

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139919/LO/2024

Date registered valid: 30 April 2024

Proposal: Listed Building Consent for the replacement of existing door and relocation of consulate crest, with other associated external alterations including installation of CCTV.

Address: The Chancery, 58 Spring Gardens, Manchester, M2 1EW

Ward(s): Deansgate Ward

Applicant: Topland (No.37) Limited

Agent (if any): Miss Kate Wilson Avison Young

Case officer: Michael Pearson
Tel: 0161 219 2735
Email: michael.pearson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24/06/2024

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit:

Standard consultations:

Printed: 10 May 2024 Expired: 1 June 2024

Neighbour notifications

Printed: 10 May 2024 Expired: 1 June 2024

Site notice

Posted: 22 May 2024 Expired: 13 June 2024

Press advert

Published: 14 May 2024 Expired: 28 May 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application relates to the contemporary six storey extension, the Chancery, to the Grade II listed Chancery Chambers. The site is bound by Chancery Lane, Spring Gardens and Concert Lane, with the property's main entrance being situated on the junction where Concert Lane meets Spring Gardens. A secondary doorway is located on the property's side elevation along Concert Lane. The extension dates from the early 1990s and is completed in red brick with sandstone dressings, recessed fifth floor and prominent corner entrance. The application site is in mixed use as general office space (Class E) and a consulate (Sui Generis). Existing consulate plaque signs feature on the property's Spring Gardens and Brown Street elevations.

Listed building: Grade II

Conservation area: Upper King Street (Extension) Conservation Area 1985

Tree Preservation Order: Not applicable

Description of area

The neighbouring area lies within the heart of the City Centre and the Upper King Street Conservation Area. Neighbouring development consists of a high number of Grade II listed buildings including the Grade II* listed Former Midland Bank and Grade II listed no47, no49 and no60 and no62 Spring Gardens. Neighbouring uses comprise of a high number of commercial properties in restaurant (Class E(b)) and office uses (Class E(g)(i)). Neighbouring advertisements consist of a low number of fascia and projecting signs.

Description of development

The application seeks listed building consent for the installation of a replacement doorway, installation of a CCTV camera, and the relocation of the existing consulate plaque sign.

The existing outward opening doorway along Concert Lane would be replaced with an aluminium replacement capable of both opening inwards and outwards. A CCTV camera would then be placed beneath the canopy of the doorway.

The design of the plaque would remain unaltered, with it being non-illuminated and oval in shape. The sign would be relocated from the western side of the property's entrance to its eastern side.

The proposals are required in order to relocate the consulate's main entrance to the property's side door along Concert Lane.

Planning History

A high number of applications are on record for the application site, the most relevant of which are shown below:

139920/AO/2024 - Installation of non-illuminated plaque sign – Application under consideration.

139918/FO/2024 - Replacement of existing door, with other associated external alterations including CCTV installation – Application under consideration.

132950/FO/2022 - External alterations associated with the Italian Consulate, namely the erection of 2No. flagpoles above the existing main entrance and the installation of the Italian Crest to the main entrance column – Approved April 2022.

128838/FO/2020 - Change of use of 2nd floor from office (Use Class E) to Consulate (Sui Generis) – Approved May 2021.

128086/FO/2020 - Installation of 2no. flag poles (associated listed building consent application ref. 128087/LO/2020) – Approved November 2020.

128087/LO/2020 - Listed building consent for installation of 2no. flag poles (associated full planning permission application ref. 128086/FO/2020) – Approved November 2020.

035842 - Proposed office redevelopment, following partial demolition of a listed building, including basement car parking and retention of existing Brown Street façade – Approved June 1990.

Consultations & Notification Responses

Publicity – None received.

Policy

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy EC2 – Existing Employment Space
- Policy CC9 – Design and Heritage
- Policy CC10 – A Place for Everyone
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN3 – Heritage
- Policy DM1 – Development Management

Saved Unitary Development Plan for Manchester – The following saved UDP Policies are of relevance to this application:

- Policy DC14 – Shop Fronts and Related Signs
- Policy DC18 – Conservation Areas
- Policy DC19 – Listed Buildings

The Places for Everyone Plan – Joint Development Plan Document, for nine of the 10 boroughs which make up Greater Manchester adopted on 21st of March 2024:

- Policy JP-Strat2 – City Centre
- Policy JP-P2 – Heritage

National Planning Policy Framework (NPPF)

- Chapter 16 – Conserving the Historic Environment

Other Legislative Requirements

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) states that in considering whether to grant Listed Building Consent for any works the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the LBCA Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and considerable importance and weight should be given to the desirability of preserving the setting.

Issues

Impact upon the Heritage Asset

The application relates to the contemporary extension to the Grade II listed Chancery Chambers that was originally approved under planning permission 035842. The site is in mixed use as offices and a consulate. The proposal would see the alteration of the contemporary extension to allow for the implementation of an alternative access to the consulate on site.

The areas to be altered consist of the property's front entrance facing out onto the junction where Concert Lane meets Spring Gardens, and the property's side entrance/fire escape located along Concert Lane. The alterations to the property's front entrance are considered to be minor, with it only consisting of the relocation of the property's plaque sign. The existing location of the plaque sign is on the second most westerly front entrance column, the proposed location is that of the second most easterly column, which is situated further away from the front entrance. This relocation would place the plaque sign in a less prominent location and is therefore welcomed.

Notwithstanding this, it is considered necessary to in the event of an approval to condition that any existing fixing points be fixed and made good as part of the proposed works to ensure a tidy finish.

The proposed works along Concert Lane are also considered to be fairly minor. The proposal would see the removal of the existing modern white aluminium door and its subsequent like for like replacement with dual swing aspect. Additionally, other works on this elevation include the making good of the property's up lighting and the installation of a CCTV camera within the recess of the side elevation entrance. The property's side entrance along Concert Lane is a secondary elevation only viewable from along Concert Lane itself. Along said elevation components of the property with a practical function feature. This includes a dry riser, extract flue and utility cabinet. On this basis, the proposal would not detract from the property's setting and there would be no wider perceivable change in its appearance.

In light of the above, the proposal would meet the statutory test to preserve as put forward under Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 and as such is in accordance with policies SP1, EC2, CC9, CC10, EN1, EN3 and DM1 of the Manchester Core Strategy (2012), saved policies DC14, DC18 and DC19 of the Unitary Development Plan for the City of Manchester (1995), Places for Everyone Plan Policies JP-Strat2 and JP-P2 and the National Planning Policy Framework.

Conclusion

In light of the above, the development, subject to appropriate planning condition, the proposal is acceptable and accords with Core Strategy Policies SP1, EC2, CC9, EN1, EN3 and DM1, Saved Unitary Development Plan Policies DC14, DC18 and DC19, Places for Everyone Plan Policies JP-Strat2 and JP-P2, the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework. The application is therefore recommended for approval.

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:

- o AXI 005 - 03 Rev 00: Site Location and Block Plan
- o AXI - 100 - 03 Rev 02: Proposed Ground Floor Consulate Entrance, Elevation and Canopy Section (Dated 19/06/2024; Received 19/06/2024)

Stamped as received by the City Council as Local Planning Authority on 30/04/2024 unless specified otherwise.

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.

3) No materials shall be used on the listed building other than those referred to on the approved plans / supporting documentation.

Reason - To ensure that the appearance of the development and listed building 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 and the historical significance of the listed building, as specified in policies SP1, CC9, EN3 and DM1 of the Core Strategy, saved policies DC19.1 of the Unitary Development Plan and National Planning Policy Framework.

4) Within three months of the development hereby approved being occupied, a verification report that shall confirm the carrying out of repair works to the previous fixing points of the property's consulate plaque sign shall be submitted to and approved in writing by the Local Planning Authority. The completed repair works shall then be retained thereafter.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

LIVERPOOL VICTORIA FRIENDLY, Ninth Floor, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
Basement, The Chancery, 58 Spring Gardens, Manchester, M2 1YB
Fourteenth Floor, 50 Brown Street, Manchester, M2 2JT
29 Booth Street, Manchester, M2 4AF
Ground Floor, 60 Spring Gardens, Manchester, M2 2BQ
Ground Floor, 60 Fountain Street, Manchester, M2 2FE
Sixth Floor, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
Eighth Floor, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
Seventh Floor, The Chancery, 58 Spring Gardens, Manchester, M2 1EW
Basement, 61 - 63 Brown Street, Manchester, M2 2JG
63 Brown Street, Manchester, M2 2JG
27 Booth Street, Manchester, M2 4AF
60 Fountain Street, Manchester, M2 2FE
First Floor, The Chancery, 58 Spring Gardens, Manchester, M2 1YB
First To Fourth Floor, 50 Brown Street, Manchester, M2 2JT
Flight Club, Ground Floor, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
Fourth Floor, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
Third Floor, The Chancery, 58 Spring Gardens, Manchester, M2 1EW
Unit 1, 50 Brown Street, Manchester, M2 2JT
Tenth Floor, 50 Brown Street, Manchester, M2 2JT
Third Floor, 61 - 63 Brown Street, Manchester, M2 2JG
Fifth Floor, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
Ground Floor, The Chancery, 58 Spring Gardens, Manchester, M2 1EW
Fourth Floor, The Chancery, 58 Spring Gardens, Manchester, M2 1EW
Fifth Floor, The Chancery, 58 Spring Gardens, Manchester, M2 1EW
Third Floor, 60 Spring Gardens, Manchester, M2 2BQ
Third Floor, 60 Fountain Street, Manchester, M2 2FE
Fifth And Sixth Floor, 50 Brown Street, Manchester, M2 2JT
Twelfth Floor, 50 Brown Street, Manchester, M2 2JT
First To Fourth Floor, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
Hotel Gotham, 100 King Street, Manchester, M2 4WU
Fourth Floor, 60 Fountain Street, Manchester, M2 2FE
First Floor, 60 Fountain Street, Manchester, M2 2FE
DUFF & PHELPS LTD, Second Floor, The Chancery, 58 Spring Gardens, Manchester, M2 1EW
Eleventh Floor, 50 Brown Street, Manchester, M2 2JT
Second Floor, 61 - 63 Brown Street, Manchester, M2 2JG
Ground Floor, 61 - 63 Brown Street, Manchester, M2 2JG
Second Floor, 60 Spring Gardens, Manchester, M2 2BQ
Second Floor, 60 Fountain Street, Manchester, M2 2FE
Seventh Floor, 50 Brown Street, Manchester, M2 2JT
Atlas Chambers, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
Sixth Floor, The Chancery, 58 Spring Gardens, Manchester, M2 1EW
First Floor, 61 - 63 Brown Street, Manchester, M2 2JG
First Floor, 60 Spring Gardens, Manchester, M2 2BQ
60 Spring Gardens, Manchester, M2 2BQ
Fifth Floor, 60 Fountain Street, Manchester, M2 2FE

Thirteenth Floor, 50 Brown Street, Manchester, M2 2JT
Seventh Floor, Ship Canal House, 96 - 98 King Street, Manchester, M2 4WU
47 Spring Gardens, Manchester, M2 2BG
JAMIE'S ITALIAN LIMITED, Ground Floor, 100 King Street, Manchester, M2 4WU
Eighth And Ninth Floors, 50 Brown Street, Manchester, M2 2JT
Fourth Floor, 60 Spring Gardens, Manchester, M2 2BQ

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
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Upper King Street (Extension) Conservation Area 1985
Area Team Boundary - Name: CENTRAL