

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139771/LO/2024

Date registered valid: 11 April 2024

Proposal: Listed building consent for installation of new entrance door and associated stonework repairs.

Address: Basement, M1 Building, 50 Princess Street, Manchester, M1 6HR

Ward(s): Piccadilly Ward

Applicant: Mr Devang Gohil Sthan M1

Agent (if any): Mr M. Muse Muse Architects

Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **06 June 2024**

Application Details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 17 April 2024

Standard consultations:

Printed: 17 April 2024 Expired: 9 May 2024

Neighbour notifications

Printed: 17 April 2024 Expired: 9 May 2024

Site notice

Posted: 17 April 2024 Expired: 9 May 2024

Press advert

Published: 23 April 2024 Expired: 7 May 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of Site/Area

Listed building: Grade II

Conservation area: Whitworth Street Conservation Area 1985

Tree Preservation Order: Not applicable

The building under consideration is designated at Grade II due to its special architectural, historic and townscape interest. It was constructed c.1885 as a skipping and packing warehouse. It is positioned at the core of Whitworth Conservation Area and in the immediate setting of a number of listed industrial premises of a similar aesthetic and age, including the Grade II listed Rhodesia House, Easter House, Langlet Building, Lionesse House, and Brazil House, with which it forms an important group.

This application concerns the basement of the M1 building, which currently houses a restaurant.

Description of Development

The application seeks Listed Building Consent for the installation of new entrance door and associated stonework repairs.

Related Applications

139770/FO/2024 - Installation of new entrance door and accompanying external alterations.
Approved June 2024.

138394/LO/2023 - Listed Building Consent for the retention of a new fascia sign and the replacement of wooden entrance doors with a frameless glass.
Refused February 2024.

138093/FO/2023 - Retention of frameless glass entrance.
Refused February 2024.

138246/AO/2023 - Retention of stainless steel internally illuminated fascia signage and menu sign.
Refused February 2024.

Consultations & Notification Responses

Urban Design and Heritage - Requested that conditions be added to confirm the specification of the proposed doors, and to control the final details of the stonemasonry repairs works, as well as control the period in which these repair works shall be undertaken.

Publicity - Neighbour notification letters were sent to surrounding properties. A site notice and local press advert were also produced. At the time of writing this report, one representation has been received because of this publicity, which is supportive of these proposals.

Policy

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

The Adopted Core Strategy for the City of Manchester

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

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.

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

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

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

DC18.1 (Conservation Areas) states that the Council will give particularly careful consideration to development proposals within Conservation Area. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering; the relationship of new structures to neighbouring buildings and spaces; and the effect of major changes to the appearance of existing buildings.

DC19.1 (Listed Buildings) states that 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 settings by; not permitting any external or internal alterations or addition to a listed building where, in its opinion, there would be an adverse effect on its architectural or

historic character; and seek to preserve and enhance the setting of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by the preservation of trees and landscape features.

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.

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** require 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 (National Policy Planning Framework)**, in particular 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 (LPAs) 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, LPAs 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

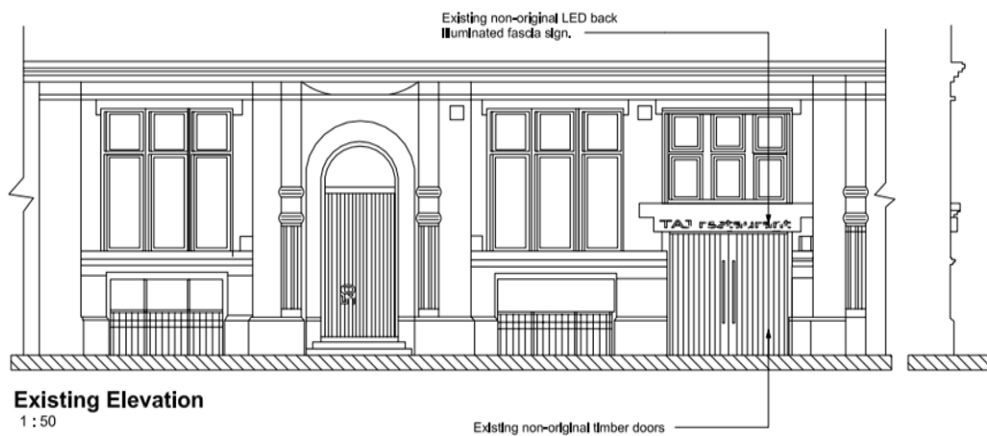
The principle of the development is considered acceptable. Unauthorised works were carried out to the front entrance that were deemed to cause harm to the listed building, these will be rectified as part of these proposed works. In addition, the new entrance doors are considered to be acceptable in comparison to the previously approved and authorised ones in place, as they will open this commercial unit up more to make the unit more attractive to passing trade.

Impact on Heritage Asset

The previously unauthorised works to the Grade II listed asset, for which a retrospective Listed Building Consent was previously submitted and since refused, have caused harm to the special significance of the asset and the conservation area.

The proposed works will make good the harm caused by these unauthorised works and rectify them. This will have a positive impact on the heritage asset by removing and correcting these unauthorised, harmful works.

This will include the removal of an unauthorised sign that blocked the architectural stonework features of the building over the entrance door.



Previously Authorised Elevation



Proposed Elevation



Existing Elevation with Unauthorised Works

They will also include the removal of an unauthorised CCTV camera on the external to the building, and the replacement of the unauthorised glass doors, with some glazed doors that include a wooden frame which is considered to be more sympathetic to the significance and characteristics of the listed building.

In addition to this, the removal of the concreting over of the stonework on the exterior of the building and the repair of this stonework are proposed. The full details of this have not been submitted as a part of this application, and so the full and final details of this will be included as a condition. The timeframe in which these details shall be submitted and in which the works shall be carried out shall also be controlled by way of a condition.

Whilst there will be some low levels of less than substantial harm caused to the listed building by these works, the public benefits brought by making the entrance area to this restaurant unit more visually appealing when viewed within the context of the surrounding building and street scene, and the removal of unauthorised works to be replaced by alterations that are considered to be much more sympathetic to the significance and characteristics of the listed building, are considered to outweigh any low levels of less than substantial harm that are caused as a result of these works.

Conclusion

In view of the above, this application is considered acceptable, as the works are considered to cause a low amount of less than substantial harm to the special interest and the historic character of the Grade II listed building.

Any less than substantial harm is considered to be outweighed by the public benefit gained by the removal of the unauthorised works, which will result in the key architectural features above the doorway being opened up to be viewed in context with the rest of the listed building, and the repairs to the stonework, which will rectify the unauthorised concreting over of stonework, which has been considered to cause harm to the listed building.

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 based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, this has led to a successful approval of proposed plans to rectify the unauthorised works in place.

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, received by Manchester City Council as the Local Planning Authority on 09 April 2024:

- Location Plan
- Site Plan
- Heritage Impact Assessment
- Existing and Proposed Sections
- Existing and Proposed Elevations

Received by Manchester City Council as the Local Planning Authority on 22 May 2024:

- Proposed Door Details - Cross Section 180_A301 P1

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 saved policies DC14 and DC18.1.

3) Notwithstanding the details as set out in condition 2 above, within two months from the date of this planning permission, full and final details for the doors hereby approved shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the specification and finish of the chosen doors. The approved details shall then be implemented and be completed within five months of the date of this planning permission.

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 building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policy and EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

4) Notwithstanding the details as set out in condition 2 above, within two months from the date of this planning permission, the full and final details of the repairs to the stonemasonry, shall be submitted to and approved in writing by the City Council as Local Planning Authority.

The approved details shall then be implemented as part of the development within five months of the date of this planning permission.

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 building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policy and EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

Ground Floor Right, Rhodesia House, 52 Princess Street, Manchester, M1 6JX
Basement, 48 Princess Street, Manchester, M1 6HR
Basement, Princess House, 105 - 107 Princess Street, Manchester, M1 6DD
Rhodesia House, 52 Princess Street, Manchester, M1 6JX
Third Floor, Rhodesia House, 52 Princess Street, Manchester, M1 6JX
Fourth Floor, Princess House, 105 - 107 Princess Street, Manchester, M1 6DD
Third Floor, Princess House, 105 - 107 Princess Street, Manchester, M1 1DD
Ground Floor To Third Floor, Rhodesia House, 52 Princess Street, Manchester, M1 6JX
Ground Floor, Rhodesia House, 52 Princess Street, Manchester, M1 6JX
Flat 42, 48 Princess Street, Manchester, M1 6HR
Flat 45, 48 Princess Street, Manchester, M1 6HR
Flat 44, 48 Princess Street, Manchester, M1 6HR
Flat 43, 48 Princess Street, Manchester, M1 6HR
Flat 35, 48 Princess Street, Manchester, M1 6HR
Flat 19, 48 Princess Street, Manchester, M1 6HR
Third Floor, Rhodesia House, 52 Oxford Street, Manchester, M1 6JX
Fifth Floor, Rhodesia House, 52 Princess Street, Manchester, M1 6JX
Flat 16, M1 Building, 50 Princess Street, Manchester, M1 6HR
Flat 14, M1 Building, 50 Princess Street, Manchester, M1 6HR
Princess House, 105 - 107 Princess Street, Manchester, M1 6DD
Second Floor, Rhodesia House, 52 Princess Street, Manchester, M1 6JX
Second Floor, Princess House, 105 - 107 Princess Street, Manchester, M1 6DD
Flat 41, 48 Princess Street, Manchester, M1 6HR
Flat 102, 2 Waterloo Street, Manchester, M1 6HX
Flat 31, 48 Princess Street, Manchester, M1 6HR
Flat 10, M1 Building, 50 Princess Street, Manchester, M1 6HR
Flat 6, M1 Building, 50 Princess Street, Manchester, M1 6HR
Flat 18, M1 Building, 50 Princess Street, Manchester, M1 6HR
Flat 12, M1 Building, 50 Princess Street, Manchester, M1 6HR
Flat 24, 48 Princess Street, Manchester, M1 6HR
Flat 22, 48 Princess Street, Manchester, M1 6HR
Flat 5, 48 Princess Street, Manchester, M1 6HR
Flat 1, 48 Princess Street, Manchester, M1 6HR
Flat 301, 11 Harter Street, Manchester, M1 6HY
Flat 5, M1 Building, 50 Princess Street, Manchester, M1 6HR
Flat 17, M1 Building, 50 Princess Street, Manchester, M1 6HR
Flat 13, M1 Building, 50 Princess Street, Manchester, M1 6HR
Second Floor Rear Left, Princess House, 105 - 107 Princess Street, Manchester, M1 6DD
Flat 302, 11 Harter Street, Manchester, M1 6HY
Flat 14, 48 Princess Street, Manchester, M1 6HR
Flat 202, 2 Waterloo Street, Manchester, M1 6HX
National Museum Of Labour History, 103 Princess Street, Manchester, M1 6DD
Flat 16, 48 Princess Street, Manchester, M1 6HR
Flat 9, M1 Building, 50 Princess Street, Manchester, M1 6HR
Flat 2, M1 Building, 50 Princess Street, Manchester, M1 6HR
Flat 3, M1 Building, 50 Princess Street, Manchester, M1 6HR
Flat 7, M1 Building, 50 Princess Street, Manchester, M1 6HR
Fourth Floor, Rhodesia House, 52 Princess Street, Manchester, M1 6JX
Basement To First Floor, National Museum Of Labour History, 103 Princess Street, Manchester, M1 6DD

Ground Floor To Third Floor, 103 Princess Street, Manchester, M1 6DD
Flat 12, 48 Princess Street, Manchester, M1 6HR
Flat 11, 48 Princess Street, Manchester, M1 6HR
Flat 25, 48 Princess Street, Manchester, M1 6HR
Manchester Central College, Harter Street, Manchester, M1 6HY
Flat 402, 11 Harter Street, Manchester, M1 6HY
Flat 403, 11 Harter Street, Manchester, M1 6HY
Flat 101, 11 Harter Street, Manchester, M1 6HY
Flat 501, 11 Harter Street, Manchester, M1 6HY
Flat 303, 11 Harter Street, Manchester, M1 6HY
Flat G01, 11 Harter Street, Manchester, M1 6HY
Flat 201, 2 Waterloo Street, Manchester, M1 6HX
First Floor, Rhodesia House, 52 Princess Street, Manchester, M1 6JX
103 Princess Street, Manchester, M1 6DD
Flat 4, M1 Building, 50 Princess Street, Manchester, M1 6HR
Flat 8, M1 Building, 50 Princess Street, Manchester, M1 6HR
Flat 6, 48 Princess Street, Manchester, M1 6HR
Flat 15, M1 Building, 50 Princess Street, Manchester, M1 6HR
Flat 19, M1 Building, 50 Princess Street, Manchester, M1 6HR
Flat 3, 48 Princess Street, Manchester, M1 6HR
Flat 4, 48 Princess Street, Manchester, M1 6HR
Flat 502, 11 Harter Street, Manchester, M1 6HY
Flat G02, 11 Harter Street, Manchester, M1 6HY
Flat 401, 11 Harter Street, Manchester, M1 6HY
Flat 503, 11 Harter Street, Manchester, M1 6HY
Second Floor Front Right, Princess House, 105 - 107 Princess Street, Manchester, M1 6DD
Flat 11, M1 Building, 50 Princess Street, Manchester, M1 6HR
Flat 34, 48 Princess Street, Manchester, M1 6HR
Flat 46, 48 Princess Street, Manchester, M1 6HR
Flat 23, 48 Princess Street, Manchester, M1 6HR
Flat 20, 48 Princess Street, Manchester, M1 6HR
Flat 33, 48 Princess Street, Manchester, M1 6HR
Flat 17, 48 Princess Street, Manchester, M1 6HR
Flat 21, 48 Princess Street, Manchester, M1 6HR
Flat 2, 48 Princess Street, Manchester, M1 6HR
Flat 32, 48 Princess Street, Manchester, M1 6HR
Flat 15, 48 Princess Street, Manchester, M1 6HR
Flat 10, 48 Princess Street, Manchester, M1 6HR

Appendix 2 – Planning constraints

Conservation Area - Whitworth Street Conservation Area 1985