

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142635/FO/2025
142636/LO/2025

Date registered valid: 17 April 2025

Proposal: Retention of two lights to Mosley Street entrance and two to York Street entrance and provision of two uplights to Mosley street entrance

LISTED BUILDING CONSENT Replacement of two lights to Mosley Street entrance and removal of two to York Street entrance and retention of existing emergency light

Address: 38 Mosley Street, Manchester, M2 3AZ

Ward(s): Deansgate Ward

Applicant: Cut and Craft Limited

Agent (if any): Mr Matthew Pardoe Moorside Planning Ltd

Case officer: Lea Joseph
Tel: 0161 227 3644
Email: lea.joseph@manchester.gov.uk

Recommendation: **Approve**

Date of recommendation: **05.06.2025**

Application details

Type of application: Listed Building Consent, Full Application Consent

Development type: Listed building alteration, Minor Other

Date of site visit: 1 May 2025

1423636/LO

Standard consultations:

Printed: 29 April 2025 Expired: 21 May 2025

Neighbour notifications

Printed: 29 April 2025 Expired: 21 May 2025

Site notice

Posted: 30 April 2025 Expired: 22 May 2025

Press advert

Published: 6 May 2025 Expired: 27 May 2025

Departure from Development Plan: No

Environmental Statement: Not required

142635/FO

Standard consultations:

Printed: 29 April 2025 Expired: 21 May 2025

Neighbour notifications

Printed: 29 April 2025 Expired: 21 May 2025

Site notice

Posted: 01 May 2025 Expired: 23 May 2025

Press advert

Published: 6 May 2025 Expired: 27 May 2025

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II*

Conservation area: Upper King Street (Extension) Conservation Area 1985

Tree Preservation Order: Not applicable.

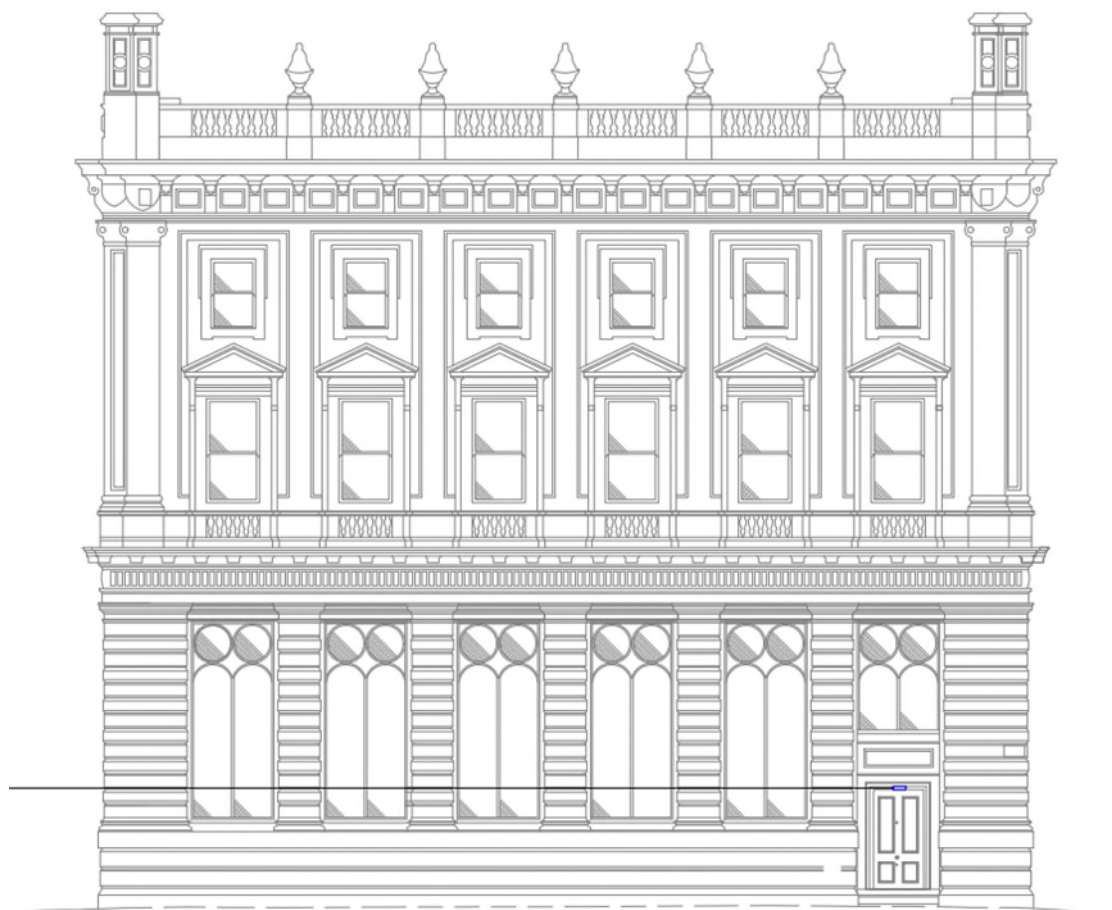
No. 38-42 Mosley Street is a Grade II* listed building designed by Edward Walters and constructed in 1862. The Bank was originally commissioned by Manchester and Salford Bank and has been managed by a handful of banking firms over the past century. The building was designed in an Italian palazzo style, consisting of three storeys and seven bays. Vermiculated plinths are placed around building entrances. The interior of the building includes high ceilings, and ornate cornice detailing. Other details that characterise the style such as Tuscan columns, and a balustraded parapet can also be seen on the building façade. In 2023 Bruntwood successfully redeveloped the site into a mixed-use scheme, consisting of offices with a ground floor restaurant (135024/LO/2022).

The site is located within the King Street Conservation Area. The area includes a mix of commercial office and hotel uses.

Description of development

Planning and listed building consent is sought for the replacement of two LED black granite lights installed at the Mosley Street entrance, the removal of two LED black granite lights at the York Street entrance and the retention of an existing emergency light, which would change to a normal lighting unit. The Mosely Street entrance is the main access point to the restaurant, the York Street entrance is for service personnel and 'VIP' guests exclusively.

In short, excluding the removal works, two new lights are proposed for installation at the main entrance while one light would be retained.



Proposed York St. retention of existing emergency light



Proposed Mosley St. LED spotlights, highlighted in blue.

Consultations & Notification Responses

142636

Publicity

The proposal has been advertised, by way of site notice and press advertisement, as affecting the setting of a listed building and the conservation area. Letters have also been sent out to local businesses and residents. No representations have been received.

Comments from Historic England:

142635

Publicity

The proposal has been advertised, by way of site notice and press advertisement, as affecting the setting of a listed building and the conservation area. Letters have also been sent out to local businesses and residents. No representations have been received.

Relevant History

132737/FO/2022 -- Refurbishment, alterations and selective demolition including installation of mechanical plant to roof of 57 Spring Gardens. (Approved July 2023.)

140274/LO/2024 -- Listed Building Consent for the refurbishment, alterations and selective demolition to facilitate office and restaurant use including office fit-out, creation of external terrace on existing flat roof. (Approved September 2023.)

Policy

The policies relevant to the consideration of these applications are:

Manchester Core Strategy 2012-2027

- DM1 – Development Management
- EN1 – Design Principles and Strategic Character Areas (City Centre Character Area)
- EN3 – Heritage
- CC9 – Design and Heritage

Saved Unitary Development Plan Policies

- DC18 Conservation Areas
- DC19 Listed Buildings

Places for Everyone, Joint Development Plan Document (Adopted 2024)

- JP-P2 Heritage

Other Material Considerations

National Planning Policy Framework

- Section 12 - Achieving Well Designed Places
- Section 16 – Conserving and Enhancing the Historic Environment

Issues

Design Issues, relationship to context, impact on the character of the listed building, character of the conservation area and setting of adjacent listed buildings

Policy EN1 specifies that new development should have a regard for the City Centre's heritage. Policy DM1 outlines the importance of layout, materials, detail and siting in development considerations. Policy JP-P2 dictates the importance of the historic environment to 'sense of place' and character within Manchester. DC 18.1 outlines the importance of preserving and enhancing the character of Conservation Areas. DC19.1 requires that development must not have a 'detrimental' or 'adverse' impact on Listed Buildings.

No. 38-42 Mosley is a significant listed asset located within the Upper King Street Conservation Area and contributes to its the historic character and thereby a sense of place.

It is noted that originally, this proposal consisted of retaining four new block lighting sources to be placed in sets of two at each entrance. Additional lighting was proposed at the high-level Tuscan columns on the main entrance, installation would require penetration of an original window frame. The lighting was in a black granite and was affixed to the building using a clear epoxy resin. The proposed column lighting was freestanding spotlights. This proposal, in terms of materials and details was deemed to harm the visual amenity of the building and the area. The materials were considered to cause unacceptable levels of harm to the building and the selected colour choice was too bold and obtrusive. The proposal was then modified to be more sympathetic to the existing character of the area. The merits of this amended scheme are considered below.

The York St. proposal effectively employs an existing lighting fixture in order to preserve the original steps, thereby causing no harm.

With the removal of the existing lighting the interventions to Mosley Street would be minimal. Lighting would be installed on granite that is not original and would, cause a low-level harm to the asset. This element of the proposals would not dominate the facades, and the siting and materials would be modest in appearance and complementary to the historic design. The harm would be mitigated by a modest enhancement to the asset as the additional external lighting would highlight architectural details, facilitating their appreciation.

Overall, it is considered that the design siting and materials of the proposed lighting would preserve the historic character of the listed building with its simplicity and complement other historic buildings within the Conservation Area preserving their setting. There would be negligible harm to the character and fabric of the listed building and the character of the conservation area.

All proposed intervention would be reversible, and the proposed external alterations would not have a detrimental impact on the historical character, architectural features of the building or character of the conservation area.

Given the above the proposals are in line with policies JP-P2, DC18.1, DC19.1, EN3, CC9.

The National Planning Policy Framework Section 16 sets out a framework for evaluating heritage assets, as per paragraph 215 any harm proposed must be weighed against the 'public benefit' of a given proposal. Overall, it is considered on balance that level of harm to the asset as a result of the proposals will be negligible, once the removal works have taken place. As such there is no requirement to engage the tests in the NPPF in relation to harm.

A condition would be attached to require the removal of the units to York Street and Mosley Street and the replacement of the Mosley Street units within 3 months of any consent being granted.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

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:

Drawing: ML_CCM_F00 Rev 6 - Lighting Layout - Facade

Drawing: ML_CCM_F02 Rev 2 - Lighting Layout - Main Entrance

Drawing: ML_CCM_F01 Rev 4 - Lighting Layout – York St Entrance

Light Specification (p.3):142636_LO_2025-LIGHTING_SCHEDULE-2673110

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) Removal works of existing lighting and fixings at the York St. and Mosley St. entrances including:

Black granite block lighting
Clear epoxy resin

Are to be removed, with the Mosley Street entrance lighting being replaced and the York Street entrance returned to its previous condition, no later than three months from the date of this decision.

Reason – To mitigate harm to the heritage asset and restore visual amenity to the area. Pursuant to policies EN1 and DC19.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

Ground Floor, 55 Spring Gardens, Manchester, M2 2BY
Ground Floor, 57 Spring Gardens, Manchester, M2 2BY
53 - 55 Mosley Street, Manchester, M2 3HQ
The Alchemist, Ground Floor, 1 New York Street, Manchester, M1 4HD
Ninth Floor, 1 New York Street, Manchester, M1 4HD
57 Spring Gardens, Manchester, M2 2BY
Second Floor, 57 Spring Gardens, Manchester, M2 2BY
Fifth Floor, 61 Mosley Street, Manchester, M2 3HZ
First Floor, 57 Spring Gardens, Manchester, M2 2BY
Fifth Floor Suite 5C, 64 - 72 Spring Gardens, Manchester, M2 2BQ
Third Floor Suite 3C, 64 - 72 Spring Gardens, Manchester, M2 2BQ
Ground Floor, York House, 20 York Street, Manchester, M2 3BB
Twelfth Floor, 1 New York Street, Manchester, M1 4HD
Sixth Floor, Barnett House, 53 Fountain Street, Manchester, M2 2EE
Fifth Floor, 55 Spring Gardens, Manchester, M2 2BY
Fifth Floor Suite 5D, 64 - 72 Spring Gardens, Manchester, M2 2BQ
Fifth Floor, Barnett House, 53 Fountain Street, Manchester, M2 2EE
Second Floor, 61 Mosley Street, Manchester, M2 3HZ
Transform Manchester, Fifth Floor, Colwyn Chambers, 19 York Street, Manchester, M2 3BA
Second Floor, Colwyn Chambers, 19 York Street, Manchester, M2 3BA
Eighth Floor, York House, 20 York Street, Manchester, M2 3BB
Second Floor, 55 Spring Gardens, Manchester, M2 2BY
Sixth Floor, 55 Spring Gardens, Manchester, M2 2BY
Ground Floor, 64 - 72 Spring Gardens, Manchester, M2 2BQ
Tenth Floor, York House, 20 York Street, Manchester, M2 3BB
SINGLETON CLAMP & PARTNERS LTD, Fourth Floor, Colwyn Chambers, 19 York Street, Manchester, M2 3BA
Sixth Floor, York House, 20 York Street, Manchester, M2 3BB
Seventh Floor, 1 New York Street, Manchester, M1 4HD
Department For Work And Pensions, 58 Mosley Street, Manchester, M2 3HZ
Fourth Floor, Barnett House, 53 Fountain Street, Manchester, M2 2EE
57 Mosley Street, Manchester, M2 3FF
First Floor, 61 Mosley Street, Manchester, M2 3HZ
1 New York Street, Manchester, M1 4HD
Fifth Floor, 1 New York Street, Manchester, M1 4HD
Sixth Floor, 1 New York Street, Manchester, M1 4HD
Seventh Floor, 55 Spring Gardens, Manchester, M2 2BY
Fourth Floor, 55 Spring Gardens, Manchester, M2 2BY
Fourth Floor, 64 - 72 Spring Gardens, Manchester, M2 2BQ
Fifth Floor, 51 Mosley Street, Manchester, M2 3HQ
51 Mosley Street, Manchester, M2 3HQ
First Floor To Fourth Floor, 51 Mosley Street, Manchester, M2 3HQ
59 Mosley Street, Manchester, M2 3HZ
Third Floor, 57 Spring Gardens, Manchester, M2 2BY
64 - 72 Spring Gardens, Manchester, M2 2BQ
Third Floor, Barnett House, 53 Fountain Street, Manchester, M2 2EE
Seventh Floor, Barnett House, 53 Fountain Street, Manchester, M2 2AN
Ground Floor, 59 Mosley Street, Manchester, M2 3HZ
61 Mosley Street, Manchester, M2 3HZ
Second Floor, 1 New York Street, Manchester, M1 4HD

Fourth Floor, 1 New York Street, Manchester, M1 4HD
Third Floor, 1 New York Street, Manchester, M1 4HD
Eighth Floor, 55 Spring Gardens, Manchester, M2 2BY
First Floor, 55 Spring Gardens, Manchester, M2 2BY
Second Floor, 64 - 72 Spring Gardens, Manchester, M2 2BG
Seventh Floor, York House, 20 York Street, Manchester, M2 3BB
Eighth Floor, Barnett House, 53 Fountain Street, Manchester, M2 2AN
Third Floor, 61 Mosley Street, Manchester, M2 3HZ
Fourth Floor, 61 Mosley Street, Manchester, M2 3HZ
Sixth Floor, 61 Mosley Street, Manchester, M2 3HZ
First Floor, Colwyn Chambers, 19 York Street, Manchester, M2 3BA
Third Floor, Colwyn Chambers, 19 York Street, Manchester, M2 3BA
Sixth Floor, Colwyn Chambers, 19 York Street, Manchester, M2 3BA
Colwyn Chambers, 19 York Street, Manchester, M2 3BA
Third Floor, 64 - 72 Spring Gardens, Manchester, M2 2BG
Ground Floor, Colwyn Chambers, 19 York Street, Manchester, M2 3BA
Eighth Floor, 1 New York Street, Manchester, M1 4AD
Third Floor, 55 Spring Gardens, Manchester, M2 2BY
Sainsbury's, 58 Mosley Street, Manchester, M2 3HZ
First Floor, 1 New York Street, Manchester, M1 4HD
First Floor, 64 - 72 Spring Gardens, Manchester, M2 2BQ
Fourth Floor, York House, 20 York Street, Manchester, M2 3BB
York House, 20 York Street, Manchester, M2 3BB
REGUS MANAGEMENT UK LTD, Ground Floor, Barnett House, 53 Fountain Street, Manchester, M2 2AN
Second Floor, Barnett House, 53 Fountain Street, Manchester, M2 2EE
First Floor, Barnett House, 53 Fountain Street, Manchester, M2 2EE
First Floor, 57 Mosley Street, Manchester, M2 3HY
19 York Street, Manchester, M2 3BA
Sixth Floor, 19 York Street, Manchester, M2 3BA
Second Floor, York House, 20 York Street, Manchester, M2 3BB
Third Floor, York House, 20 York Street, Manchester, M2 3BB
Fifth Floor, York House, 20 York Street, Manchester, M2 3BB
First Floor, York House, 20 York Street, Manchester, M2 3BB
Eleventh Floor, 1 New York Street, Manchester, M1 4HD
TOKIO MARINE KILN SERVICES LTD, Ninth Floor, York House, 20 York Street, Manchester, M2 3BB
Tenth Floor, 1 New York Street, Manchester, M1 4HD
Fifth And Sixth Floor, 1 New York Street, Manchester, M1 4HD

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Upper King Street (Extension) Conservation Area 1985
Area Team Boundary - Name: CENTRAL