams via Email - highwaylicenses@manchester.gov.uk.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Urban Design & Conservation
Greater Manchester Police

Ground Floor And Basement, 39 - 43 King Street, Manchester, M2 7AT
Second Floor, Steam Packet House, 76 Cross Street, Manchester, M2 4JG
Rear Part Ground First Second And Third Floors, 33 King Street, Manchester, M2 6AA
66 - 68 Cross Street, Manchester, M2 4JQ
64 - 66 King Street, Manchester, M2 4ND
37 King Street, Manchester, M2 7AT
Second Floor, 64 Cross Street, Manchester, M2 4JQ
Third Floor, Steam Packet House, 76 Cross Street, Manchester, M2 4JG
GLAISYERS SOLICITORS LLP, First Floor, 1 St James's Square, Manchester, M2 6DN
Second Floor, 1 St James's Square, Manchester, M2 6DN
First Floor, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
51 King Street, Manchester, M2 7AZ
47 King Street, Manchester, M2 7AY
39 - 43 King Street, Manchester, M2 7AT
Ground Floor, 1 St James's Square, Manchester, M2 6DN
Fourth Floor, 1 St James's Square, Manchester, M2 6DN
52 King Street, Manchester, M2 4LY
Fifth Floor, 1 St James's Square, Manchester, M2 6DN
62 King Street, Manchester, M2 4ND
62 Cross Street, Manchester, M2 4JQ
49 King Street, Manchester, M2 7AY
33 King Street, Manchester, M2 6AA
39 South King Street, Manchester, M2 6DE
Third Floor, 64 Cross Street, Manchester, M2 4JQ
First Floor, 64 Cross Street, Manchester, M2 4JQ
76 Cross Street, Manchester, M2 4JG
Third Floor Suite 1and Fourth Floor Suite 4, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Third Floor Rear, 64 Cross Street, Manchester, M2 4JQ
REED PERSONNEL SERVICES, Basement, 37 King Street, Manchester, M2 7AT
Sixth Floor, 49 King Street, Manchester, M2 7AY
Basement, 41 South King Street, Manchester, M2 6DE
Flat 205, 56 Cross Street, Manchester, M2 7AR
Third Floor, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Third Floor, 1 St James's Square, Manchester, M2 6DN
29 John Dalton Street, Manchester, M2 6FW
First Floor, 41 South King Street, Manchester, M2 6DE
Third Floor, 41 South King Street, Manchester, M2 6DE
Second Floor, 41 South King Street, Manchester, M2 6DE
Ground Floor, 41 South King Street, Manchester, M2 6DE
Third Floor Rear, 49 King Street, Manchester, M2 7AY
REED PERSONNEL SERVICES, First Floor To Fourth Floor, 37 King Street, Manchester, M2 7AT
35 King Street, Manchester, M2 7AT
Ground Floor, 76 Cross Street, Manchester, M2 4JG
Basement To First Floor, 33 King Street, Manchester, M2 6AA
Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Steam Packet House, 76 Cross Street, Manchester, M2 4JG

Second Floor, 49 King Street, Manchester, M2 7AY
Fifth Floor, 49 King Street, Manchester, M2 7AY
First Floor, 49 King Street, Manchester, M2 7AY
Flat 204, 56 Cross Street, Manchester, M2 7AR
Flat 201, 56 Cross Street, Manchester, M2 7AR
Flat 301, 56 Cross Street, Manchester, M2 7AR
Flat 203, 56 Cross Street, Manchester, M2 7AR
Flat 202, 56 Cross Street, Manchester, M2 7AR
Flat 302, 56 Cross Street, Manchester, M2 7AR
Flat 305, 56 Cross Street, Manchester, M2 7AR
Flat 304, 56 Cross Street, Manchester, M2 7AR
Flat 303, 56 Cross Street, Manchester, M2 7AR
Third Floor Left, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Third Floor Rear, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Second Floor, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Fourth Floor, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Fourth Floor Suite 5, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Unit 1, 35 King Street, Manchester, M2 7AT
Seventh Floor, Steam Packet House, 76 Cross Street, Manchester, M2 4JU
First Floor, Steam Packet House, 76 Cross Street, Manchester, M2 4JU
ALEC FINCH GROUP LIMITED, Fourth Floor, Steam Packet House, 76 Cross Street,
Manchester, M2 4JG
Fifth Floor, Steam Packet House, 76 Cross Street, Manchester, M2 4JG
Sixth Floor Steam Packet House, 76 Cross Street, Manchester, M2 4JG
Third Floor Front, 64 Cross Street, Manchester, M2 4JQ
60 King Street, Manchester, M2 4LZ
74 Cross Street, Manchester, M2 4JG
Fourth Floor, 49 King Street, Manchester, M2 7AY
70 - 72 Cross Street, Manchester, M2 4JG
Third Floor Front, 49 King Street, Manchester, M2 7AY
64 Cross Street, Manchester, M2 4JQ
Unit 2, 35 King Street, Manchester, M2 7AT
Basement And Ground Floor, 64 - 66 King Street, Manchester, M2 4ND
54 King Street, Manchester, M2 4LY
56 King Street, Manchester, M2 4LY
50 King Street, Manchester, M2 4LY
48 King Street, Manchester, M2 4LG

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - St Anns Square Conservation Area 1970
Area Team Boundary - Name: CITY1