MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141370/LO/2024
Date registered valid:	4 November 2024
Proposal:	Listed building consent for internal fit out.
Address:	31 Booth Street, Manchester, M2 4AF
Ward(s):	Deansgate Ward
Applicant:	Mr Scott Fawcett Vista Trust Corporation (UK) Ltd as Trustee of the Property Income Trust for Charities
Agent (if any):	Mrs Fiona Collier Blue Sky Design Interiors
Case officer:	Emily Booth Tel: 0161 234 4193 Email: emily.booth@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	13 December 2024

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 20 November 2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 8 November 2024 Expired: 29 November 2024

Site notice
Posted: 8 November 2024 Expired: 29 November 2024

Press advert
Published: 12 November 2024 Expired: 3 December 2024

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 required

Description of area

This application relates to a Grade II Listed Building that is located at 31 Booth Street and is within central Manchester's Upper King Street Conservation area. Originally named 'Fountain Court' the site is located at the junction of Booth Street and Fountain Street and the part of the building to which this application was recently re-named as '31 Booth Street'.

The building was constructed in 1868 and was designed by architectural practice Clegg & Knowles. It was constructed of red brickwork with sandstone ashlar dressings and a slate roof. The building is positioned on a prominent corner, with impressive Venetian neo-Gothic facades with tall windows set in ornate surrounds.

The building was refurbished extensively in the 1980s at which point the internal parts of th building were removed and a steel frame was constructed behind the original walls. The lobby was more recently renovated in 2016/17. It is predominantly commercial office space with a dental surgery on the ground floor corner unit. The latter has stepped access from the street with lift access to all parts of the building including the surgery in the 31 Booth Street lobby.

The lobby area is a split-level, common space used by several different tenants and companies access commercial offices.

This application relates to a suite on the second floor of the building.

Description of development

The proposal seeks Listed building consent for:

- The installation of partitions to form two meeting rooms.
- The provision of an open plan tea point.
- The installation of acoustic cladding panels to walls.
- The installation of feature wall panels to tea point seating area.
- The installation of a feature ceiling above seating area.

Consultations & Notification Responses

Publicity - The application was advertised in the local press as an application for Listed Building Consent, a site notice was displayed on site and letters were sent to surrounding occupiers. No responses were received.

Issues

Issues and Policy

The Adopted Core Strategy for the City of Manchester

Policy EN1 (Design Principles and Strategic Character Areas) 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.

Policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

Policy CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected.

CC10 (A Place for Everyone) states that development that promotes high standards of accessibility to buildings and across spaces in the City Centre.

Policy SP1 (Spatial Principles) advises that development in all parts of the City should protect and enhance the built environment.

Policy DM1 (Development Management) advises that all development should be appropriately sited, scaled, formed, massed and detailed with appropriate layout and materials and should have regard to the character of the surrounding area and effects on built heritage.

The Unitary Development Plan for the City of Manchester

Saved Policy DC19.1 (Listed Buildings) advises that in determining applications for listed building consent 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 setting. The City Council will:

- Not permit any external or internal alteration or addition to a listed building where in its opinion, there would be an adverse effect on its architectural or historic character.

Places for Everyone -

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester.

The following policies are considered relevant to this application.

Policy JP-J 1 (Supporting Long-Term Economic Growth) States that a thriving, inclusive and productive economy will be sought in all our boroughs. There will be an emphasis on maintaining a very high level of economic diversity, facilitating the development of high value clusters in prime sectors, making the most of major assets of the sub-region, grasping the economic opportunities from the global transition to a low carbon economy, providing the high-quality, sustainable living environments that will help to attract and retain skilled workers, supporting local job growth, maximising the potential of the key growth locations whilst also securing investment that raises the competitiveness of our northern boroughs to deliver inclusive growth across the sub-region.

Policy JP-P 1 (Sustainable Places) aims 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.

Policy JP-P 2 (Heritage) aims 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.

National Policy

Sections 16, 66 and 72 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings and conservation areas. Development decisions should, therefore, accord with the requirements of the NPPF and to section 16 (Conserving and Enhancing the Historic Environment).

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development". In order to meet this key planning objective, in this instance, the development should sustain and contribute to the stimulation of a thriving historic environment.

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

(a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

(b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.

(c) the desirability of new development making a positive contribution to local character and distinctiveness; and

(d) opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 207 advises that local planning authorities should require an applicant to submit sufficient information to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 216 states that in determining applications, local planning authorities should take account of:

(a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

(b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

(c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 213 advises that any harm to or loss of a designated heritage asset should require clear and convincing justification. Substantial harm or loss should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional.

Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

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.

Visual Amenity and the impact on the Character and Appearance of the Heritage Assets affected -

As described above the internal areas of this building even those attached to external walls are non-original as the interior of the building was wholly replaced in the 1980s.

Given this, our only consideration is that partitions and ceilings do not cut across the original window openings. Given that the proposed works there wouldn't be any harm, and the works are acceptable and would update the suite to modern standards making it more appealing to tenants.

Given that no harm is caused there is no need to address the public benefit requirement of paragraph 215 of the NPPF however there would be public benefits in that the proposal would create a more lettable space and contribute to the retention of this listed building and could provide new office-based jobs assisting the local economy. The proposals also comply with sections 66 and 72 of the Planning Act in relation to preservation and enhancement.

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. In this instance there have been no issues to address.

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:

The site location plan referenced 1394-02-HE-03 Rev A received by the City Council as local planning authority on 24 October 2024

The drawings referenced:

1394-02-CL-01 Rev A
1394-02-DC-01 Rev A
1394-02-FL-01 Rev A
1394-02-GA-01 Rev C
1394-02-JN-01 Rev A
1394-02-KT-01 Rev A
1394-02-PE-01 Rev A
1394-02-PT-01 Rev A
1394-02-PT-02 Rev A
1394-02-HE-02 Rev A

received by the City Council as local planning authority on 24 October 2024

The Design and Access Statement prepared by Blusesky Design received by the City Council as local planning authority on 24 October 2024

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN1, EN3, SP1 CC9 and DM1 of the Core Strategy, saved policies DC18.1 and DC19.1 of the Unitary Development Plan.

Appendix 1 – List of consultees & neighbours notified

City Centre Dentist, 31 Booth Street, Manchester, M2 4AF
Sixth Floor, Fountain House, 83 Fountain Street, Manchester, M2 2EE
Third Floor, 61 - 63 Brown Street, Manchester, M2 2JG
Basement, 61 - 63 Brown Street, Manchester, M2 2JG
Ground Floor, 61 - 63 Brown Street, Manchester, M2 2JG
Third Floor, Fountain House, 83 Fountain Street, Manchester, M2 2EE
Second Floor, Fountain House, 83 Fountain Street, Manchester, M2 2EE
12 Cooper Street, Manchester, M2 2FW
12 Booth Street, Manchester, M2 4AW
First Floor, Fountain House, 83 Fountain Street, Manchester, M2 2EE
Fifth Floor, Fountain House, 83 Fountain Street, Manchester, M2 2EE
Fourth Floor, Fountain House, 83 Fountain Street, Manchester, M2 2EE
37 Booth Street, Manchester, M2 4AA
29 Booth Street, Manchester, M2 4AF
Fifth Floor, 12 Booth Street, Manchester, M2 4AW
Second Floor, 61 - 63 Brown Street, Manchester, M2 2JG
Sixth Floor, 12 Booth Street, Manchester, M2 4AW
Fourth Floor, 12 Booth Street, Manchester, M2 4AW
Seventh Floor, 12 Booth Street, Manchester, M2 4AW
Third Floor, 12 Booth Street, Manchester, M2 4AW
Second Floor, 12 Booth Street, Manchester, M2 4AW
First Floor, 12 Booth Street, Manchester, M2 4AW
Ground Floor, 12 Booth Street, Manchester, M2 4AW
First Floor, 61 - 63 Brown Street, Manchester, M2 2JG
Salut Wines Limited, 11 Cooper Street, Manchester, M2 2FW
27 Booth Street, Manchester, M2 4AF
63 Brown Street, Manchester, M2 2JG

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
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: CENTRAL