MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141454/LO/2024
Date registered valid:	22 November 2024
Proposal:	Listed building consent for the replacement of existing roof finishes with welsh slate, together with the replacement of skylights and repointing and brickwork repairs of the rear elevation.
Address:	44 Portland Street, Manchester, M1 4GS
Ward(s):	Deansgate Ward
Applicant:	Mr Canxi Mo NW Groups Ltd.
Agent (if any):	Mr Mark Clifford Paul Butler Associates
Case officer:	Max Gibson Tel: 0161 219 6359 Email: maximillian.gibson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**16/01/2024**

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 15 May 2024

Standard consultations:
Printed: 28 November 2024 Expired: 19 December 2024

Neighbour notifications
Printed: 28 November 2024 Expired: 19 December 2024

Site notice
Posted: Expired: Posted: 2 December 2024 Expired: 23 December 2024

Press advert
Published: 3 December 2024 Expired: 24 December 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

This application relates to a property within the raised ground floor of 44 - 50 Portland Street, which is a Grade II listed former warehouse building, which is within the George Street Conservation Area and has frontages onto Portland Street and Reyner Street. Portland Street is a main radial route through the City Centre. The building was first listed on 6th June 1994.

The building makes a highly positive contribution to:
a. The George Street Conservation Area within which it is prominently located.
b. The settings of a number of nearby Grade II* and II listed buildings. In particular it is noted that this building is the middle building in a row of three Grade II listed former warehouse buildings fronting Portland Street, the other two being No.42 Portland Street (including No.36 Charlotte Street (Fraser House)) and Nos.52 & 54 Portland Street.
c. The settings of a number of nearby buildings which, although not listed, could be considered to be 'non-designated heritage assets.

The building has been the subject of historic unsympathetic works to the raised ground floor premises including suspended ceilings and wall linings and more recent unsympathetic and unauthorised fit-out, painting of the Portland Street elevation, signage and canopies associated with the basement use and externally mounted plant and equipment.

Listed building: Grade II

Conservation area: George Street Conservation Area 1985

Tree Preservation Order: **Not applicable**

Description of area

The building lies on the periphery of an area of the City Centre known as China Town and is within an area which contains a variety of uses including bars, restaurants, commercial, residential and hotel uses and facilities for the Chinese community.

Description of development

The development relates to external works to the roof and rear elevation. The works to the roof comprise the replacement of the roof slates with new Welsh slate and installation of new rooflights to replace historic rooflights that are either in a poor state of repair or have previously been removed. The works to the rear elevation comprise a wholesale repointing together with some repair of historic brickwork. The rear elevation has previously had some very poor quality and unauthorised repointing that would be removed and made good.

Consultations & Notification Responses

Publicity - a notice was displayed nearby to the site informing passers-by of the development. A press notice was placed in the local press advertising the works as those affecting a listed building and conservation area. Letters were sent to surrounding occupiers notifying them of the development. No representations have been received as a result of this publicity.

Issues

The main policies that relate to this application are:

DM1 (Development Management), SP1 (Spatial Principles), EN3 (Heritage), CC9 (Design and Heritage) of the Manchester Core Strategy (2012),

Saved policies DC18 (Conservation Areas) and DC19 (Listed Buildings) of the Unitary Development Plan for the City of Manchester (1995),

Policy JP-P2 (Heritage) of the Places for Everyone Joint Development Plan (2024) and

Section 16 of the National Planning Policy Framework.

Principle

The application seeks listed building consent for two main elements of remedial work to make good unauthorised works that have recently taken plan to 44 Portland Street.

In August 2024, the roof of the building, possibly original in nature, was removed and partially replaced with low quality slates quarried in China. Repointing of the rear elevation on Reyner Street was also undertaken concurrently with the works to the roof. The mortar used was a poor visual match for the existing mortar and very poorly applied, with large amounts of mortar spilling on to brick and air gaps that would have prevented long term durability.

The application proposes a wholesale replacement of the roof, including underlying timberwork where it is unviable, to allow for a new roof covering of recovered Welsh slate. The proposal would also see the installation of new heritage grade rooflights to replace historic rooflights that were removed during the unauthorised works. The rear wall would be repointed and damage to brickwork, as a result of scaffolding that was constructed to undertake the unauthorised works, would be made good. A new mortar mix, to match the historic mortar that remains in situ, would be used.

The works would, therefore, both preserve and enhance the character and appearance of the listed building through the use of traditional and sympathetic materials and techniques to repair extensive damage to the building. The principle of the works is thus considered to accord with the aims of policy EN3 of the Manchester Core Strategy (2012), saved policy DC19 of the Unitary Development Plan for Manchester (1995) and paragraph 219 of the NPPF.

Visual amenity

As half of the scheme would be undertaken at roof level, the visual impact of the slate replacement and rooflight replacement would be limited by virtue of the limited views from public vantage points. There would be some views from taller surrounding buildings such as the Manchester One building on the other side of Portland Street. The proposal seeks a replacement of the roof slates with reclaimed Welsh slates, which would provide a good visual match to historic slates that were on the roof and have an aged/weather appearance that would be in keeping with the historic character of the building. Likewise, the proposed timber rooflights would be of an appropriate appearance for the character of the building. Given the above, the roof works are considered acceptable from a visual amenity standpoint.

The works to the rear elevation, which is in a very poor state of repair and has been subject to recent low-quality repointing works, detracts from the appearance of the building. The new pointing, which is entirely incongruous with the existing mortar by virtue of its extremely light colour, appears particularly strident against the dark weather brickwork. In a number of places, the mortar has been applied on top of, as well as between, the bricks. Thus, it detracts significantly from the appearance of the listed building. The proposal would see this poorly applied mortar removed and new repointing undertaken. The new mortar mix would be a close visual match to the remaining historic mortar. The final mix is to be agreed by condition. A sample of the application would also be required to ensure the workmanship is of sufficiently high quality. Subject to the satisfactory discharge of this condition, it is considered that the works would have a positive impact on visual amenity.

Impact on the Conservation Area

The proposed works would have a positive impact on the setting of the surrounding conservation area. The roof works would have a negligible impact as they would largely not be visible from street level owing to the street pattern and height of the building. Some limited long-range views may be possible from across Portland Street as one heads northwards up Sackville Street. However, the use of a traditional Welsh reclaimed slate should ensure the appearance of the building is in keeping with the historic character of the conservation area.

The repointing of the rear elevation on Reyner Street would be highly visible to any vehicular and pedestrian traffic that passes along this stretch of the road. The proposed repointing of this elevation with a traditional mortar mix would greatly improve the appearance of this side of the property, thereby enhancing the appearance of the wider conservation area. Given the above, the development is supported as it accords with the aims of policies EN3 and CC9 of the Manchester Core Strategy (2012) and saved policy DC18 of the Unitary Development Plan for Manchester to preserve or enhance the appearance of Manchester's designated heritage assets.

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 polices 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. This has included correspondence regarding the conditions to be attached to any permission.

Condition(s) to be attached to decision for approval

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:

-Drawing - Proposed NW-24-9-101 ROOF PLAN received by the City Council, as Local Planning Authority, on 22/11/2024

-Drawing - Existing & Proposed REAR ELEVATION REPOINTING
-Design & Access Statement
Both received by the City Council, as Local Planning Authority, on 20/11/2024

-Supporting Information PROPOSED WORKS - REPOINTING BRICKWORKS AT REAR OF BUILDING
-Supporting Information RE PITCHED ROOFING
-Supporting Information SPECIFICATION AND METHOD STATEMENT FOR REPLACEMENT WORKS

-Supporting Information SPECIFICATION FOR TIMBER-FRAMED ROOF WINDOW ON GRADE II LISTED BUILDING
-Supporting Information VOID VENT SQUARE
-Supporting Information PITCHED ROOF FIXED TRIPLE GLAZED SKYLIGHT
All received by the City Council, as Local Planning Authority, on 06/11/2024

Reason - to ensure the development is carried out in accordance with the approved plans pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012).

3) In the event that scaffolding is required, prior to the commencement of any works to the facade or rooftop, a scheme, including a detailed methodology and specification, for any scaffolding and support structures required in order to carry out the approved works shall be submitted to and approved in writing by the City Council as local planning authority.

The scheme shall explore options considered in order to minimise any potential harm to the asset, and include details of any means of affixing to the building, location of any associated fixings to the building, details of how the building fabric would be protected from potential damage as a result of the erection of the scaffolding and details of making good to the building fabric following the removal of the scaffold. Any associated scaffold shall be fully implemented and subsequently removed in accordance with the approved scheme.

Reason - In the interests of visual amenity and because the proposed works affect designated heritage assets and careful attention to building work is required to protect the character and appearance of the listed building and designated Conservation Area in accordance with policies SP1, CC9, EN3 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

4) Notwithstanding the approved document (Supporting Information PROPOSED WORKS - REPOINTING BRICKWORKS AT REAR OF BUILDING received by the City Council, as Local Planning Authority, on 06/11/2024) prior to any wholesale repointing works to the listed building, full and final details of the repointing shall be submitted to and agreed in writing by the City Council, as Local Planning Authority. This shall include the provision of a finalised method statement for the repointing together with agreement of physical samples of the mortar mix and method of application. The approved details shall be implemented in full as part of the development.

Reason - In the interests of visual amenity and because the proposed works affect designated heritage assets and careful attention to building work is required to protect the character and appearance of the listed building and designated Conservation Area in accordance with policies SP1, CC9, EN3 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

5) a) The development hereby approved shall use reclaimed Penrhyn slates provided by "Roof Slates" Boodle Street, Ashton-under-Lyne, OL6 8NF. The approved product shall be implemented in full as part of the development.

b) In the event that the approved slate is no longer available, prior to the commencement of the development hereby approved, full and final details of the slates to be used on the development shall be submitted to and approved in writing by the City Council as Local Planning Authority. This shall include the provision of physical samples. The approved product shall be implemented in full as part of the development.

Reason - In the interests of visual amenity and because the proposed works affect designated heritage assets and careful attention to building work is required to protect the character and

appearance of the listed building and designated Conservation Area in accordance with policies SP1, CC9, EN3 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

6) The rooflights shall be constructed and installed in accordance with the approved details (Supporting Information PITCHED ROOF FIXED TRIPLE GLAZED SKYLIGHT; Supporting Information SPECIFICATION FOR TIMBER-FRAMED ROOF WINDOW ON GRADE II LISTED BUILDING both received by the City Council, as Local Planning Authority, on 06/11/2024). The approved details shall be implemented in full as part of the development.

Reason - In the interests of visual amenity and because the proposed works affect designated heritage assets and careful attention to building work is required to protect the character and appearance of the listed building and designated Conservation Area in accordance with policies SP1, CC9, EN3 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

Flat 3, 54 Portland Street, Manchester, M1 4QU
Flat 2, 54 Portland Street, Manchester, M1 4QU
Flat 1, 54 Portland Street, Manchester, M1 4QU
23 Nicholas Street, Manchester, M1 4EN
41 Faulkner Street, Manchester, M1 4EE
58 - 60 Portland Street, Manchester, M1 4QU
45 - 47 Faulkner Street, Manchester, M1 4EE
46 Portland Street, Manchester, M1 4QU
Second Floor, 41 Faulkner Street, Manchester, M1 4EE
Third Floor, 41 Faulkner Street, Manchester, M1 4EE
Ground Floor, 41 Faulkner Street, Manchester, M1 4EE
Sub Basement And Basement, 41 Faulkner Street, Manchester, M1 4EE
First Floor, 52 Portland Street, Manchester, M1 4QU
Fourth Floor, 44 Portland Street, Manchester, M1 4GS
First Floor, 44 Portland Street, Manchester, M1 4GS
Ground Floor, 45 - 47 Faulkner Street, Manchester, M1 4EE
Second Floor, 36 Charlotte Street, Manchester, M1 4FD
Flat 26, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 24, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 21, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 19, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 16, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 14, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 11, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 9, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 7, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 4, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 2, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Second Floor Rooms 8 And 9, 41 Faulkner Street, Manchester, M1 4EE
WING FAT SUPERMARKET LTD, 49 Faulkner Street, Manchester, M1 4EE
60 Portland Street, Manchester, M1 4QU
First Floor And Second Floor, 60 Portland Street, Manchester, M1 4QU
Second Floor, 52 Portland Street, Manchester, M1 4QU
Basement To First Floor, 58 - 60 Portland Street, Manchester, M1 4QT
Fourth Floor, 52 Portland Street, Manchester, M1 4QU
First Floor To Third Floor, 45 - 47 Faulkner Street, Manchester, M1 4EE
First Floor And Second Floor Room 7, 41 Faulkner Street, Manchester, M1 4EE
52 Portland Street, Manchester, M1 4QU
48 Portland Street, Manchester, M1 4QU
54 Portland Street, Manchester, M1 4QU
Basement, 52 Portland Street, Manchester, M1 4QU
Third Floor, 44 Portland Street, Manchester, M1 4GS
Sub Basement, 36 Charlotte Street, Manchester, M1 4FD
Basement, 45 - 47 Faulkner Street, Manchester, M1 4EE
Flat 33, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 32, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 31, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 30, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 29, Faulkner Court, Faulkner Street, Manchester, M1 4EE
39 Faulkner Street, Manchester, M1 4EE

42 Portland Street, Manchester, M1 4GS
Flat 28, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 27, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 25, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 23, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 22, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 20, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 18, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 17, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 15, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 13, Faulkner Court, Faulkner Street, Manchester, M1 4EE
56 Portland Street, Manchester, M1 4QU
Flat 12, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 10, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 8, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 6, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 5, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 3, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 1, Faulkner Court, Faulkner Street, Manchester, M1 4EE
First Floor And Second Floor, 36 Charlotte Street, Manchester, M1 4FD
Second Floor, 44 Portland Street, Manchester, M1 4GS
Third Floor Office, 36 Charlotte Street, Manchester, M1 4FD
Fourth Floor Office, 36 Charlotte Street, Manchester, M1 4FD
Basement, Lindencourt House, 34 Charlotte Street, Manchester, M1 4FD
Ground Floor To Fourth Floor, Lindencourt House, 34 Charlotte Street, Manchester, M1 4FD
44 - 46 Faulkner Street, Manchester, M1 4FH
Basement And Ground Floor Restaurant, 36 Charlotte Street, Manchester, M1 4FD
50 Portland Street, Manchester, M1 4QU

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 - George Street Conservation Area 1985
Area Team Boundary - Name: CENTRAL