

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128841/LO/2020
Date registered valid: 10 December 2020
Proposal: Removal of internal fabric and services across levels 2 and 3 in the podium and levels 14 and 15 in the tower to allow for additional surveying of the building to facilitate the future implementation of the approved Planning and Listed Building Consent references 126118/FO/2020 and 126119/LO/2020.
Address: Cis Tower , Miller Street, Manchester, M4 4AH
Ward(s): Piccadilly Ward

Applicant: Devonshire (CIS Tower) Ltd C/o Agent
Agent (if any): Ms Katie Wray Deloitte LLP 2 Hardman Street, Spinningfields, Manchester, M3 3HF
Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 10 February 2021

Application details

Type of application: Listed Building Consent
Development type: Listed building alteration
Date of site visit: 23-12-20

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
No neighbour notifications have been printed and sent.

Site notice
Posted: 23 December 2020 Expired: 13 January 2021

Press advert
Published: 22 December 2020 Expired: 12 January 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The site measures 0.62 hectares and is bounded by Miller Street, Dantzic Street, Hanover Street and to the south a surface level car park. The site is currently occupied by the CIS Tower (Co-operative Insurance Society) and surrounding public realm and has historically been used as offices for a single occupier. The CIS Tower was designed to be an impressive landmark facing, symmetrically onto Miller Street and faces the recently built Co-operative headquarters. The building is a steel and concrete framed building with an external skin of single glazed glass curtain walling has a symmetrical plan expressed as a 5-storey podium with a 25-storey tower. The Tower has a concrete windowless service tower spine to its rear. The spine was originally clad in mosaic tiles (14 million) many of which have become detached over the years and was partially for remedial reasons clad in Photo Voltaic Panels (PV's) between 2003 and 2005 (see further detail below). The building has three basement levels, together with an atrium and an outdoor plaza. A garage at mezzanine level was originally designed to accommodate up to 38 vehicles for the senior executives.

Planning Permission and Listed Building Consent for the Grade II Listed CIS Tower was granted on 24 March 2020 (LPA reference 126118/FO/2020 and 126119/LO/2020) for the full refurbishment and extension of the building for office use including retail and leisure provision at ground floor. The description of development granted is as follows:

Planning Permission for the construction of a 3-storey extension to the Podium for additional office accommodation (Use Class B1) and refurbishment of the CIS Tower (to include the refurbishment of single glazed façade; replacement of solar panels on the service tower; creation of new entrances on Dantzic Street and on the eastern elevation of the building; provision of cycle storage, showers and refuse areas; alongside external plant and plant screen at roof level) and change of use to basement and ground floor from B1 office to Class A1 (Shop) , A3 (Food and Drink) , B8 (Storage and Distribution), D1 (Non Residential Institutions) (flexible events and conference facility or medical centre) and D2 (Assembly and Leisure) (gym or cinema), and the provision of new landscaping and associated works.

Listed Building Consent for wholesale internal and external refurbishment of the building for office accommodation on level 1-25 (to include demolition of existing recreational space on the fifth floor, refurbishment of single glazed façade; replacement of solar panels on the service tower; creation of new entrances on Dantzic Street and on the eastern elevation of the building; and works associated within the construction of a 3-storey extension to the Podium for additional office accommodation (Use Class B1) provision of cycle storage, showers and refuse areas; alongside external plant and plant screen at roof level) and removal of external signage and associated works.

Description of area

The Site is surrounded by a mix of city centre uses, including the office-led, mixed-use development within the wider NOMA estate, residential apartments, public realm and

landscaping at Sadler's Yard, 1 Angel Square and Angel Meadow. It is also in close proximity to two major public transport modes, Manchester Victoria Station to the south west and Shudehill Interchange to the south east. There are a number of temporary surface car parks in the area, which are future development plots within the NOMA Masterplan.

Description of development

Following approval for the refurbishment scheme, the applicant seeks to commence a package of enabling works comprising asbestos removal and internal strip out works. The proposed works are required ahead of the main works which will allow the applicant, design team and potential main contractors to further understand the condition and construction of the existing building fabric, removing any design and cost assumptions made during the planning submission stage.

This Listed Building application seeks approval for the removal of existing fabric and services within the internal areas of the building on levels 2 to 3 of the podium and levels 14 to 15 of the tower in accordance with the approved Planning and Listed Building Consent. This includes office floor areas, lift lobbies, back of house risers and corridor. Due to the significant scale of the existing building, the relatively small area of proposed works at this stage, will provide significant insight that is replicated across the entire building, due to the repetitive nature of the original design, therefore providing the level of certainty needed to progress to the next design stage, ahead of discharging all the required pre-commencement conditions

The proposals therefore sit within the above consents. It is proposed that on completion of the removal works, the internal spaces will be left as a shell and core, in anticipation of the implementation of the permitted scheme.

More specifically the works would comprise:

- Removal of the carcass of the Weathermaster system and associated services within it.
- Removal and dismantling of the telelift at a suitable joint within the riser. Associated equipment in the riser itself will be retained as part of the overall system, for removal at a future date.
- Across the office floorplate, flooring and ceilings, wall and column finishes, such as non-original wallpaper, timber trims and metal panelling are to be removed, whilst skirting will be retained. Walls and partitions that were proposed to be removed under permission 126119/LO/2020 are also proposed for removal.
- Within the back of house spaces, the approach is again to remove the ceiling, flooring and services including lighting and surface mounted fixtures.
- As a result of the removed fabric and services, there will be instances where a temporary installation of plasterboarding or other suitable fire protection material will be required to infill openings or holes, to provide continuity of fabric.

Consultations & Notification Responses

Publicity – The applications were advertised as affecting a listed building and a site notice was displayed adjacent to the site. No representations have been received.

Issues

National Planning Policy Framework – The following Policies are of relevance to this application:

Section 12 Requiring Good Design - which seeks the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes and aims to ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 16 Conserving and enhancing the historic environment – which states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

And 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. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to sustainable harm, total loss or less than substantial harm to its significance.

Core Strategy - The following policies are considered to be most relevant to the proposed development:

Policy SP1 (Spatial Principles), - which guides the strategic development of Manchester identifying the Regional Centre as the focus for economic and commercial development, leisure and cultural activity, alongside high quality city living. It states that all development within the

City Centre regeneration area should have regard to the character and issues as identified in the Manchester City Centre Strategic Plan and outlines the following core development principles:

Development should:-

Make a positive contribution to neighbourhoods of choice including:-

- creating well designed places that enhance or create character;
- making a positive contribution to the health, safety and wellbeing of residents;
- considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income;
- protect and enhance the built and natural environment;
- minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- Improve access to jobs, services, education and open space by being located to reduce the need to travel; and
- provide good access to sustainable transport provision.

Policy CC9 (Design and Heritage) - which states that the design of new buildings will need to be of the highest standard in terms of appearance and

function and seeks to preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments.

Policy EN 3 Heritage – which states that 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.

Policy DM1 (Development Management) – Which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document: -

which says that in determining applications consideration should be given to amongst others, the effects on amenity, including privacy light, noise.

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the 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.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage. Green Infrastructure including open space, both public and private.

- Flood risk and drainage.
- Existing or proposed hazardous installations.

And that for new commercial developments to demonstrate best practice which will include the application of the BREEAM (Building Research Establishment Environmental Assessment Method) standards. By 2019 provisions similar to the Code for Sustainable Homes will also apply to all new non-domestic buildings.

The Unitary Development Plan for Manchester – Whilst the Core Strategy has now been adopted some of the UDP policies remain saved as there are no replacement policies contained in the Core Strategy. The relevant policies are detailed below:

DC19.1 (Listed Buildings) - which seeks to preserve and enhance the settings of listed buildings by appropriate control over new developments within their vicinity.

Sections 16, 66 and 74 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings and conservation areas. Development decisions should, therefore, accord with the requirements of the NPPF and in the case of the proposed demolition, to section 12 (Conserving and Enhancing the Historic Environment).

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of “sustainable development” (NPPF Paragraph 7). In order to meet this key planning objective, in this instance the development should sustain and contribute to the stimulation of a thriving historic environment.

Section 193 states 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.

Section 194 stated that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional⁶³.

Section 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Section 196 states 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 including, where appropriate, securing its optimum viable use.

Section 197 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Section 198 states that local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

Design Issues and impact on the Character and Fabric of the Listed Building and Conservation Area – The proposals would follow conservation principles and would be respectful of the building's listed status and have been designed to minimise harm. The accompanying Heritage Statement states that the majority of the original Design Research Unit (DRU) designed interiors have been removed, with few significant, original features surviving across office floors, with the exception of the executive floors. The majority of the fabric items across the building, including the ceilings and the Telelift document system are non-original replacements from the 1980s refurbishment works.

It should be noted that the implementation of the 2020 consented development requires the removal of some extant building features within the building. These include the Weathermaster air-conditioning system; the Telelift document distribution system; the existing ceiling grid; and office partitions so the principle of this removal has already been established.

Following careful removal of the redundant features including the perimeter system and its safe disposal, the floor gaps will be sealed, and the walls will be made good limiting the impact on the remaining internal areas of the building. This application is supported by a methodology report prepared by BandK which demonstrates how works will be carried out to minimise damage.

The Listed Building Consent (reference:126119/LO/2020), provides the approval for the removal of these redundant features subject to recording. This has been taken into consideration in the preparation of this application. The full discharge of this condition will be made at a later stage.

The proposed works will be carried out in a sensitive manner to areas of architectural and historical significance. This in turn will ensure an office fit out can still be achieved in the event the consented scheme is not brought forward

Within the context of the balanced approval set out above, the proposals would not adversely impact on the, character or historic and architectural features of the CIS Tower. The works would not, affect the architectural significance, of the building.

Whilst it is necessary to have special regard to the desirability of preserving the character of any affected Heritage Assets it is considered that the small instances of negligible physical harm resulting from the proposed works to the building are acceptable and this impact is balanced by ensuring the area of the building can be brought back into use. The impact on the special character and fabric of the building would be less than substantial and this harm would be outweighed by the public benefits of the Factory scheme.

The proposed works would support the realisation the public benefits of the wider 2020 approval and would include:

- The refurbishment proposals would help towards the delivery of a commercial-led mixed use neighbourhood and further support broader spatial objectives including job creation and place-making;
- Following the successful delivery of several consented schemes within NOMA in recent years, including other Grade II listed buildings, the refurbishment of the CIS Tower represents an important step towards delivering the full regeneration potential of NOMA and will help anchor this part of the city as a commercial district;
- The imminent vacation of the building by the Co-operative Bank will be the first time in the buildings history that vacant possession of the property will be provided and presents a unique opportunity to deliver the wholesale refurbishment and restoration of this iconic heritage asset
- This is a unique opportunity to refurbish this heritage asset and bring it into optimal and viable use, and they have committed over £100 million to deliver the proposed refurbishment scheme which will deliver 336,500 sq.ft. of Grade A office floorspace alongside new active retail and leisure uses. The proposals will reposition the building as multi-tenanted and create a distinctive offering in high demand within the market;
- The proposed refurbishment is the result of an extensive 18 month design process which has been led by Simpson Haugh Architects, and supported by an experienced and specialist design team. The proposals have sought to overcome the highly constrained nature of the building which has been altered considerably over time whilst taking advantage of opportunities to restore and conserve features of high significance. Key interventions have been made solely to ensure the sustained and viable reuse of the building with a deep consideration for its historical and architectural interest;
- Meeting the need for additional Grade A office floorspace within Manchester City Centre would support the city's growth trajectory and create new jobs and deliver significant returns the local economy. In addition to the economic benefits, the refurbishment proposals would deliver significant social benefits in terms of job opportunities, training and apprenticeships;
- The proposed extension would provide 5,516 sq. m additional office floorspace which meets an identified demand in the market and aligns with the vision to deliver unique office space for target occupiers in this area of NOMA; and
- The Proposed Development is considered to be at the forefront of promoting the sensitive refurbishment of 1960's heritage assets and an opportunity to provide an example of best practice, with the intention to be used as a benchmark national and internationally for comparable buildings requiring refurbishment. Overall, the proposals represent a remarkable opportunity to deliver high quality office accommodation alongside a strong retail and leisure offering that will contribute significantly to NOMA's commercial offer and broader strategic objectives.

As any harm is considered to be 'less than substantial', paragraph 196 of the NPPF requires that the impact of the development should be evaluated against the mitigation that would be provided from the wider public benefits of the scheme which in this case are heritage benefits.

In the context of the NPPF and S66 of the Act , it is considered that the scheme strikes the right balance between the impact of the changes on the significance of the building, and the public benefits and where there is harm, this would be less than substantial. It is considered for the reasons outlined above that the overall approach to the proposed works would, subject to

conditions relating to matters of detail have an acceptable impact on the character and historic fabric of the listed building.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings and conservation areas as required by virtue of S72 of the Listed Buildings Act, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraphs 193 and 196 of the NPPF and that in view of the above it is considered that the proposed development would on balance be consistent with the development would be consistent with section 16 of the National Planning Policy Framework policies SP1, DM1, EN3 and CC9 and of the Core Strategy and saved UDP policy and 19.1

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:

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 ongoing advice about the information required to be submitted to support the application and discussions about the overall approach in terms of options and impact on historic fabric.

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:

(a) The location plan referenced Site Location Plan 10246-SHP-Z0-XX-XP-A-B5D3-G000-001 Rev 00;

(b) Dwg's 10246-SHP-Z1-A-B5D3-G200-PL-02-001 Rev 00, 10246-SHP-Z1-A-B5D3-G200-PL-03-001 Rev 00, 10246-SHP-Z1-A-B5D3-G200-PL-XX-001 Rev 00, 10246-SHP-Z1-A-B5D3-G332-PL-02-001 Rev 00, 10246-SHP-Z1-A-B5D3-G332-PL-03-001 Rev 00, 10246-SHP-Z1-A-B5D3-G332-PL-XX-001 Rev 00, 10246-SHP-Z1-A-B5D3-G333-DE-TY-001 Rev 00, 10246-SHP-Z1-A-B5D3-JC20-XP-02-001 Rev 00, 10246-SHP-Z1-A-B5D3-JC20-XP-03-001 Rev 00 and 10246-SHP-Z1-A-B5D3-JC20-XP-XX-001 Rev 00;

(c) 10246-SHP-Z1-A-B5D3-G200-XP-XX-001 Rev 00, 10246-SHP-Z1-A-B5D3-G200-XP-02-001 Rev 00, 10246-SHP-Z1-A-B5D3-G200-XP-03-001 Rev 00, 10246-SHP-Z1-A-B5D3-G200-XP-XX-001 Rev 00, 10246-SHP-Z1-A-B5D3-G332-XP-02-001 Rev 00, 10246-SHP-Z1-A-B5D3-G332-XP-03-001 Rev 00 and 10246-SHP-Z1-A-B5D3-G332-XP-XX-001 Rev 00;

(d) Dwg's CWC 2020.09-15 P2 and CWC 2020.09-18 P3;

(e) Reference on Deloitte's covering letter dated 09-12-20 - 'Building and Photographic Record' prepared by Stephen Levrant Heritage Architecture which records these features on the relevant floors in line with LBC Condition 10 and Planning Condition 29;

(f) Protection measures set out within the Rhodar - CIS Tower - Heritage Protection Ref RH-HP-Rev 1;

(g) CONSTRUCTION PHASE PLAN, RISK ASSESSMENT and Plan of Work for Work with Asbestos Documents by Rhodar (Method Statements) 13-10-20;

(h) Method Statement Demolition & Dismantling Activities Document DMO00-001 (Rev 1) by Rhodar;

(i) SLHA Conservation Strategy for the CIS Tower as well as the CIS Tower Refurbishment. Intrusive investigations & strip out works. Conservation impact and specifications report .REV A: 26th January 2021;

(j) CIS Building Surveys - Manchester DESIGN AND ACCESS STATEMENT | 18 SEPTEMBER 2020 10246-SHP-RP-DAS02 by Simpson Haugh;
and

(k) Deloitte's e-mail dated 29-01-21.

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, saved policy DC19.1 Section 16 of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

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

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CITY1