MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139567/LO/2024
Date registered valid:	17 June 2024
Proposal:	Listed Building Consent for internal alterations to the basement.
Address:	The Waterhouse, 67 - 71 Princess Street, Manchester, M2 4EG
Ward(s):	Deansgate Ward
Applicant:	Mr Billy Kelly JD Wetherspoon
Agent (if any):	Harrison Ince Harrison Ince Architects Ltd
Case officer:	Danielle Cooper Tel: 0161 234 1658 Email: danielle.cooper@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**23/07/2024**

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 10 July 2024

Standard consultations:
Printed: 24 June 2024 Expired: 15 July 2024

Neighbour notifications
Printed: 24 June 2024 Expired: 15 July 2024

Site notice
Posted: 24 June 2024 Expired: 15 July 2024

Press advert
Published: 2 July 2024 Expired: 16 July 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: Albert Square Conservation Area 1972

Tree Preservation Order: Not applicable

Description of area

The application relates to the Grade II Listed Portland Buildings located at 65 to 71 Princess Street, which is currently in use as a Public House named the Waterhouse and operated by JD Weatherspoon.

The building adjoins the Grade II Listed 46 to 48 Kennedy Street and a non-listed building at 57 to 63 Princess Street and has frontages on Princess Street, Cooper Street and Kennedy Street. It is also opposite the Grade I Listed Town Hall, which is Manchester's most significant civic landmarks and an icon of Manchester's history. Our Town Hall, originally opened in 1877, is considered to be one of the masterpieces of Victorian Neo-Gothic architect, Alfred Waterhouse.

The building is located within the Albert Square Conservation Area and adjacent the Upper King Street Conservation Area.

The building is comprised of a row of four late C18 terraced houses. The facade of the building is comprised mostly of brick with sandstone dressings. The buildings retrain original features externally including Tuscan pilaster door cases and panelled doors with fanlights, sash windows and various tall chimneys and internally, including doors, beams, architraves, fireplaces, a staircase and cornices.

The buildings were refurbished and converted into a Public House around 2002.

Surrounding uses include the Town Hall Complex, offices, shops, hotels, bars, restaurants, takeaways and cafés.

Princess Street is a busy route through the City Centre. The Metrolink now runs along Princess Street between St Peters Square and Cross Street.

Description of development

Listed building consent is sought to for internal alterations to the basement.

The proposal seeks to alter the layout of basement to allow additional staff facilities such as four staff changing rooms and two staff toilets. The existing staff room will also undergo refurbishment works. Three doors are to be removed and one of the new openings as a result will be filled in with a stud wall. The two remaining opens will be left as they are. 4 additional stud walls will be constructed.

The existing bar will also be upgraded in terms of its dispense. Python routes will follow the existing routes, ensuring no new openings are required, however minor amendments will be done to the cellar, involving an additional compressor and a cold room curtain to the basement within the cellars.

History

Application site

056150/FU/CITY1/99 - Change of use from Class B1 (Business) to Class A3 (Food and Drink) – 08/04/1999

057897/FO/CITY1/99 - Enclosure of part of rear yard with elevational alterations – Approved 27/06/2000

057898/LO/CITY1/99 - LISTED BUILDING CONSENT Internal and external alterations including demolition within yard – Approved 27/06/2000

060121/LO/CITY1/00 - LISTED BUILDING CONSENT Internal alterations – Approved 15/12/2000

061189/FO/CITY1/01 - Refurbishment and alterations to existing building – Approved 26/07/2001

061191/LO/CITY1/01 - LISTED BUILDING CONSENT Refurbishment including elevational alterations – Approved 26/07/2001

097554/LO/2011/C1 - LISTED BUILDING CONSENT for refurbishment of gents WCs and installation of service void at first floor – Approved 19/01/2012

115062/FU/2017 - Change of use of pavement to form outside seating area – Approved 29/03/2017

116670/LO/2017 - LISTED BUILDING CONSENT Repairs to existing fireplace and handrail to staircase within ground floor of public house premises – Approved 09/02/2018

117723/FO/2017 - Extension of existing external seating area on Princess Street pavement to allow a maximum of 11 tables and 22 chairs, together with removable demarcation barriers – Approved 19/10/2018

124330/LO/2019 - Installation of over bar Glassracks to be fixed to the non-original ceiling – Approved 05/11/2019

Consultations & Notification Responses

Publicity The proposal has been advertised by way of Press notice and Site Notice. Letters have also been sent to local residents and businesses. No comments 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 to the Grade II listed building is considered to be acceptable. The works are considered minor and they will upgrade the dispense to the bar which will include the installation of a new compressor within the basement, new partition walls to provide further staff facilities, and a cold curtain.

Impact on Heritage Asset

The heritage significance of the listed buildings (67-71 Princess Street) is derived from their architectural and historic interest as rare surviving examples of Georgian domestic dwellings in the city centre. The buildings have been in use as public house since 1999, but still retain some of the plan form of the original dwellings. The basement is in use as storage and staff accommodation and has also been altered. It comprises a series of small spaces, with white painted brick and plastered walls and ceilings.

The proposal seeks to upgrade staff accommodation in the basement and includes the insertion of two stud partition walls to form separate changing spaces, creation of new doorway to the WC, and the installation of sanitary fittings. A new cold curtain will also be installed to beer storage area and new compressor station to serve the upgraded dispense to the bar.

The basement areas are mostly in use as storage with some staff facilities. The basement areas have lower heritage significance compared to the upper floor rooms which retain architectural features and finishes. The cellars are modest spaces with modern finishes and thereby have limited architectural or historic interest. The insertion of two new stud walls and fittings would have minimal impact on the appearance of the spaces and are reversible features. Non-ferrous fixings will be used. The works are thereby considered to have a neutral impact on heritage significance and are supported.

The cold PVC strip curtain will be fixed to a batten to the ceiling with minimal fixings onto modern plasterboard. The Compressor station will be mounted on a bracket with minimal screw fixings also as shown on the section drawings provided. The proposed works are therefore considered to cause a low amount of less than substantial harm to the listed building.

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 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

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:

LOCATION PLAN (Received 19/03/2024)
BAR DETAILS Ref: AD02 A (Received 19/03/2024)
GF PLAN Ref: AL02 B (Received 24/04/2024)
BASEMENT PLAN Ref: AL01 E (Received 17/06/2024)
STAFF ROOM ELEVATIONS Ref: PN2103-19 - AD04 (Received 17/06/2024)
STAFF FACILITIES SECTIONS Ref: AD01 (Received 17/06/2024)
STAFF FACILITIES SECTIONS Ref: PN2103-19 - AD02 (Received 17/06/2024)
CELLAR SECTIONS Ref:AD05 (Received 17/07/2024)
CELLAR SECTIONS Ref: AD06 (Received 18/07/2024)

DESIGN AND ACCESS STATEMENT (Received 19/03/2024)
HERITAGE STATEMENT (Received 24/04/2024)
STANWELL STL110 COMPRESSOR STATION (Received 17/07/2024)

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

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

63 Princess Street, Manchester, M2 4EQ
Ground Floor, 55 Princess Street, Manchester, M2 4EW
Flat 6, Waldorf House, 3 Cooper Street, Manchester, M2 2AD
1 Cooper Street, Manchester, M2 2FW
73 - 75 Princess Street, Manchester, M2 4EG
Flat At, City Arms, 48 Kennedy Street, Manchester, M2 4BQ
Abbey House, Cooper Street, Manchester, M2 2FW
Unit 6, Abbey House, 32 Booth Street, Manchester, M2 4AB
9 Cooper Street, Manchester, M2 2FW
Town Hall, Albert Square, Manchester, M2 5DB
Vine Inn, 46 Kennedy Street, Manchester, M2 4BQ
57 - 63 Princess Street, Manchester, M2 4EG
57 Princess Street, Manchester, M2 4EQ
5 Cooper Street, Manchester, M2 2FW
Flat 2, Waldorf House, 3 Cooper Street, Manchester, M2 2AD
Ground Floor, 12 Booth Street, Manchester, M2 4AW
First Floor, Abbey House, 32 Booth Street, Manchester, M2 4AB
Salut Wines Limited, 11 Cooper Street, Manchester, M2 2FW
Fourth Floor, Abbey House, 32 Booth Street, Manchester, M2 4AB
65 Princess Street, Manchester, M2 4EG
City Council Engineers And Surveyors, Albert Square, Manchester, M2 5HD
Second Floor, 55 Princess Street, Manchester, M2 4EW
Fifth Floor, 55 Princess Street, Manchester, M2 4EW
Flat 12, Waldorf House, 3 Cooper Street, Manchester, M2 2AD
Basement And Ground Floor, 73 - 75 Princess Street, Manchester, M2 4EG
12 Cooper Street, Manchester, M2 2FW
Sixth Floor, 12 Booth Street, Manchester, M2 4AW
Unit 9, Abbey House, 32 Booth Street, Manchester, M2 4AB
Unit 3, Abbey House, Cooper Street, Manchester, M2 2FW
Basement Room D, Abbey House, 32 Booth Street, Manchester, M2 4AB
Porky Pigs, 7 Cooper Street, Manchester, M2 2FW
First Floor, 55 Princess Street, Manchester, M2 4EW
Sixth Floor, 55 Princess Street, Manchester, M2 4EW
Flat 9, Waldorf House, 3 Cooper Street, Manchester, M2 2AD
First Floor, 73 - 75 Princess Street, Manchester, M2 4EG
Second Floor, 12 Booth Street, Manchester, M2 4AW
Basement Room A, Abbey House, 32 Booth Street, Manchester, M2 4AB
First Floor, 57 Princess Street, Manchester, M2 4EQ
Second Floor, 57 Princess Street, Manchester, M2 4EQ
Flat 3, Waldorf House, 3 Cooper Street, Manchester, M2 2AD
Ground Floor, 73 - 75 Princess Street, Manchester, M2 4EG
Fourth Floor, 73 - 75 Princess Street, Manchester, M2 4EG

Second Floor, 73 - 75 Princess Street, Manchester, M2 4EG
Unit 5, Abbey House, 32 Booth Street, Manchester, M2 4AB
Basement Room C, Abbey House, 32 Booth Street, Manchester, M2 4AB
Basement And Ground Floor, 65 Princess Street, Manchester, M2 4EG
Third Floor, 57 Princess Street, Manchester, M2 4EQ
Tesco Express, 55 Princess Street, Manchester, M2 4EW
Flat 8, Waldorf House, 3 Cooper Street, Manchester, M2 2AD
Flat 1, Waldorf House, 3 Cooper Street, Manchester, M2 2AD
Third Floor, 73 - 75 Princess Street, Manchester, M2 4EG
First Floor, 12 Booth Street, Manchester, M2 4AW
Seventh Floor, 12 Booth Street, Manchester, M2 4AW
Mezzanine Floor, Abbey House, 32 Booth Street, Manchester, M2 4AB
12 Booth Street, Manchester, M2 4AW
Fourth Floor, 57 Princess Street, Manchester, M2 4EQ
Fourth Floor, 55 Princess Street, Manchester, M2 4EW
Third Floor, 55 Princess Street, Manchester, M2 4EW
Flat 11, Waldorf House, 3 Cooper Street, Manchester, M2 2AD
Flat 7, Waldorf House, 3 Cooper Street, Manchester, M2 2AD
Flat 5, Waldorf House, 3 Cooper Street, Manchester, M2 2AD
Flat 4, Waldorf House, 3 Cooper Street, Manchester, M2 2AD
Fifth Floor, 12 Booth Street, Manchester, M2 4AW
Third Floor, 12 Booth Street, Manchester, M2 4AW
Greggs, Unit 7, Abbey House, 32 Booth Street, Manchester, M2 4AB
Unit 8, Abbey House, 32 Booth Street, Manchester, M2 4AB
Third Floor, Abbey House, 32 Booth Street, Manchester, M2 4AB
42 - 44 Kennedy Street, Manchester, M2 4BQ
55 Princess Street, Manchester, M2 4EW
Flat 10, Waldorf House, 3 Cooper Street, Manchester, M2 2AD
City Arms, 48 Kennedy Street, Manchester, M2 4BQ
Fourth Floor, 12 Booth Street, Manchester, M2 4AW
Second Floor, Abbey House, 32 Booth Street, Manchester, M2 4AB
Basement Room B, Abbey House, 32 Booth Street, Manchester, M2 4AB
9A Cooper Street, Manchester, M2 2FW

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
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Albert Square Conservation Area 1972
Area Team Boundary - Name: CENTRAL