



MANCHESTER
CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140847/LO/2024	
Date registered valid:	10 October 2024	
Proposal:	Listed building consent for installation of safety film to 3 no. windows and balcony doors	
Address:	82 King Street, Manchester, M2 4WQ	
Ward(s):	Deansgate	Ward
Applicant:	Mr Jamie Sharpley Workman	
Agent (if any):	Jamie Sharpley Workman	
Case officer:	Danielle Tel: 0161 234 Email: danielle.cooper@manchester.gov.uk	Cooper 1658
Recommendation:	Approve	
Date of recommendation:	15/11/2024	

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 18 October 2024

Standard consultations:

Printed: 17 October 2024 Expired: 7 November 2024

Neighbour notifications

Printed: 17 October 2024 Expired: 7 November 2024

Site notice

Posted: 18 October 2024 Expired: 8 November 2024

Press advert

Published: 22 October 2024 Expired: 12 November 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade I

Conservation area: Upper King Street Conservation Area 1970

Tree Preservation Order: N/A

Description of area

82 King Street is a Grade I listed building located within the heart of Manchester City Centre and was built in the 1800's. The building housed the Former Bank of England.

At present the building occupies office and retail space with a number of businesses.

The character of the area comprises several different uses, including retail, dining, entertainment, arts, residential and offices. The site lies within the Upper King Street Conservation Area.

Description of development

Listed building consent for installation of safety film to 3 no. windows and balcony doors.

The proposal will see AV4 mil clear safety film applied to 3no. windows and the rear balcony doors which face Essex Street.

The proposed film is required to resolve health and safety concerns to strengthen the windows.

Consultations & Notification Responses

The application has been advertised by the press, site notice and neighbour notification letters. No representations have been received.

Policy

The effect of the proposal on the affected heritage assets has been considered under the following criteria.

The Adopted Core Strategy for the City of Manchester

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

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.

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-P1 (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-S1 (Sustainable Development) aims to help tackle climate change, development should aim to maximise its economic, social and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives. Preference will be given to using previously-developed (brownfield) land and vacant buildings to meet development needs. In bringing forward previously developed sites for development, particular attention will be paid to tackling land contamination and stability issues, ensuring that appropriate mitigation and remediation is implemented to enable sites to be brought back into use effectively.

Policy JP-P2 (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 74 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 195 advises that heritage assets should be conserved in a manner appropriate to their significance.

Paragraph 200 advises that Local planning authorities 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 201 advises that LPAs should ensure that any conflict between the heritage asset's conservation and any aspect of the proposal is avoided or minimised.

Paragraph 203 advises that in determining applications, LPA's should take account of:

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

Paragraph 205 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 206 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 207 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.

Paragraph 208 advises that proposals of less than substantial harm to the significance of a designated heritage asset should be assessed against the wider public benefits of the proposal.

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.

Issues

In determining whether the proposed works are acceptable, the main issue to consider is the impact these proposed works will have on the heritage asset itself.

Principle of Development

The principle of the development is considered to be acceptable in principle on the grounds of public safety to strengthen the glazing and its neutral impact on the heritage asset.

Impact on the heritage asset

The proposed strengthening film will be transparent and is required for safety reasons given the proximity of windows to areas of public access. The rear windows are multi-paned sashes facing an internal stairwell, while the side balcony window can be viewed from Essex Street. The window elevations constitute less prominent elevations but are visible from public areas.

As the proposed film is transparent it would not be easily discernible when applied to the glazing. A sample of the film has been submitted and tested on glass on the 14/11/2024. The film is easily removed and does not leave a residue. It is thereby considered there would be a neutral impact on the Grade I building as the negligible impact is easily reversible. The proposals would ensure the asset is sustained in its current use safely. The LPA therefore consider the proposal to be acceptable.

Conclusion

In view of the above, this application is considered acceptable, as the works are considered to cause a neutral impact on the heritage significance and will therefore conserve the listed building in accordance with policies SP1, CC9, EN1, EN3 and DM1 of the Manchester Core Strategy, saved UDP policies DC18 and DC19, Places for Everyone Plan policy JP-P2, and guidance within the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

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 in determining this application by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern with the proposal and discussing those with the applicant/agent. In this instance negotiation has been able to successfully resolve the identified concerns and issues.

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 Location Plan (Received 23/08/2024)

Proposed window details, ref: M240793-A02-01 (Received 19/09/2024)

Design and access statement (Received 23/08/2024)

Heritage statement (Received 10/10/2024)

Product specification (Received 23/08/2024)

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 the National Planning Policy Framework.

3) The proposed safety film has been viewed and approved for use on the development hereby approved. The development shall be fully implemented in accordance with the sample as viewed on the 14/11/2024 and provided within the product specification received on the 23/08/2024.

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 detailing is required to protect the character and appearance of the listed fabric and to ensure consistency in accordance with policy EN3 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design
Historic England (North West)

Clarence House, 2 Clarence Street, Manchester, M2 4DW
Flat 11, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT

Bike Rack NO.12, Clarence House, 2 Clarence Street, Manchester, M2 4DW
First Floor, Clarence House, 2 Clarence Street, Manchester, M2 4DW
Fourth Floor, Clarence House, 2 Clarence Street, Manchester, M2 4DW
Third Floor, Clarence House, 2 Clarence Street, Manchester, M2 4DW
Second Floor, Clarence House, 2 Clarence Street, Manchester, M2 4DW
Sports Direct Fitness, Unit 7 To 8, 55 King Street, Manchester, M2 4LQ
Sixth Floor, 82 King Street, Manchester, M2 4WQ
Ground Floor, Gregs Buildings, 1 Booth Street, Manchester, M2 4DU
The Mall Advanced Dental Care, Gregs Buildings, 1 Booth Street, Manchester, M2 4DU
86 King Street, Manchester, M2 4WQ
Sixth Floor, 55 King Street, Manchester, M2 4LQ
Basement And Ground Floor, 76 King Street, Manchester, M2 4NH
Ground Floor, Lloyds Bank Buildings, 53 King Street, Manchester, M2 4LQ
50 Pall Mall, Manchester, M2 1AQ
Lloyds Bank Buildings, 53 King Street, Manchester, M2 4LQ
Fourth Floor, Lloyds Bank Buildings, 53 King Street, Manchester, M2 4LQ
First Floor, Lloyds Bank Buildings, 53 King Street, Manchester, M2 4LQ
Smile Sylist, Lloyds Bank Buildings, 53 King Street, Manchester, M2 4LQ
Gregs Buildings, 1 Booth Street, Manchester, M2 4DU
Pall Mall Medical Centre, 61 King Street, Manchester, M2 4PD
The Town Hall Tavern, Tib Lane, Manchester, M2 4JA
Top Flat, The Town Hall Tavern, Tib Lane, Manchester, M2 4JA
16 Tib Lane, Manchester, M2 4JB
Second Floor, Gregs Buildings, 1 Booth Street, Manchester, M2 4DU
Basement And Ground Floor, 84 King Street, Manchester, M2 4WQ
Second Floor, 76 King Street, Manchester, M2 4NH
Fourth Floor, 76 King Street, Manchester, M2 4NH
Third Floor, 76 King Street, Manchester, M2 4NH
12 Tib Lane, Manchester, M2 4JB
BERWIN LEIGHTON PAISNER LLP, First Floor, 76 King Street, Manchester, M2 4NH
10 Tib Lane, Manchester, M2 4JB
Ground Floor, Clarence House, 2 Clarence Street, Manchester, M2 4DW
Fifth Floor, Clarence House, 2 Clarence Street, Manchester, M2 4DW
Flat 12, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 42, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 21, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 41, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Fourth Floor, Gregs Buildings, 1 Booth Street, Manchester, M2 4DU
Third Floor, Gregs Buildings, 1 Booth Street, Manchester, M2 4DU
First Floor, Gregs Buildings, 1 Booth Street, Manchester, M2 4DU
Fifth Floor, Gregs Buildings, 1 Booth Street, Manchester, M2 4DU
Flat 14, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 24, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 43, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 22, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 31, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT

Flat 33, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 15, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 25, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 32, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 23, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 16, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
First Floor, 82 King Street, Manchester, M2 4WQ
84 King Street, Manchester, M2 4WQ
Second Floor, Lloyds Bank Buildings, 53 King Street, Manchester, M2 4LQ
Basement, Lloyds Bank Buildings, 53 King Street, Manchester, M2 4LQ
Fifth Floor, Lloyds Bank Buildings, 53 King Street, Manchester, M2 4LQ
First Floor, 86 King Street, Manchester, M2 4WQ
SYMATRIX LTD, Second Floor, 86 King Street, Manchester, M2 4WQ
Fifth Floor, 55 King Street, Manchester, M2 4LQ
Basement 3 Storage 17, 55 King Street, Manchester, M2 4LQ
THE EMERSON GROUP, Basement 3 Storage 11, 55 King Street, Manchester, M2 4LQ
Ground Floor, 82 King Street, Manchester, M2 4PJ
AXA INSURANCE UK PLC, Fifth Floor, 82 King Street, Manchester, M2 4WQ
Eighth Floor, 82 King Street, Manchester, M2 4WQ
First Floor, 55 King Street, Manchester, M2 4LQ
Unit 6A, 55 King Street, Manchester, M2 4LQ
Third Floor, Lloyds Bank Buildings, 53 King Street, Manchester, M2 4LQ
ZEUS CAPITAL LIMITED, Thirteenth Floor, 82 King Street, Manchester, M2 4WQ
Basement 3 Storage 9, 55 King Street, Manchester, M2 4LQ
Sixth Floor Suites 6 To 9, 55 King Street, Manchester, M2 4LQ
Unit 3, 55 King Street, Manchester, M2 4LQ
Basement 3 Storage 8, 55 King Street, Manchester, M2 4LQ
Second Floor, 82 King Street, Manchester, M2 4WQ
Eleventh Floor, 82 King Street, Manchester, M2 4WQ
Basement 3 Storage 5, 55 King Street, Manchester, M2 4LQ
Basement 3 Storage 6, 55 King Street, Manchester, M2 4LQ
Basement 3 Storage 7, 55 King Street, Manchester, M2 4LQ
Basement 3 Storage 16, 55 King Street, Manchester, M2 4LQ
Basement 3 Storage 4, 55 King Street, Manchester, M2 4LQ
Unit 5, 55 King Street, Manchester, M2 4LQ
Basement 3 Storage 18, 55 King Street, Manchester, M2 4LQ
Fourth Floor, 82 King Street, Manchester, M2 4WQ
Fourth Floor, 55 King Street, Manchester, M2 4LQ
Third Floor, 55 King Street, Manchester, M2 4LQ
Sixth Floor Suite 1, 55 King Street, Manchester, M2 4LQ
Sixth Floor Suite 4, 55 King Street, Manchester, M2 4LQ
Basement 3 Storage 2, 55 King Street, Manchester, M2 4LQ
Basement, 82 King Street, Manchester, M2 4WQ
Basement 3 Storage 19, 55 King Street, Manchester, M2 4LQ
Basement 3 Storage 10, 55 King Street, Manchester, M2 4LQ
Seventh Floor, 82 King Street, Manchester, M2 4WQ

Tenth Floor, 82 King Street, Manchester, M2 4WQ
SUCCESS APPOINTMENTS LIMITED, Sixth Floor Suite 5, 55 King Street, Manchester,
M2 4LQ
Basement 3 Storage 3, 55 King Street, Manchester, M2 4LQ
Unit 2, 55 King Street, Manchester, M2 4LQ
Ground Floor And First Floor, 82 King Street, Manchester, M2 4WQ
Unit 6, 55 King Street, Manchester, M2 4LQ
Unit 1, 55 King Street, Manchester, M2 4LQ
Ninth Floor, 82 King Street, Manchester, M2 4WQ
Basement 3 Storage 15, 55 King Street, Manchester, M2 4LQ
Basement 3 Storage 14, 55 King Street, Manchester, M2 4LQ
CHANNEL 4 TELEVISION CORPORATION, Twelfth Floor, 82 King Street, Manchester,
M2 4WQ
Third Floor, 82 King Street, Manchester, M2 4WQ
Basement 3 Storage 12, 55 King Street, Manchester, M2 4LQ
Second Floor, 55 King Street, Manchester, M2 4LQ
Unit 4, 55 King Street, Manchester, M2 4LQ
Basement 3 Storage 1, 55 King Street, Manchester, M2 4LQ
Sixth Floor Suite 3, 55 King Street, Manchester, M2 4LQ
Basement 3 Storage 13, 55 King Street, Manchester, M2 4LQ

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 Conservation Area 1970
Area Team Boundary - Name: CENTRAL