

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141570/FO/2024
Date registered valid: 22 November 2024
Proposal: Replacement of 5no. windows
Address: Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Ward(s): Deansgate Ward

Applicant: XLB Property
Agent (if any): Mr Matthew Sobic, Savills (UK) Limited
Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 16 January 2024

Application Details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 27 November 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 27 November 2024

Expired: 18 December 2024

Site notice

Posted: 27 November 2024

Expired: 18 December 2024

Press advert

Published: 3 December 2024

Expired: 24 December 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of Site/Area

Listed building: Grade II*

Conservation area: Not applicable

Tree Preservation Order: Not applicable

This application relates to a Grade II* listed building located at 56 Oxford Street in Manchester City Centre. The site is not located within a Conservation Area.

The building is a former textile warehouse that dates from 1896-1968, built by, and originally occupied by, Tootal, Broadhurst and Lee Co. Ltd. In the early 1990's the building was stripped out to create offices to rent.

It is a large red brick building with orange terracotta stripes that was built in the Edwardian Baroque style. It has been amended over the years but retains a number of original features and is in good condition.

The building was constructed in baroque style, is five storeys with basements and attic. It features 7 bays plus canted corners; glazed terracotta to ground floor with raised banding, alternating bands of red brick and yellow terracotta to all upper floors; cornice over ground floor, banded piers to 1st floor serving as pedestals to giant Corinthian colonnade at 2nd and 3rd floor which has a modillioned cornice and finishes as an arcade of semi-circular windows at 4th floor; very prominent modillioned cornice, attic treated as a parapet and raised in the centre; set-in semi-octagonal corner turrets rising from 2nd floor and capped by colonnaded octagonal cupolas with prominent cornices and apex finials with flag masts. Massive central round-headed doorway with banded surround and cartouche dated 1896, set in architrave of coupled banded columns and broken pediment; 6-light windows with transoms. Right-hand return to Great Bridgewater Street, 5:2:5 bays in matching style, but the 2-bay centre with coupled round

headed loading-bay arches at ground floor (furnished with wrought-iron gates in Art Nouveau style)

The main frontage of the building faces out on to Oxford Street. Other frontages face out onto Great Bridgewater Street and the Rochdale Canal.

The Grade II Listed St James Buildings are located opposite the building and the Grade II listed Portland Buildings, Palace Theatre, Ritz Dancehall, Oxford Road Station and Canada House and the Grade II* Listed Palace Hotel are nearby. The building shares a courtyard with the adjoining Grade II listed Lee House, which was constructed in 1931.

The area of the building subject of this application is the Great Bridgewater elevation of the ground floor.

Surrounding uses include a theatre, hotels, offices, shops, restaurants, cafes, bars and residential properties.

Description of Development

The application seeks planning permission for the replacement of 5no. non-original windows with windows more akin to the original design, as found elsewhere on the building.

The windows to be replaced are at the ground floor level on the Great Bridgewater Street elevation.

Related Applications

141571/LO/2024 - Listed building consent for replacement of 5no. windows.
To be approved in tandem with this application.

138330/LO/2023 - Refurbishment of existing office space at ground floor level.
Approved July 2024.

Consultations & Notification Responses

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.

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.

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.

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.

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.

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.

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.

DC19.1 (Listed Buildings) states that the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general settings by; not permitting any external or internal alterations or addition to a listed building where, in its opinion, there would be an adverse effect on its architectural or historic character; and seek to preserve and enhance the setting of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by the preservation of trees and landscape features.

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.

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) (2023), which sets out the Government's Planning Policies for England and how these are expected to be applied.

The following policies 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.

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 the development is considered to be acceptable as the proposed works were works requested by the Local Planning Authority during discussions on application 138330/LO/2023.

Visual Amenity

The works will replace late addition windows that detracted from the significance of the historic building and will replace them with new windows that match the appearance of the windows on the Great Bridgewater Street elevation including the verticality of those windows so that there is a consistent and even appearance to windows on the building on this elevation.

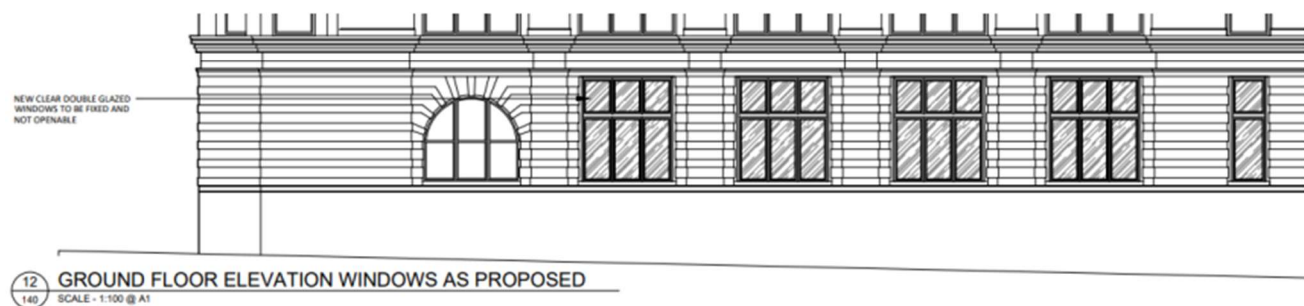
In addition, the windows in question are also frosted at upper window pane level meaning the glass does not match the appearance of other windows on the building and creates a darker environment within the building itself.

There will be a positive contribution caused to the building and the surrounding street scene as a result of the proposed works.

The proposed works would enhance the listed building and install a feature more closely akin to the original building. This would be seen as a heritage benefit to the building.



Image of building with original windows in place



Comparison of proposed windows with original windows on historic drawing

Access

There are no amendments to how the building is accessed as a result of this proposal or any amendments to any operational access requirements. The application relates solely to replacing existing windows. Access considerations are therefore not relevant to the determination of this proposal.

Public Safety

There are no public safety concerns with the proposals.

Conclusion

Given the above, it is considered that the proposal is in accordance with the above policies and should be approved.

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

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 application.

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 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, received by Manchester City Council as the Local Planning Authority on 22 November 2024:

- Location Plan
- Proposed Window Replacement Details AXI-140 Rev 02
- Design and Access Statement
- Heritage Statement

And received by Manchester City Council as the Local Planning Authority on 16 January 2025:

- Proposed New Windows Details 23-141 AXI 200 Rev 3

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 and saved policy DC18.1 and DC19.1.

3) Notwithstanding the details as set out in condition 2 above, prior to the commencement of works, detailed proposed and existing sections at a large scale 1:2 / 1:5, showing how the timber frame, transoms and mullions match the existing frames and moulding at the head, cill,

reveal and glazing bars, shall be submitted to and approved by the City Council as Local Planning Authority.

For the avoidance of doubt, this is required in order to compare the original moulding with the proposed, as they should match as closely as possible.

The approved details shall then be implemented as part of the development.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policy and EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

4) Notwithstanding the details as set out in condition 2 above, prior to the commencement of works, a sample of the windows shall be submitted to and approved by the City Council as Local Planning Authority.

The approved details shall then be implemented as part of the development.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policy and EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

95 Oxford Street, Manchester, M1 6ET
Window Display 3, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Third Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Window Display 2, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Third Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
PIZZAEXPRESS, Unit B, St James Buildings, 61 - 73 Oxford Street, Manchester, M1 6EQ
67 - 73 Oxford Street, Manchester, M1 6EQ
60 Oxford Street, Manchester, M1 5EE
Fourth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Ground Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
Canada House, 3 Chepstow Street, Manchester, M1 5FW
83 Oxford Street, Manchester, M1 6EG
Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW
Third Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5RR
Window Display 1, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Suite 9, 67 - 73 Oxford Street, Manchester, M1 6EQ
Fifth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Ground Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW
87 Oxford Street, Manchester, M1 6EG
Second Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Cafe Nero, Unit C, St James Buildings, 61 - 73 Oxford Street, Manchester, M1 6EQ
Basement, 67 - 73 Oxford Street, Manchester, M1 6EQ
91 - 93 Oxford Street, Manchester, M1 6ET
Upper Ground Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Window Display 5, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Window Display 4, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Puma United Kingdom Ltd, Sixth Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
Henry Kaye Family Settlement, Fourth Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
Temple Of Convenience, Great Bridgewater Street, Manchester, M1 5JW
BANNATYNES HEALTH CLUB, Basement Health Club G.3, Canada House, 3 Chepstow Street, Manchester, M1 5FW
75 Oxford Street, Manchester, M1 6EQ
The Stage Door, 97 Oxford Street, Manchester, M1 6ET
Ground Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Sixth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Fifth Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
First Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Second Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
First Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW
48 Oxford Street, Manchester, M1 5EJ
St. James Safe Deposit Company Ltd, 77 Oxford Street, Manchester, M1 6EG
Basement, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Cafe Ground Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
First Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
Ground Floor And First Floor, 1 Chepstow Street, Manchester, M1 5FW
Sixth Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW
50 Oxford Street, Manchester, M1 5EJ
85 Oxford Street, Manchester, M1 6ET
TESCO Express, Unit A, St James Buildings, 61 - 73 Oxford Street, Manchester, M1 6EQ

Appendix 2 – Planning constraints

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

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: CENTRAL