



Planning, Design and Access (including Heritage) Statement

2nd Floor, The Chancery, 58 Spring Gardens, Manchester

December 2020

Contents

1.	Introduction	3
2.	Site and Surrounding Area	4
3.	Relevant Planning Policy Framework	7
4.	Design and Access	11
5.	Planning Appraisal	14
6.	Summary and Conclusions	16

Appendices

Appendix I Site Location Plan

Appendix II List Entry

Prepared By: Emily Roberts

Reviewed By: Neil Lucas

Status: Rev 1

Draft Date: December 2020

For and on behalf of Avison Young (UK) Limited

1. Introduction

- 1.1 This Planning, Design and Access (including Heritage) Statement has been prepared by Avison Young on behalf of Berkley Estates London Limited ('the Applicant') in support of an application for full planning permission for the following development at The Chancery, 58 Spring Gardens, Manchester, M2 1EW:

"Change of use of the 2nd floor from office (Use Class E) to Consulate (Sui Generis)."

- 1.2 This Statement addresses the relevant planning and heritage considerations, in addition to design and access requirements of the proposals.
- 1.3 The proposed development is presented on the suite of application drawings accompanying this application for full planning permission. However, no internal or external alterations are proposed to the listed building as part of this application.

Supporting Information

- 1.4 The application is accompanied by a suite of supporting documents. The following documents are submitted in support of this application:
- Application form, relevant land ownership certificate (duly signed) and relevant planning application fee;
 - Covering letter;
 - Full set of existing drawings prepared by Knight Frank;
 - Planning, Design and Access (including Heritage) Statement prepared by Avison Young;
 - Waste Proforma;
 - Waste collection route and information; and,
 - Schedule of photographs.

2. Site and Surrounding Area

2.1 This chapter discusses the site's location, characteristics, and planning history.

The Site

2.2 The site comprises a five storey office building located within the administrative boundary of Manchester City Council ('MCC'). The site is located within the heart of Manchester City Centre and fronts Chancery Lane. A Site Location Plan is enclosed at **Appendix I**. This planning application relates only to the second floor of the site.

2.3 The building comprises part of the Grade II listed Chancery Chambers (List UID: 1197810), which also consists of 1 Chancery Lane and 55 Brown Street. The List Entry is enclosed at **Appendix II**. The site is also located within the Upper King Street Conservation Area.

Surrounding Area

2.4 The site is bounded to the north by Chancery Lane, to the east by Concert Lane, to the south by Booth Street and to the west by Brown Street. The surrounding area comprises a mix of uses, including offices, hotels, bars, restaurants, cafés and retail units.

2.5 The site is well-connected to a range of public transport modes, including the St Peter's Square Metrolink stop (approximately 350m to the south), and the Metrolink and bus interchange at Piccadilly Gardens (approximately 450m to the north-east).

Planning History

2.6 A review of MCC's online planning register has been undertaken. The following applications are relevant to the site:

- 128087/LO/2020 - Listed building consent for installation of 2no. flag poles (associated full planning permission application ref. 128086/FO/2020) – Approved 11/11/2020
- 128086/FO/2020 - Installation of 2no. flag poles (associated listed building consent application ref. 128087/LO/2020) – Approved 11/11/2020
- CDN/20/0610 - Discharge of condition 3 (final details) related to previously approved listed building consent reference 127203/LO/2020 – Approved 16/10/2020
- CDN/20/0609 - Discharge of condition 3 (final details) related to previously approved planning permission reference 127202/FO/2020 – Approved 16/10/2020

- 127202/FO/2020 - Change of use from office (Use Class B1) to Consulate (Sui Generis) including associated external alterations comprising new ground floor external access, plaque and crest and erection of a flag pole (associated listed building consent application ref. 127203/LO/2020) – Approved 02/09/2020
- 127203/LO/2020 - Listed building consent for internal and external alterations to facilitate the associated change of use from Office to Consulate comprising new external ground floor access including plaque, crest and erection of flag pole, and various internal works and refurbishments including new ramp, subdivisions and other associated fit out (associated planning application ref. 127202/FO/2020) – Approved 02/09/2020
- 112032/LO/2016/C1 - Listed Building Consent for external and internal alterations to entrance and reception area, including new door, cladding to entrance canopy fascia, painting of window frames, removal of non-structural columns, and associated internal refurbishment works. - Approved 14/07/2016
- 112031/FO/2016/C1 - External and internal alterations to entrance and reception area, including new door, cladding to entrance canopy fascia, painting of window frames, removal of non-structural columns, and associated internal refurbishment works. – Approved 14/07/2016
- 080171/LO/2006/C1 - Listed Building Consent for Installation of new entrance, replacement lighting and associated external alterations - Approved 20/12/2006
- 079988/FO/2006/C1 - Installation of new entrance, replacement lighting and associated external alterations - Approved 20/12/2006
- 066255/LO/CITY1/02 - Listed Building Consent Erection of 3 No. 1.3m antennae outside 3 No. mock flues, 1 No. equipment cabin and related ancillary equipment - Approved 26/11/2002
- 066254/FO/CITY1/02 - Erection of 3 no. 1.3m antennae inside 3 no. mock flues, 1 no. equipment cabin & related ancillary equipment - Application Approved 26 Nov 2002

Summary

- 2.7 The site comprises a Grade II listed building. The site has been subject to several planning and listed building consent applications, which have resulted in successive internal and external alterations to the building. The site has recently been the subject of a change of use application, for which planning permission was granted for the change of use of the ground floor of the building from office to use by the Spanish Consulate, which demonstrates the acceptability of a consulate use at this site. The second floor of the building is currently vacant office floorspace.

- 2.8 The site is situated in an accessible location in close proximity to amenities, services and infrastructure in Manchester City Centre and is well-connected to the public transport network.

3. Relevant Planning Policy Framework

- 3.1 This section of the Statement outlines the relevant adopted and emerging planning policy framework and guidance at a local and national level.

The Development Plan

- 3.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise.
- 3.3 The relevant adopted Development Plan Documents for the area include:
- 3.4 The Manchester Core Strategy (adopted July 2012) and Proposals Map; and,
- 3.5 Saved policies from the Unitary Development Plan ('UDP') (2004).

Manchester Core Strategy

- 3.6 The Manchester Core Strategy was adopted by the City Council on 11 July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy sets out the long-term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy.
- 3.7 As defined by the Proposals Map, the site is located within the City Centre and Regional Centre boundaries, and is situated within the Upper King Street Conservation Area.
- 3.8 The key policies of the Core Strategy which apply to the site are summarised below.
- **Policy EC 3 (The Regional Centre)** states that within the Regional Centre development for employment generating uses including offices and other commercial development will be encouraged.
 - **Policy CC 1 (Primary Economic Development Focus: City Centre and Fringe)** emphasises that the City Centre is a strategic economic location and focus of employment growth in the City and City Region.
 - **Policy CC 9 (Design and Heritage)** states that development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments.
 - **Policy EN 3 (Heritage)** 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. 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, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

- **Policy T 2 (Accessible areas of opportunity and need)** states that the Council will actively manage the pattern of development to ensure that new development is easily accessible by walking, cycling and public transport.

Unitary Development Plan ('UDP')

3.9 The Manchester UDP was adopted by the Council in July 1995. The Manchester Core Strategy replaces significant elements of the UDP. The following saved policies are relevant to this application for planning and Listed Building Consent.

3.10 The site is located within Area 7 (The Financial Core) of saved UDP Policy RC20 (Small Area Policies).

- **Policy RC20 Area 7** states that, in view of the area's importance as a major source of employment and its vital contribution to the regional role of the City Centre, the prime consideration here will be to sustain the existing level and character of activity.
- **Policy DC18.1** states that the Council will give particularly careful consideration to development proposals within Conservation Areas, such as the effect of major changes to the appearance of existing buildings.
- **Policy DC19.1** states that the Council will not permit a change of use of a listed building where it would have a detrimental effect on the character or appearance of the building. The policy also states that the Council will not permit any internal or external alteration to a listed building where, in its opinion, there would be an adverse effect on its architectural or historic character.

Other Material Considerations

3.11 There are a series of other planning policy guidance documents at the national level that are relevant to the determination of this application comprising:

- National Planning Policy Framework ('NPPF') (February 2019); and,
- National Planning Practice Guidance (March 2014).

3.12 A summary of the documents is provided below.

National Planning Policy Framework (NPPF) (2019)

- 3.13 The revised NPPF was published in July 2018, with a subsequent iteration published in February 2019. The NPPF sets out the Government's planning policies and guidance and how this is to be applied. The NPPF is a material consideration in the determination of planning applications.
- 3.14 Chapter 16 sets out national planning policy relating to 'conserving and enhancing the historic environment'.
- 3.15 **Paragraph 192** states that, in determining 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.
- 3.16 **Paragraph 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.
- 3.17 **Paragraph 200** states that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Planning Practice Guidance (PPG) (2014)

- 3.18 Planning Practice Guidance ('PPG') was introduced in March 2014. The PPG replaced a considerable amount of former guidance comprising Planning Policy Guidance Notes and Planning Policy Statements.
- 3.19 The PPG provides guidance relating to the 'Historic environment'. With regard to decision-making, the PPG refers to 'Significance' stating that, in terms of heritage-related planning policy is defined in the Glossary of the National Planning Policy Framework as the value of a heritage asset to this and future

generations because of its heritage interest. Significance derives not only from a heritage asset's physical presence, but also from its setting (Paragraph: 006 Reference ID: 18a-006-20190723).

- 3.20 With regard to providing an assessment of the impact of proposals on the significance of affected heritage assets, the PPG emphasises that the level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on its significance (Paragraph: 009 Reference ID: 18a-009-20190723).

Summary

- 3.21 This section has identified a series of Development Plan Documents and other material considerations to be taken into account in the determination of the application.

4. Design and Access

- 4.1 This section demonstrates how the proposed development is a suitable response to the site and its setting and demonstrates that it can be adequately accessed by prospective users.

Use

- 4.2 The proposed development will enable a change of use of the second floor of the site from office (Use Class E) to Sui Generis to allow the site to operate as a consulate. The Italian Consulate plans to occupy the site for its Manchester consular office.
- 4.3 In accordance with Article 5 (Consular Functions) of the Vienna Convention on Consular Relations (1963), the consular functions at the site will consist in:
- a) protecting in the receiving State the interests of the sending State and of its nationals, both individuals and bodies corporate, within the limits permitted by international law;
 - b) furthering the development of commercial, economic, cultural and scientific relations between the sending State and the receiving State and otherwise promoting friendly relations between them in accordance with the provisions of the present Convention;
 - c) ascertaining by all lawful means conditions and developments in the commercial, economic, cultural and scientific life of the receiving State, reporting thereon to the Government of the sending State and giving information to persons interested;
 - d) issuing passports and travel documents to nationals of the sending State, and visas or appropriate documents to persons wishing to travel to the sending State;
 - e) helping and assisting nationals, both individuals and bodies corporate, of the sending State;
 - f) acting as notary and civil registrar and in capacities of a similar kind, and performing certain functions of an administrative nature, provided that there is nothing contrary thereto in the laws and regulations of the receiving State;
 - g) safeguarding the interests of nationals, both individuals and bodies corporate, of the sending States in cases of succession mortis causa in the territory of the receiving State, in accordance with the laws and regulations of the receiving State;
 - h) safeguarding, within the limits imposed by the laws and regulations of the receiving State, the interests of minors and other persons lacking full capacity who are nationals of the sending State, particularly where any guardianship or trusteeship is required with respect to such persons;

- i) subject to the practices and procedures obtaining in the receiving State, representing or arranging appropriate representation for nationals of the sending State before the tribunals and other authorities of the receiving State, for the purpose of obtaining, in accordance with the laws and regulations of the receiving State, provisional measures for the preservation of the rights and interests of these nationals, where, because of absence or any other reason, such nationals are unable at the proper time to assume the defence of their rights and interests;
- j) transmitting judicial and extrajudicial documents or executing letters rogatory or commissions to take evidence for the courts of the sending State in accordance with international agreements in force or, in the absence of such international agreements, in any other manner compatible with the laws and regulations of the receiving State;
- k) exercising rights of supervision and inspection provided for in the laws and regulations of the sending State in respect of vessels having the nationality of the sending State, and of aircraft registered in that State, and in respect of their crews;
- l) extending assistance to vessels and aircraft mentioned in subparagraph (k) of this article, and to their crews, taking statements regarding the voyage of a vessel, examining and stamping the ship's papers, and, without prejudice to the powers of the authorities of the receiving State, conducting investigations into any incidents which occurred during the voyage, and settling disputes of any kind between the master, the officers and the seamen insofar as this may be authorized by the laws and regulations of the sending State;
- m) performing any other functions entrusted to a consular post by the sending State which are not prohibited by the laws and regulations of the receiving State or to which no objection is taken by the receiving State or which are referred to in the international agreements in force between the sending State and the receiving State.

- 4.4 No events will take place at the site which require amplification and no new external plant, equipment or louvres/grilles are proposed as part of the proposed development.

Amount

- 4.5 The floorspace at the site will remain as existing.

Layout

- 4.6 This planning application does not seek to make any changes to the internal layout of the site, thus there is no need for an accompanying application for listed building consent.

Scale

- 4.7 The proposed development will not result in any internal or external alterations to the site.

Appearance

- 4.8 The proposed development will not result in any alterations to the appearance of the building.

Waste and Servicing

- 4.9 The waste storage and management strategy will remain as existing and is detailed below.
- 4.10 The waste collection at the site is dealt with by a company called New Look, which is paid for via a service charge. The site has 2no. bins at the basement level, 1no. is for general rubbish and 1no. is for recycling. It is the responsibility of the tenants to bring their rubbish to the waste facilities in the basement.
- 4.11 The general rubbish bin is emptied by New Look every day. The recyclable waste is collected by New Look once a week. The waste is collected from the basement by New Look and brought up to the trucks at street level.
- 4.12 A plan of the bin store is submitted alongside this full planning application.
- 4.13 In terms of servicing, tenants place orders direct with suppliers. The courier/delivery driver comes into reception and they are then forwarded to the relevant floor in the building by the receptionist. The tenant then signs for their package on their floor. This is the same process that happens with the post.
- 4.14 The reception is normally manned 09:00-19:00 during the week and as such there are no issues with deliveries coming into the building.
- 4.15 Vehicles do not use the basement for tenants' deliveries.

5. Planning Appraisal

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2 This section assesses the proposals against the relevant policies of the adopted Development Plan for MCC and the NPPF (2019).

Principle of Development

- 5.3 The site is located within the heart of Manchester City Centre and is surrounded by a mix of uses. Therefore, the change of use of the second floor of the site from office (E use) to a consulate (Sui Generis use) would be in-keeping with the uses of the surrounding area and would not have a detrimental effect on the character or appearance of the building, in accordance with UDP Policy DC19.1. Furthermore, the site is situated within an accessible location within the City Centre and Regional Centre boundaries where employment development is supported (Policies T 2, CC 1, and EC 3).
- 5.4 The proposed development will not result in any internal or external alterations to the building and will, therefore, not alter the amount of floorspace, the layout, the appearance, or the scale of the building. Furthermore, planning permission has recently been granted at the site for the change of use of the ground floor from office to a consulate office for use by the Spanish Consulate (LPA reference: 127202/FO/2020).
- 5.5 As no internal or external alterations are proposed as part of this planning application, there will be no impact on the building itself or the surrounding area as a result of the proposed development. Consequently, the proposed development will not have an adverse effect on the site's architectural or historic character, in accordance with UDP Policy DC19.1.

Heritage

Impact on the listed building

- 5.6 The site comprises part of the Grade II listed Chancery Chambers (List UID: 1197810) designated in October 1974. The Listed Building entry for the site is enclosed at Appendix II and sets out the value of the building as a heritage asset. As demonstrated by the site's planning history, a number of internal and external alterations have been undertaken at the site. It is important to note that none of the

internal features are detailed in the listing description and the Listed Building entry states that the interior of the site was not inspected.

- 5.7 As this planning application seeks planning permission for the change of use of the second floor only (from office to consulate), and the proposed development will not result in any internal or external changes to the building, there will be no impact on the listed building as a result of the proposed development.
- 5.8 The second floor of the building is currently vacant office floorspace. The proposed development will enable the second floor to be occupied by the Italian Consulate and thus brought back into use.
- 5.9 In light of this, there will be no harm to the listed building, in accordance with paragraph 196 of the NPPF and Policies CC9 and EN 3 of the Core Strategy and Policy DC19.1 of the UDP.

Impact on Upper King Street Conservation Area

- 5.10 The site is located within the Upper King Street Conservation Area. The proposed development will not result in any internal or external alterations to the building. Therefore, there will be no impact on the Conservation Area as a result of the proposed development. Consequently, the proposed development accords with NPPF paragraph 200 and UDP Policy DC18.1.

6. Summary and Conclusions

6.1 This Planning, Design and Access (including Heritage) Statement has been prepared by Avison Young on behalf of Berkley Estates London Limited ('the Applicant') in support of an application for full planning permission for the following development at the 2nd floor of The Chancery, 58 Spring Gardens, Manchester, M2 1EW:

"Change of use of 2nd floor from office (Use Class E) to Consulate (Sui Generis)"

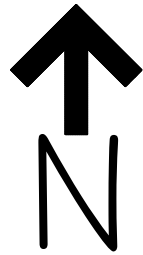
6.2 It has been demonstrated that the proposal will:

- result only in the change of use of the second floor of the building from office to consulate; and,
- not result in any internal or external alterations to the listed building. Therefore, the proposed development will not impact upon the listed building or the Conservation Area.

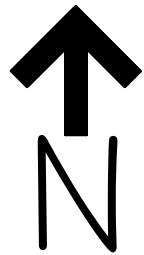
6.3 In conclusion, the proposal will result in less than substantial harm to the significance of the listed building in accordance with paragraphs 192, 196, 200 of the NPPF and Core Strategy policies CC9 and EN3 and saved UDP Policy DC19.

Appendix I

Site Location Plan



Scale - 1:1250 @ A4



50

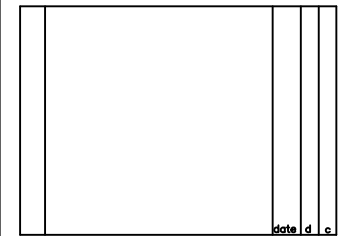
BROWN

55

The Chancery

85

Scale - 1:200 @ A4



client

Topland

project

Brown Street - 1080771

title

Proposed new entrance from
Brown Street

**Knight
Frank**



Building
Consultancy

One Marsden St
Manchester
M2 1HW

scale
VARIES

date
JUNE 2020

drawn
JG

checked

drawing no.
A

rev

Appendix II List Entry



CHANCERY CHAMBERS

Overview

Heritage Category:

Listed Building

Grade:

II

List Entry Number:

1197810

Date first listed:

03-Oct-1974

Statutory Address:

CHANCERY CHAMBERS, 1, CHANCERY LANE

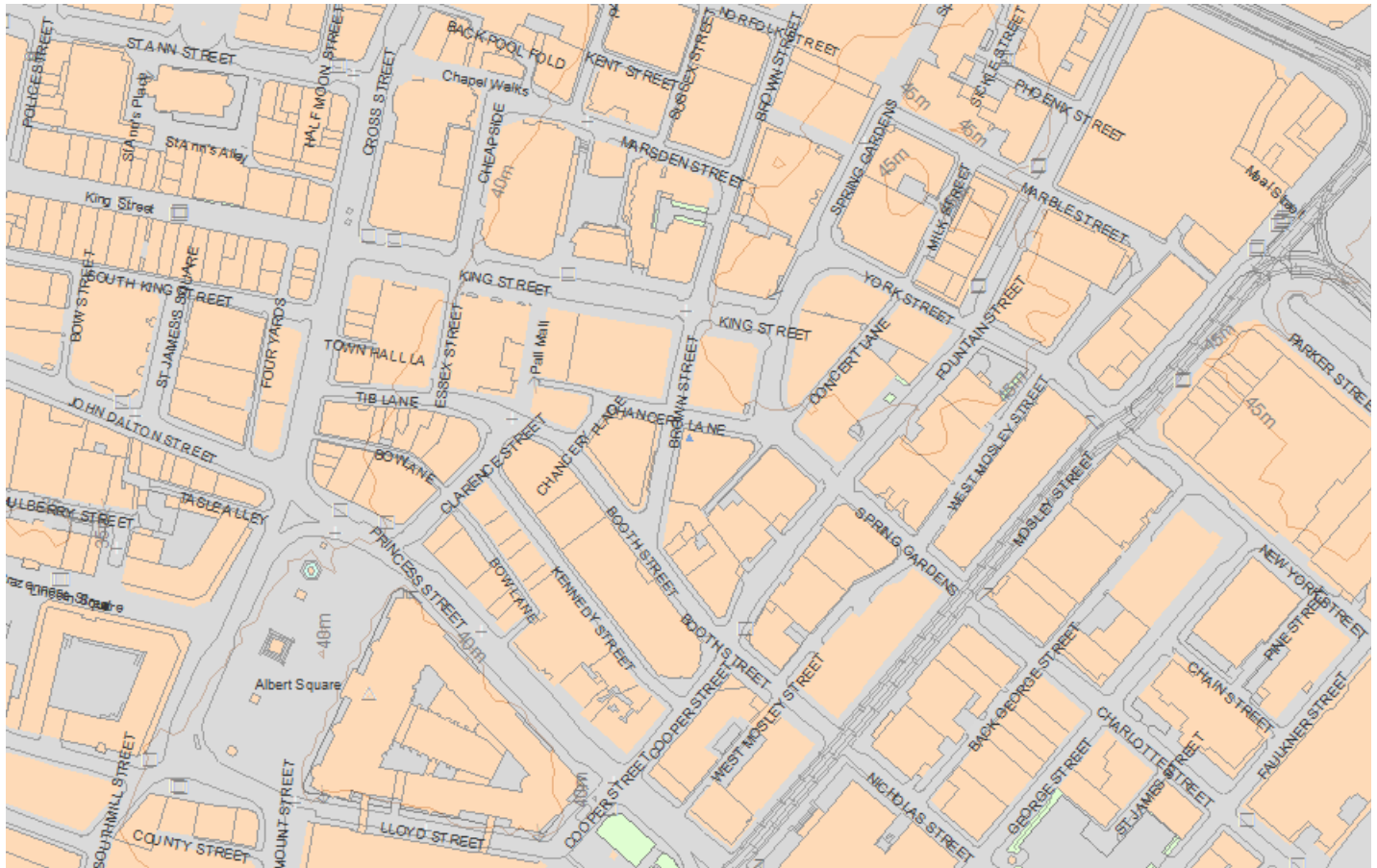
Statutory Address:

CHANCERY CHAMBERS, 55, BROWN STREET

Statutory Address:

CHANCERY CHAMBERS, 58, SPRING GARDENS

Map



© Crown Copyright and database right 2020. All rights reserved. Ordnance Survey Licence number 100024900.

© British Crown and SeaZone Solutions Limited 2020. All rights reserved. Licence number 102006.006.

Use of this data is subject to [Terms and Conditions](#)

The above map is for quick reference purposes only and may not be to scale. For a copy of the full scale map, please see the attached PDF - [1197810.pdf](#)

The PDF will be generated from our live systems and may take a few minutes to download depending on how busy our servers are. We apologise for this delay.

This copy shows the entry on 16-Jun-2020 at 15:04:33.

Location

Statutory Address:

CHANCERY CHAMBERS, 1, CHANCERY LANE

Statutory Address:

CHANCERY CHAMBERS, 55, BROWN STREET

Statutory Address:

CHANCERY CHAMBERS, 58, SPRING GARDENS

The building or site itself may lie within the boundary of more than one authority.

District:

Manchester (Metropolitan Authority)

National Grid Reference:

SJ 84000 98205

Details

MANCHESTER

SJ8398SE BROWN STREET 698-1/27/32 (East side) 03/10/74 No.55 Chancery Chambers

GV II

Includes: No.58 Chancery Chambers SPRING GARDENS. Includes: No.1 Chancery Chambers CHANCERY LANE. Warehouse, now offices. Mid to later C19; altered. Sandstone ashlar and red brick in Flemish bond with sandstone dressings (roof concealed). Trapezoidal plan on end-of-block site. Italian palazzo style. Basement and 5 storeys (diminishing in height), a 4:1:6-window range, with channelled rusticated ashlar ground floor, rusticated quoins and sill-bands above, and prominent modillioned cornice; a wide segmental-headed archway to the 5th bay, now with inserted doorway, and tripartite windows on all floors above this, all except the topmost with pedimented surrounds; segmental-headed windows, except those at top floor which are square, all with moulded architraves and those at ground and 1st floors with keystones, and all sashed without glazing bars (except those to the basement). Left (north) return wall in English garden wall bond, similar fenestration. Interior not inspected.

Listing NGR: SJ8400098205

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number:

387955

Legacy System:

LBS

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing

© Historic England 2020

Contact Details

Enquiries

Emily Roberts

0161 956 4053

emily.roberts@avisonyoung.com

Visit us online

avisonyoung.co.uk