MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139357/LO/2024
Date registered valid:	5 March 2024
Proposal:	Listed Building Consent for minor alterations to layout.
Address:	Basement, 45 - 47 Newton Street, Manchester, M1 1FT
Ward(s):	Piccadilly Ward
Applicant:	Mr James Fielding Feelwell Experience Ltd
Agent (if any):	Mr steve west studio_neo
Case officer:	Jack Naven Tel: 0161 219 2095 Email: jack.naven@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**29 April 2024**

Application Details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 13 March 2024

Standard consultations:
Printed: 12 March 2024 Expired: 4 April 2024

Neighbour notifications
Printed: 12 March 2024 Expired: 4 April 2024

Site notice
Posted: 13 March 2024 Expired: 5 April 2024

Press advert
Published: 19 March 2024 Expired: 2 April 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of Site/Area

Listed building: Grade II

Conservation area: Stevenson Square Conservation Area 1987

Tree Preservation Order: Not applicable

The site refers to the basement area of 45-47 Newton Street, which is a Grade II Listed Building that lies within the Stevenson Square Conservation Area.

The building is of reasonably high aesthetic value for its external architecture; the Lower Ground Floor space (the application space) interior has a lesser significance than the Ground Floor or upper floors, considered low significance. The original cast iron columns (with decorative column heads) are preserved. The original timber beam construction is preserved but hidden by requisite fire cladding and underdrawn with non-original ceilings. All original front and rear facing window frames and apertures are preserved apart from a large, glazed window with ventilation grilles facing the yard which was a previous non-original addition to provide light and ventilation to the basement (Lower Ground) space.

The building is a good example of a little altered cotton goods warehouse in the Northern Quarter, associated with Manchester's role at the centre of cotton and textile trading.

Description of Development

The proposals seeks Listed Building Consent for minor alterations to the layout.

These works include:

- Construction of new Sauna cabin around existing columns. Sauna panels and layout designed to form a distance void around the existing columns. Column heads remain exposed as sauna height is much lower.
- Forming new openings in non-original but historically installed partitions. Sawing of plasterboard and removal of metal studwork, trimming opening, and core cutting of holes using hole cutting drill bits to form exact circle profiles
- Careful and controlled demolition, and careful removal of existing fixings to avoid damage to the existing floor, to historically
installed plasterboard and stud partition walls and Shower cubicles in changing rooms.
- On the historic plasterboard ceiling linings, relocation of Existing HVAC cassette unit using Unistrut short lengths of channel (eg 350mm) screwed using narrow gauge no 6 screws through plasterboard to existing ceiling joists/rafters above. If no rafters present and noggins need to be introduced then a small pocket of plasterboard to be removed and replaced after the noggin is fixed. Re-skimmed and filled, sanded to match existing.
- On the external yard window ventilation grille, use of existing non-original unistrut ceiling suspension system in the waiting area corridor. Use of spare capacity to the existing non-original external window grille for the extract duct termination inside the grille so no external plant visible.

Related Applications

116529/LO/2017 - Listed Building Consent for internal and external works in association with change of use of ground floor of Nos. 45 and 47 Newton Street from Use Class A1 (shop)/Use Class B1 (office) to dual use Use Class A3/A4 restaurant/bar, to include installation of 3 no. air conditioning condenser units within recessed area within external courtyard to rear.
Approved October 2017.

118425/FO/2017 - Change of use from D1 to D2 (Gym) including external alterations comprising installation of 2 air conditioning units within ginnel.
Approved February 2017.

118426/LO/2017 - Listed Building Consent for change of use from D1 to D2 (Gym) including internal alterations and external alterations comprising installation of 2 air conditioning units within ginnel.
Approved February 2017.

Consultations & Notification Responses

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, no representations have been received because of this publicity.

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, 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.

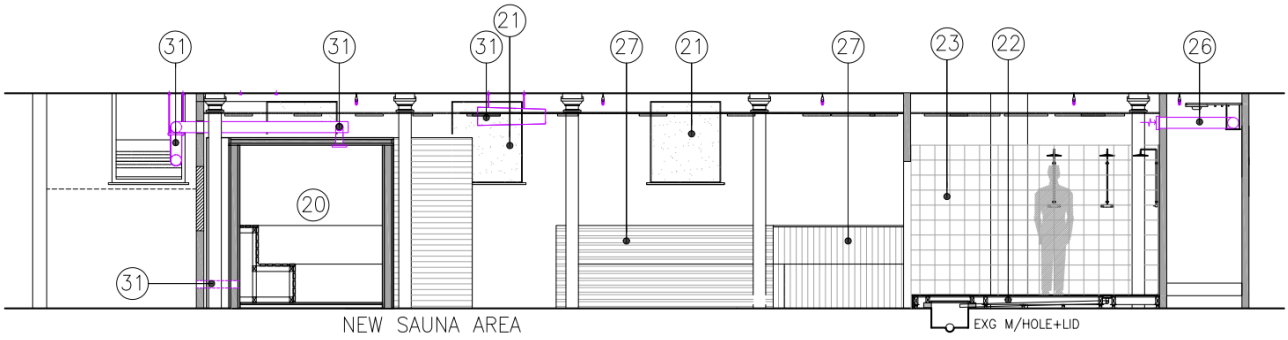
Principle of Development

The principle of these works are considered to be acceptable. The modifications to the layout of the gym are mostly minor works and are required in order to accommodate sauna units being installed.

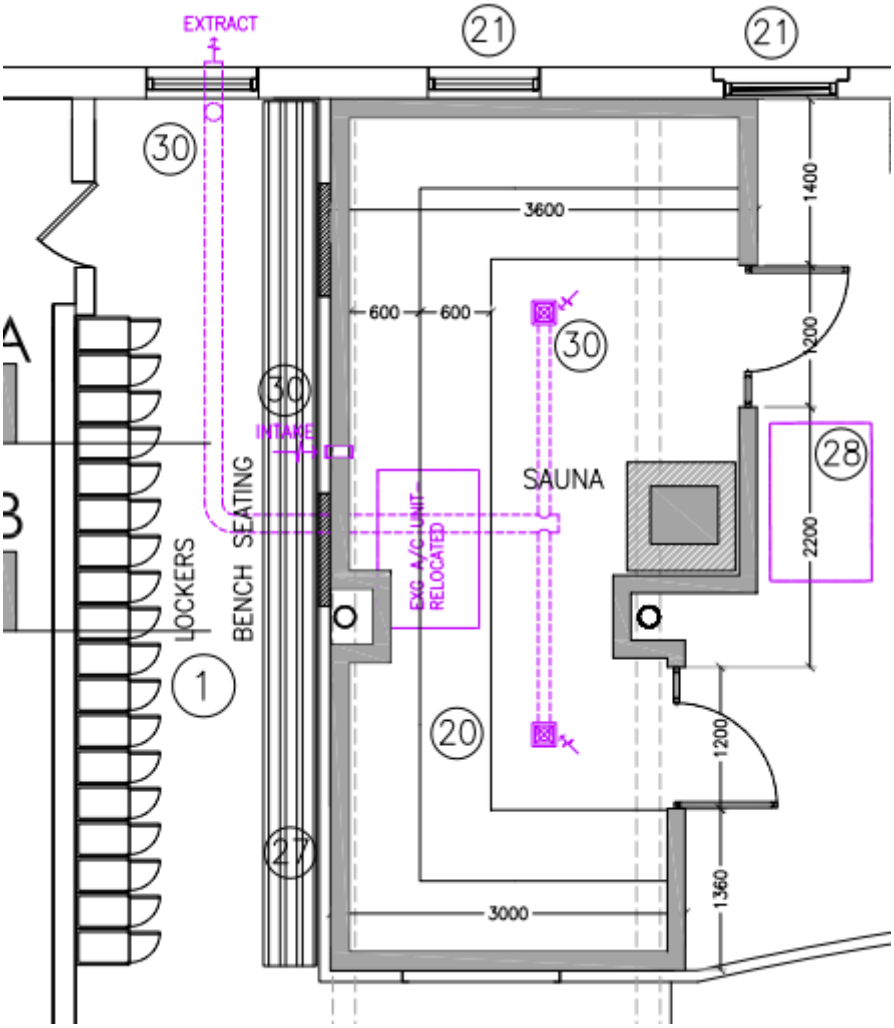
Impact on Heritage Asset

The proposals impact on an area of the lower ground floor, which has been altered and has a modern fit out. This proposal will alter an existing studio space and whilst it will bring further subdivision in the form of a sauna, the sections show it sitting below the ceiling as a self-contained box.

Even though the basement area is considered to be an area of relatively low historical significance, the cast iron columns in the basement are considered to be of high historical significance. The proposal have been revised to make sure that one particular cast iron column is protected from the heat of the sauna and to make sure that the cast iron column is fully readable within context of the surrounding space.



Proposed Internal Cross Section



Proposed Floor Plan of Sauna Area

With the latest revisions to the proposal, the ability to read the space and appreciate the cast iron columns and beams will still be possible, and there are no objections on heritage grounds as the works are considered to cause a low amount of less than substantial harm.

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 continued use of this space that will result from these works being carried out.

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 based on seeking solutions to problems arising in relation to dealing with the planning application.

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 23 February 2024:

- Location Plan 2364/L1-01

Received by Manchester City Council as the Local Planning Authority on 05 March 2024:

- Existing and Proposed Sections
- Heritage Statement and Justification for the Works

Received by Manchester City Council as the Local Planning Authority on 19 April 2024:

- Design and Access Statement Rev A
- Heritage Impact Assessment Rev A
- Schedule of Works Mitigation Measures Rev A
- Existing and Proposed Sections Demolitions and Buildersworks 2364/L2-01 Rev A

Received by Manchester City Council as the Local Planning Authority on 29 April 2024:

- Existing and Proposed Sections 2364/L2-10 Rev B
- Proposed Floor Plan 2364/L2-02 Rev B

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.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

Basement, 10 Little Lever Street, Manchester, M1 1HR
41A Newton Street, Manchester, M1 1FT
49A Newton Street, Manchester, M1 1FT
47 Newton Street, Manchester, M1 1FT
14 Little Lever Street, Manchester, M1 1HR
Fourth Floor, 31 Dale Street, Manchester, M1 1EY
29 Dale Street, Manchester, M1 1EY
31 Dale Street, Manchester, M1 1EY
45 - 47 Newton Street, Manchester, M1 1FT
Basement, 29 Dale Street, Manchester, M1 1EY
Basement Floor, 41A Newton Street, Manchester, M1 1FT
45 Newton Street, Manchester, M1 1FT
CTI DIGITAL LTD, Fifth Floor, 31 Dale Street, Manchester, M1 1EY
41 Newton Street, Manchester, M1 1FT
TPM LANDSCAPE LTD, Fourth Floor, 10 Little Lever Street, Manchester, M1 1HR
Basement, 33A Dale Street, Manchester, M1 2HE
First And Second Floor, 31 Dale Street, Manchester, M1 1EY
Ground Floor, 31 Dale Street, Manchester, M1 1EY
Fourth Floor, 45 - 47 Newton Street, Manchester, M1 1FT
Love Creative Ltd, Third Floor, 31 Dale Street, Manchester, M1 1EY
10A Little Lever Street, Manchester, M1 1HR
Second Floor, 45 - 47 Newton Street, Manchester, M1 1FT
First Floor Unit 2, 18 Hilton Street, Manchester, M1 1FT
First Floor, 45 - 47 Newton Street, Manchester, M1 1FT
Ground Floor, 45 Newton Street, Manchester, M1 1FT
Fourth Floor Unit A1, 18 Hilton Street, Manchester, M1 1FT
Third Floor Unit A3, 18 Hilton Street, Manchester, M1 1FT
Ground Floor, 18 Hilton Street, Manchester, M1 1FT
First Floor Unit 1, 18 Hilton Street, Manchester, M1 1FT
Basement, 49A Newton Street, Manchester, M1 1FT
Contract Options, Ground Floor, 47 Newton Street, Manchester, M1 1FT
Basement, 50 Newton Street, Manchester, M1 2EA
Third Floor, 14 Little Lever Street, Manchester, M1 1HR
Second Floor, 14 Little Lever Street, Manchester, M1 1HR
Basement, 14 Little Lever Street, Manchester, M1 1HR
Ground Floor, 14 Little Lever Street, Manchester, M1 1HR
First Floor, 14 Little Lever Street, Manchester, M1 1HR
Fourth Floor, 14 Little Lever Street, Manchester, M1 1HR
Fourth Floor, 33A Dale Street, Manchester, M1 2HE
Third Floor Unit 3B, 18 Hilton Street, Manchester, M1 1FT
Fourth Floor, 18 Hilton Street, Manchester, M1 1FR
20 Hilton Street, Manchester, M1 1FR
Third Floor, 45 - 47 Newton Street, Manchester, M1 1FT
GLORIOUS CREATIVE, 10A Stevenson Square, Manchester, M1 1FB
Third Floor, 10 Little Lever Street, Manchester, M1 1HR
Second Floor, 10 Little Lever Street, Manchester, M1 1HR
Second Floor, 18 Hilton Street, Manchester, M1 1FT
12 Little Lever Street, Manchester, M1 1HR
33 Dale Street, Manchester, M1 2HE
33A Dale Street, Manchester, M1 2HE

18 Hilton Street, Manchester, M1 1FT
50 Newton Street, Manchester, M1 2EA
10 Stevenson Square, Manchester, M1 1FB
10 Little Lever Street, Manchester, M1 1HR
Ground Floor, 10 Stevenson Square, Manchester, M1 1HR
Fifth Floor, 10 Little Lever Street, Manchester, M1 1HR

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 - Stevenson Square Conservation Area 1987
Area Team Boundary - Name: CENTRAL