

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140797/FO/2024

Date registered valid: 5 November 2024

Proposal: External alterations consisting of addition of louvres and an external door.

Address: 1 New Quay Street, Manchester, M3 4PR

Ward(s): Deansgate Ward

Applicant: Aviva Life & Pensions UK Ltd

Agent (if any): Mr Thomas Humphreys, Icen Projects Ltd

Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 30 December 2024

Application Details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 27 November 2024

Standard consultations:

Printed: 20 November 2024 Expired: 11 December 2024

Neighbour notifications

Printed: 20 November 2024 Expired: 11 December 2024

Site notice

Posted: 26 November 2024 Expired: 17 December 2024

Press advert

Published: 26 November 2024 Expired: 17 December 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of Site/Area

Listed building: Not applicable

Conservation area: Castlefield Conservation Area 1979

Tree Preservation Order: Not applicable

The application site is a ground floor commercial unit in the Globe and Simpson Building, which is a 9-storey building comprising workspace and flexible commercial floorspace at ground level.

The commercial and culture-led regeneration area of the surrounding St. John's area is home to over 1,000,000 sq. ft. of now fully occupied new and refurbished commercial office floorspace, Aviva Studios, 1,600 co-living bedspaces across two buildings, two hotels and a series of refurbished TV Studios, set amongst new high quality public realm on the former ITV Granada studios estate.

The commercial unit fronts out onto three units. One on to New Quay Street, one on to Water Street, and one on to the pedestrianised area of the St John's area.

The site is located within Castlefield Conservation Area.

Description of Development

The application seeks external alterations consisting of addition of louvres and an external door.

These works are proposed in order to service a restaurant coming in as the occupier for the commercial unit.

Related Applications

121721/FO/2018 - Erection of a 9-storey building (including ground) comprising workspace (Use Class B1) and flexible commercial floorspace at ground level (Use Class A1, A3 and / or B1), referred to as Building 2, above basement level for car and cycle parking, together with new public realm, landscaping, provision of external seating areas, access and other associated works.

Approved January 2019.

125222/JO/2019 - Minor Material Amendment to vary Plan References listed in Condition 2 of Planning Permission 121721/FO/2018 to facilitate the removal of car park ramp from New Quay Street, revised basement layout, above ground design changes, and associated works.

Approved January 2020.

Consultations & Notification Responses

Highway Services - No comments.

Environmental Health - Recommended that if the application be approved, a condition would need to be added to ensure that the noise levels identified in the submitted acoustic report are complied with.

Publicity - Neighbour notification letters were sent to surrounding properties. A site notice and local press advert were also produced. At the time of writing this report, no representations have been received because of this publicity.

Policy

The following policy and guidance are considered relevant to the consideration of this application:

The Adopted Core Strategy for the City of Manchester (2012)

Adopted on 11th July 2012 and the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

CC7 (Mixed Use Development) sets out that 'active ground floor uses (shops, food and drink and leisure) will be appropriate in locations which have an established public function, or as part of a development which will create such an environment'.

CC9 (Design and Heritage) advises that design of new buildings will need to be of the highest standard in terms of appearance and function. The standards and guidance explained in other LDF policies should be the basis for the approach to design, with particular attention to be given to the City Centre context and character.

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.

The Council will support high density and mixed-use development in the City Centre, but developers must recognise the specific design challenges that must be overcome to ensure complementarity of function and form. New development must support the range of uses the Council expects in the City Centre and contribute to a coherent and integrated physical environment.

CC10 (A Place for Everyone) advises that the City Centre will develop as a location which appeals to a wide range of residents and visitors. Development which promotes this objective will be supported, particularly through: Uses which increase the diversity of activity in the City Centre, with an emphasis on family-oriented activity; and high standards of accessibility to buildings and across spaces in the City Centre.

SP1 (Spatial Principles) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety, and well-being of residents, consider the needs of all members of the community, and protect and enhance the built environment. Further, development should seek to improve access to jobs, services and open space, and provide good access to sustainable transport provision.

EN1 (Design Principles and Strategic Character Areas) advises that development provide opportunities for good design to enhance the overall image of the City should be fully realised and both reinforce and enhances the local character. It also advises that developer's will be expected to consider the City's heritage, including its listed buildings, conservation areas, archaeological remains and historic street pattern.

EN3 (Heritage) advises 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 and that proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

EN19 (Waste) states that the Council will require developers to demonstrate how the sustainable waste management needs of the end user will be met.

DM1 (Development Management) states that all development should have regard to a number of specific issues the following of which are relevant to this application and for which more detailed guidance may be given within a supplementary planning document:

- 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 prevention.
- Design for health.
- Refuse storage and collection.
- Vehicular access and car parking.

The Unitary Development Plan (UDP) for the City of Manchester (1995)

The Unitary Development Plan was adopted in July 1995. Coinciding with the adoption of the Core Strategy in 2012 significant proportions of the UDP have been replaced; however, a number of policies were saved on 11 July 2012 and remain extant.

DC10.1 (Food and Drink Uses) requires development for food and drink uses to have regard to the following:

- the general location of the proposed development, including any reference to the area in other policies in the Development Plan
- the effect on the amenity of neighbouring residents
- the availability of safe and convenient arrangements for car parking and servicing
- ease of access for all, including disabled people, and
- the storage and collection of refuse and litter.

DC18.1 (Conservation Areas) states that the Council will give particularly careful consideration to development proposals within Conservation Area. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering; the relationship of new structures to neighbouring buildings and spaces; and the effect of major changes to the appearance of existing buildings.

DC26.1 (Development and Noise) states that the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a. the effect of new development proposals which are likely to be generators of noise; and
- b. the implications of new development being exposed to existing noise sources which are effectively outside planning control.

Places for Everyone (2024)

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the ten boroughs which make up Greater Manchester.

The following policies are considered relevant to this application:

JP-Strat2 (City Centre) states that the role of the City Centre as the most significant economic location in the country outside London will be strengthened considerably. The City Centre will continue to provide the primary focus for business, retail, leisure, culture and tourism activity in Greater Manchester, but the increasingly important residential role of the City Centre will be expanded. It will be a priority for investment in development and infrastructure. This will include addressing current network capacity issues in the City Centre which will enable the future expansion of the rapid transit public transport network across Greater Manchester. Improvements in the public realm, walking and cycling facilities, and green infrastructure will help to enhance the local character and environmental quality of the City Centre so that it can rival city centres across the globe, enabling it to compete effectively at the international level for investment, businesses, skilled workers, residents and tourists. A broad range of commercial accommodation will be delivered, helping the City Centre to capture growth across key economic sectors. The new functions within the City Centre will be delivered in a way that complement, rather than displace the area's non-residential functions and will seek to protect and enhance the city centre's historic environment and assets.

JP-P1 (Sustainable Places) states an aim to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy, and varied places, each having the following key attributes that all development, wherever appropriate, should be distinctive, with a clear identity, visually stimulating, socially inclusive, resilient, adaptable, durable, resource efficient, safe, supported by critical infrastructure, functional and convenient, incorporating accessibility, legible easy to move around, well connected, comfortable and inviting, incorporating high quality and well managed green infrastructure and public realm, well served by local shops, services and amenities.

JP-P2 (Heritage) states an aim to proactively manage and work with partners to positively conserve, sustain and enhance its historic environment and heritage assets and their settings. Opportunities will be pursued to aid the promotion, enjoyment, understanding and interpretation of heritage assets, as a means of maximising wider public benefits and reinforcing Greater Manchester's distinct identity and sense of place. The policy requires development proposals affecting a designated heritage asset (or an archaeological site of national importance) and a conservation area to conserve those elements which contribute to its significance including those identified in any conservation area appraisal as making a positive contribution to the area. Harm to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal.

St. John's Strategic Regeneration Framework (SRF)

This SRF outlines a vision for the regeneration of the site, based on the concept of the "Village" and the "Sky", together with a series of development principles, which are sufficiently flexible to be able to respond to opportunities in the marketplace as they arise.

It sets out the visions for a new residential-led mixed-use, sustainable City Centre neighbourhood which is accessible, has a distinctive sense of place and offers life and vitality at all times through the year, day and night.

It also addresses the following key areas:

- To deliver a best-in-class City Centre neighbourhood; a place to live, work and play; a place for enterprise and innovation; for culture, entertainment and leisure; a unique proposition for Manchester that will raise its international profile and set it apart from its peer cities.
- Development that is fully integrated both functionally and physically with the City Centre and adjoining city centre neighbourhoods.
- To re-establish Manchester's tight-knit urban grain and create a meandering network of public spaces and complementary range of uses.
- A form of development that retains and reutilises the site's key heritage assets and integrates those features into the new urban form.
- A series of existing and new public landscaped spaces will be created that support a new network of routes and linkages which connect the different parts of the site to its neighbours and the River Irwell, as well as anchoring the major buildings.
- A scale of building form that in height and plan extends the scale of the St. Johns Street district across the site. To the west of the site, adjacent to the River Irwell, there is the potential to introduce taller, elegant residential buildings.

The SRF was updated in November 2016 to incorporate the recently completed Factory proposals, and the emerging emphasis on the Enterprise City concept.

The Enterprise City concept has been developed as a long-term partnership between Aviva and Allied London to establish a media and tech creative hub within St John's. It is a key anchor for St. John's and will influence all that happens on the estate.

Enterprise City will comprise a unique offering of multi-studios for TV, film and music recording/production, entertainment, places to start a retail brand, a restaurant or a café, all anchored on 21st Century workspace infrastructure.

The neighbourhood will revolve around three core thematic pillars; 'living', 'culture' and 'enterprise'. The intention is to create a 'sustainable eco-system', comprising a vibrant mix of digital, technology and creative industries, rather than just a 'place of work'.

Each proposal will be unique, whether it is a 'start-up' or a multinational corporation, and every business will find a space that is crafted and curated to fit its specific industry requirements.

Support for active streets will be encouraged by developing active frontages on the ground floor of buildings, allowing for a vibrant and varied street scene with a complementary mix of uses across both the day and night-time economy.

Flexible leasing strategies will be used where appropriate to encourage a mix of uses in the area involving start-up businesses and independent operators as well as established operators in order to foster enterprise and establish key points of difference from the offer at Spinningfields.

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (Adopted 2007)

This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for disabled people (in accordance with Design for Access 2), pedestrians and cyclists. It also promotes a safer environment through Secured by Design principles, appropriate waste management measures, and environmental sustainability.

In Chapter 2 'Design', paragraph 2.7 outlines the City Council's expectations that all new developments should have a high standard of design making a positive contribution to the City's environment and encourages "the most appropriate form of development to enliven neighbourhoods and sustain local facilities. The layout of the scheme and the design, scale, massing, and orientation of its buildings should achieve a unified form which blends in with and links to adjacent areas.

National Planning Policy Framework (NPPF) (2024)

Decisions should accord with the requirements of the National Planning Policy Framework (NPPF) (2024), which sets out the Government's Planning Policies for England and how these are expected to be applied.

The following sections are of relevance to this application:

Section 12 (Achieving well-designed places) advises that the government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

It specifically states that:

"Development that is not well designed should be refused, specifically where it fails to reflect local design policies and government guidance on design. Developments should help to raise the standard of design more generally in an area and fit in with the overall form and layout of their surroundings" (paragraph 139).

At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (**paragraph 11**).

This is further explored in paragraph 8, which confirms that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective
- b) a social objective and
- c) an environmental objective.

Section 16 (Conserving and Enhancing the Historic Environment) addresses how proposals that affect heritage assets should be considered.

Paragraph 207 advises that Local Planning Authorities (LPAs) should require an applicant to describe the significance of any heritage assets affected. The level of detail should be sufficient to understand the potential impact of the proposal on their significance.

Paragraph 208 advises that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 210 advises that in determining applications, local planning authorities should take account of:

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

National Planning Practice Guidance (NPPG)

The National Planning Practice Guidance (NPPG) is a web-based resource which was launched in March 2014 and coincided with the cancelling of the majority of Government Circulars. It provides guidance on many aspects of planning including plan-making and decision taking.

The National Design Guide (January 2021)

Illustrates how well-designed places that are beautiful, enduring, and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

There are 10 characteristics of well-designed places within the National Design Guide which are listed below:

- Context - enhances the surroundings
- Identity - attractive and distinctive
- Built form - a coherent pattern of development

- Movement - accessible and easy to move around
- Nature - enhanced and optimised
- Public Spaces - safe, social, and inclusive
- Uses - mixed and integrated
- Homes and buildings - functional, healthy, and sustainable
- Resources - efficient and resilient
- Lifespan - made to last

Other Legislation

Sections 16, 66, and 72 of the Listed Buildings and Conservation Areas Act 1990 require that special consideration is given to the preservation of the significant fabric and setting of listed buildings and conservation areas.

Issues

Principle of the Development

The principle of installing an additional door on the east elevation of the building is not acceptable.

The applicant has states that the louvres are required to support a food and beverage (F&B) tenant in the currently vacant unit and in the accompanying design strategy with the application noted that *“the nature and function of the proposed restaurant is dictating the requirement for additional M&E services installations, and unfortunately the amount of services is beyond the capacity of the existing vertical risers in the building.”*

However, the ventilation strategy attached to both the original planning permission 121721/FO/2018 and application 125222/JO/2019 that varied this outlined that the ground floor unit had been identified for A3 (Restaurant) use at this stage.

The strategy acknowledged that *“Dedicated riser space has been identified for the unit taking the kitchen extract systems to roof level.”*

Overall, the ventilation strategy makes it clear that the building was designed with a restaurant occupation of this ground floor unit in mind and that the risers in the building were designed to accommodate this.

Discussions have taken place as to whether the ventilation requirements for this particular proposed restaurant occupier are significantly higher than the average restaurant and why the risers could not be used.

The applicant clarified that the although the ventilation strategy for the original permission identified that the unit could be utilised for F&B, the level of occupation posed by the high-end restaurant exceeds the original servicing strategy.

They also clarified that the level of fit out on the upper floors by the media companies in occupation has dictated a high level of technology and servicing, which has taken up the majority proportion of the services distribution space.

However, no evidence to demonstrate the above.

Visual Amenity

The introduction of louvres above the doors on the west elevation are considered to cause an unduly harmful impact on the visual amenity and high-quality architectural language of the building, through the removal of the previously clear, seamless and consistent curtain walling across this elevation.



Proposed West Elevation

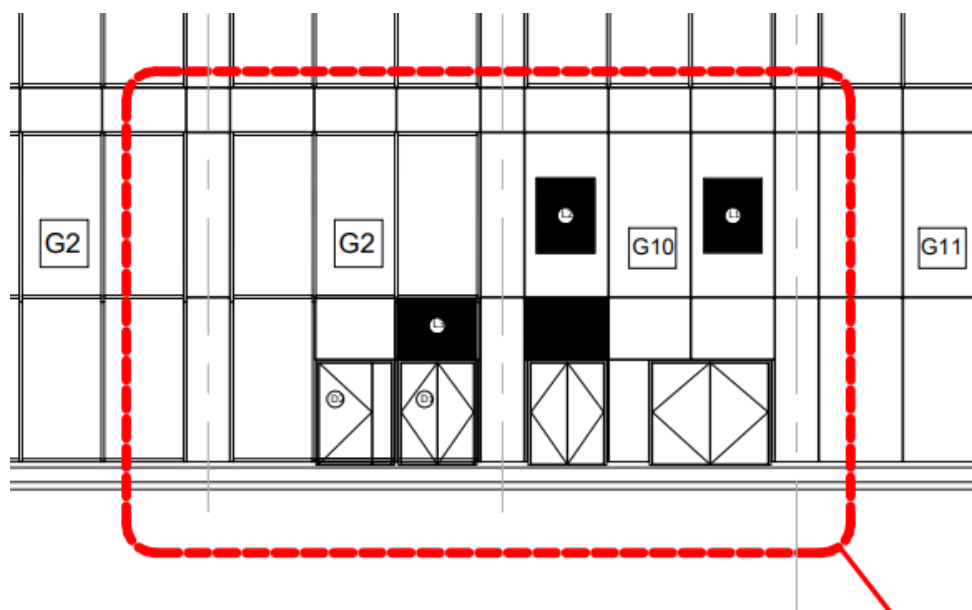


Existing West Elevation

In particular, the specification of louvres proposed “BLGB50 Glazing and Curtain Walling Louvre Panels” are considered to be overtly solid feature that in terms of both siting, appearance, design and materiality. The louvres are aluminium and would be entirely surrounded by glazing, would create an incongruous feature on this elevation of the building.

In addition, the proposal also seeks to install louvres in place of the glazing on the New Quay Street elevation. The points made above regarding the introduction of a solid louvre on the west

elevation can also be applied here. Furthermore, the louvre appears in a random manner on the elevation and cuts into cladding on the elevation which further undermines the appearance of this high quality building.



Proposed East Elevation



Existing East Elevation

The introduction of a steel louvre door and steel personnel door would be considered to interrupt this glazed section of this elevation. On this elevation, there is a clear distinction between elements of glazing and elements of solid curtain walling. If there are to be doors required in the section marked on the proposal, these must be glass doors that compliment the glazed section of the building in which they sit.

Impact on the conservation area

The building is located in the Castlefield conservation area, however, it forms part of a series of modern buildings which have been delivered as part of the redevelopment of the Granda Studios estate. It is not considered that the proposal would undermine the appearance of the conservation area per se however, it would impact on the quality and architecture of the building within this location. The impact of the buildings as a whole was justified in this heritage context on the basis that they were of the highest quality. This proposal would erode the quality of the buildings in this context which is unacceptable.

Accessibility

Level access would be maintained into the unit through the existing main entrance door in place, so the proposed works would not cause a detrimental impact upon accessibility.

Public Safety

There are no public safety concerns with the proposals.

Conclusion

The proposal has been recommended to be refused on the ground of adverse visual amenity, and failure to enhance the appearance of this high quality building within a key regeneration area. The development is therefore contrary to policies EN1, EN3, SP1, CC9, and DM1 of the Manchester Core Strategy (2012) and the NPPF (2024).

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: Refuse

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Unfortunately, in this instance, the concerns with the application have been too significant in order to resolve within the determination period of the application and the application has therefore been refused.

Reasons for recommendation to refuse

1) The proposed external alterations, by reason of siting and appearance, would form incongruous and unsympathetic alteration to this high quality building within a key regeneration area. The changes would appear out of context and out of character with both the architecture of the building and the surrounding area. The proposed development would therefore result in an unduly harmful impact on visual amenity. The development is therefore contrary to policies EN1, SP1, CC9, and DM1 of the Manchester Core Strategy (2012) and the NPPF (2024).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

1 New Quay Street, Manchester, M3 4BN
37 Quay Street, Manchester, M60 9EA
The New St Johns Building, New Quay Street, Manchester, M3 3BE

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 - Castlefield Conservation Area 1979
Area Team Boundary - Name: CENTRAL