

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140293/LO/2024		
Date registered valid:	2 July 2024		
Proposal:	Listed building consent for internal and external works to include replacement of roof		
Address:	48 King Street, Manchester, M2 4LG		
Ward(s):	Deansgate		Ward
Applicant:	Strathclyde Pension Fund c/o DTZ Investors		
Agent (if any):	Miss Katie Parfett Savills		
Case officer:	Danielle		Cooper
	Tel:	0161	234
	Email: danielle.cooper@manchester.gov.uk		1658
Recommendation:	Approve		
Date of recommendation:	22/08/2024		

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 10 July 2024

Standard consultations:

Printed: 10 July 2024 Expired: 31 July 2024

Neighbour notifications

Printed: 10 July 2024 Expired: 31 July 2024

Site notice

Posted: 10 July 2024 Expired: 31 July 2024

Press advert

Published: 16 July 2024 Expired: 6 August 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: St Anns Square Conservation Area 1970

Tree Preservation Order: Not applicable

Description of area

This application relates to a Grade II Listed Building located at 48 King Street. The building is located in the St Anns Square conservation area. It is part of the settings of a number of other listed buildings and non-designated heritage assets and makes a positive contribution.

The building was constructed in the c.1870 on a narrow rectangular plot in red brick with sandstone dressing. The building is largely intact above ground floor, with original neo-Gothic carving, elegant cast iron balconies and tall sash windows. To ground floor, the ornate carved pilasters with brackets supporting the moulded cornice, and stylised columns and spandrel panels to rear are of particular interest, with modern infill to the centre.

The shop front onto King Street is contemporary.

The building is positioned in the immediate setting of a number of listed buildings, including the Grade II listed Old Exchange, 33 King Street, 35 King Street and 54-56 King Street.

Surrounding uses include bars, restaurants, hotels, residential accommodation, offices and law courts.

Description of development

Listed building consent is sought for external works to the elevations and roof of 48 King Street. The proposed works include the following:

- Roof works: Install a new breathable membrane to roof and replace failed slates with new Welsh slate tiles. A sample of the Welsh slate has been viewed on site.
- Masonry repointing where required – samples and methodology provided for mortar works.
- Lead flashing to be renewed on a like for like basis – Lead Code 4. Existing uPVC gutters to be replaced with cast iron gutters where needed.
- Cracked glazed windows to be replaced. Samples of new glazing will be conditioned as prior to commencement of works of glazing as no samples have been provided.
- Fascia to one side of the lightwell and snow Guards fascia to be repaired. Works to include: replace fascia with new planed softwood timber to match existing in profile and thickness (min 16mm thickness). Prime and decorated with Johnstones Stormshield flexible primer and Satin Paint. Colour black.
- Timber sill repairs on a like for like basis – Hardwood sills to match profile of existing.
- Timber repairs to parking beads on a like for like basis – Softwood timber to match existing.
- Proposed paintworks to new timber frames, balconies and rainwater goods. Methodology and product specs provided.
- Works to repair apex by securing dislodged stone. Methodology provided.
- Repair works to existing cornices. New lead flashing applied. Methodology provided.
- Stonework cleaning.

History

140292/FO/2024- External works including replacement of roof – Accompanied application

139835/LO/2024 - Listed building consent for internal alterations to basement and ground floor and associated external works – Approved 24.06.2024

Consultations & Notification Responses

The application was advertised by the press, site notice and neighbour 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 as the proposed works are required to upgrade and repair the listed building.

Impact on Heritage Asset

The application is for external works to the elevations and roof of 48 King Street and are considered to be acceptable, having a neutral impact on the character and appearance of the listed building.

The works to the roof, include the installation of a new breathable membrane and replacement failed slates, with reclaimed slates as agreed used where required. A new breathable membrane is also proposed to the lightwell flat roof. The proposed works to the roofs are considered to be acceptable and more conducive to protecting the roof. Sample materials on the proposed Welsh slate tiles to be used have been provided on site and are agreed.

Masonry repointing works are proposed which are considered acceptable and more beneficial to the preservation of the historic fabric of the building as the previous masonry works will be replaced with lime mortar which is of a high quality appearance. The methodology for removal and installation of the mortar is considered acceptable, and sample materials of the mortar have been provided on site and are agreed.

Existing lead flashing is to be renewed on a like for like basis (Lead Code 4) and the existing uPVC gutters previously installed are to be replaced with cast iron gutters where required. The proposed works are considered acceptable and will ensure the appearance of the listed building is enhanced.

Cracked glazed windows are proposed to be repaired and replaced. Samples of the new glazing have not been provided and therefore will be conditioned to be submitted to the LPA as prior to installation.

Cleaning of stonework is also proposed to restore the appearance of the listed building. A sample and method statement have not been provided for the cleaning of the stonework and will therefore be conditioned to be submitted to the LPA as prior to installation.

The existing fascia to one side of the lightwell and snow Guards fascia are to be repaired. The works include a with new planed softwood timber to match existing in profile and thickness (min 16mm thickness) for the new fascia and to then prime and paint the fascia in black. The proposed works are considered acceptable and will not harm the fabric of the listed building.

The other external repairs to the timber, refresh of paint (black), works to the apex and cornices are all considered acceptable and ensure the character and appearance of the listed building is protected.

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 OR Reasons for recommendation to refuse

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, Ref 08 (Received 14/06/2024)

ROOF PLAN, Ref 05 B (Received 19/08/2024)

SECTIONAL ELEVATIONS AA, Ref: 06 B (Received 16/08/2024)

SECTIONAL ELEVATIONS BB, Ref: 07 C (Received 19/08/2024)

HERITAGE STATEMENT (Received 14/06/2024)

DESIGN & ACCESS STATEMENT (Received 14/06/2024)

CLARIFICATION FOR LBC/PLANNING (Received 14/06/2024)

48 KING STREET PLANNING COMMENTS (Received 26/07/2024)

SAMPLE MATERIALS - ROOF TILES & MORTAR (Received 22/08/2024)

MASONS MORTAR LTD MMHLM - MODERATELY HYDRAULIC MORTAR (Received 22/08/2024)

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 following materials have been viewed on site and have been approved for use on the development hereby approved:

Welsh roof slates, ref: SAMPLE MATERIALS - ROOF TILES & MORTAR (Received 22/08/2024)

Mortar, ref: SAMPLE MATERIALS - ROOF TILES & MORTAR (Received 22/08/2024)

The development shall be fully implemented in accordance with the approved details, which shall be maintained in situ thereafter.

4) The proposed roof and external repair works shall be carried out in accordance with information submitted within document ref: 48 KING STREET PLANNING COMMENTS, received 26/07/2024 and MASONS MORTAR LTD MMHLM - MODERATELY HYDRAULIC MORTAR, received 22/08/2024. If during the implementation of the approved works, more extensive repairs not identified within the aforementioned document are required, said works shall not commence until a scheme detailing said repairs and an accompanying methodology statement are submitted to and approved in writing by the City Council as Local Planning Authority. The development shall then proceed in accordance with the approved details.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5) Notwithstanding the details as set out in condition 2 above, prior to installation of the proposed replacement glazing to windows, samples, specifications and a method statement: shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be fully implemented in accordance with the approved details, which shall be maintained in situ thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy for the City of Manchester.

6) Notwithstanding the details as set out in condition 2 above, prior to installation of the proposed cleaning of stonework, samples, specifications and a method statement: shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be fully implemented in accordance with the approved details.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

Basement To First Floor, 33 King Street, Manchester, M2 6AA

Second Floor, 41 South King Street, Manchester, M2 6DE

First Floor, 39 South King Street, Manchester, M2 6DE

46 King Street, Manchester, M2 4LG
 44 King Street, Manchester, M2 6BA
 Flat 2, 33 South King Street, Manchester, M2 6DE
 Flat 3, 33 South King Street, Manchester, M2 6DE
 5 - 7 St Ann's Passage, Manchester, M2 6AB
 Third Floor And Fourth Floor, 6 St Ann's Passage, Manchester, M2 6BE
 Second Floor, 6 St Ann's Passage, Manchester, M2 6AB
 OLD EXCHANGE BUILDINGS, 6 St Ann's Passage, Manchester, M2 6BE
 Third Floor, 1 St James's Square, Manchester, M2 6DN
 First Floor, 41 South King Street, Manchester, M2 6DE
 54 King Street, Manchester, M2 4LY
 Second Floor, 39 South King Street, Manchester, M2 6DE
 35 King Street, Manchester, M2 7AT
 Suite 3B Part Third Floor, 40 - 44 King Street, Manchester, M2 6BA
 Third Floor, 40 - 44 King Street, Manchester, M2 6BA
 42 King Street West, Manchester, M3 2WY
 Neals Yard Remedies, 27 King Street, Manchester, M2 6AF
 52 King Street, Manchester, M2 4LY
 35 South King Street, Manchester, M2 6DE
 56 King Street, Manchester, M2 4LY
 Ground Floor, 1 St James's Square, Manchester, M2 6DN
 GLAISYERS SOLICITORS LLP, First Floor, 1 St James's Square, Manchester, M2 6DN
 Suite 1B Part First Floor, 40 - 44 King Street, Manchester, M2 6BA
 Suite 1A Part First Floor, 40 - 44 King Street, Manchester, M2 6BA
 Flat 1, 33 South King Street, Manchester, M2 6DE
 33 King Street, Manchester, M2 6AA
 Rear Part Ground First Second And Third Floors, 33 King Street, Manchester, M2 6AA
 Basement, 1 - 3 St Ann's Passage, Manchester, M2 6AB
 1 - 3 St Ann's Passage, Manchester, M2 6AB
 HANCOCKS, 29 King Street, Manchester, M2 6AF
 Advertising Right JC Decaux Adjacent To 42, King Street, Manchester, M2 6BA
 40 - 44 King Street, Manchester, M2 6BA
 Advertiing Right BTinlink Outside 48, King Street, Manchester, M2 4LG
 Suite 3C Part Third Floor, 40 - 44 King Street, Manchester, M2 6BA
 38 - 42 King Street, Manchester, M2 6BA
 Ground Floor And First Floor, 1 - 3 St Ann's Passage, Manchester, M2 6AB
 Fourth Floor Office, 6 St Ann's Passage, Manchester, M2 6BE
 First Floor, 6 St Ann's Passage, Manchester, M2 6AD
 Third Floor, 41 South King Street, Manchester, M2 6DE
 Basement, 41 South King Street, Manchester, M2 6DE
 Second Floor, 1 St James's Square, Manchester, M2 6DN
 Fourth Floor, 1 St James's Square, Manchester, M2 6DN
 Second Floor, 40 - 44 King Street, Manchester, M2 6BA
 31 King Street, Manchester, M2 6AA
 Ground Floor, 41 South King Street, Manchester, M2 6DE
 39 South King Street, Manchester, M2 6DE
 50 King Street, Manchester, M2 4LY
 Third Floor, 39 South King Street, Manchester, M2 6DE
 Fifth Floor, 1 St James's Square, Manchester, M2 6DN

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 - St Anns Square Conservation Area 1970
Area Team Boundary - Name: CENTRAL