

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134737/LO/2022

Date registered valid: 18 August 2022

Proposal: Listed Building Consent for internal and external alterations and new lift shaft to rear.

Address: 1-3 York Street, Manchester, M2 2AW,

Ward(s): Deansgate Ward

Applicant: N/A Mitchells & Butlers Retail Limited

Agent (if any): Mr Nick Davey The JTS Partnership LLP

Case officer: Tony Mitchell
Tel: 0161 234 4776
Email: anthony.mitchell@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 26 March 2024

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 5 September 2022

Standard consultations:

Printed: 22 March 2023 Expired: 5 April 2023

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 5 September 2022 Expired: 26 September 2022

Press advert

Published: 6 September 2022 Expired: 27 September 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

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

Tree Preservation Order: NA

Description of area

This application relates to the upper floors and loading bay area of No. 1-3 York Street which is a Grade II* listed building that is situated within the Upper King Street Conservation Area. The part of the building subject to this application was previously used as offices.

1-3 York Street was constructed as the headquarters of Parr's Bank in 1901/02. It is an impressive building, with its Edwardian Baroque style, red sandstone, elevations dominating the junction of York Street and Spring Gardens.

As built, it comprised a banking hall, waiting rooms, managers' offices and clerk's room on the ground floor, with the basement providing ancillary accommodation (including vaults). The main entrance to the Bank was on the corner of Spring Gardens and York Street, under a doomed turret, with a secondary entrance at the northern end of the Spring Gardens frontage.

The plan form is 'L' shaped, with principal frontages to both York Street and Spring Gardens. The clerk's room was accommodated in a single-storey structure (sat behind the main frontages), with glazed roof above. In the late 70s/early 1980s, the clerk's office was converted into a car park and service yard, with a pyramidal, slate, roof covering the glazed roof light.

The upper floors were constructed as speculative offices, accessed via a separate entrance at the eastern end of the York Street frontage. The offices were never intended to be, and have never been, occupied in conjunction with the ground floor accommodation.

Description of development

Listed building consent is sought to convert the vacant offices at the first, second, third and fourth floor levels into a boutique hotel. The proposal also involves:-

- Removal of the entrance steps, lowering of the floor level in the ground floor lobby and re-hanging existing entrance door with new fanlight above to provide an accessible entrance.
- Internal alterations required to convert the offices to hotel use and install associated services.
- Alterations to second and third-floor windows in rear elevation in order to provide glazed-in louvres.
- Installation of slate vents on rear roof slope.
- Creation of new lift shaft to rear of the building.
- Reinstatement of original wall and ceiling finishes to third and fourth-floor corridors and part of second-floor corridor.

Consultations & Notification Responses

The proposal was advertised in the press, notices displayed on site and neighbours notified by letter – No representations have been received.

Historic England (North West) – Considered that while some elements of the proposals would cause harm, we do not object to the application, as we conclude that this would be outweighed by the benefits of bringing the building back into a viable use. The application would therefore meet the requirements of the NPPF, in particular paragraph numbers 189, 199 and 200.

National Amenity Societies – No representations received.

Heritage & Urban Design – No objection subject to a condition requiring further details.

Issues

Policy Statutory duty Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to give special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest. Relevant policies Chapter 16 of the National Planning Policy Framework provides the guidance on how the statutory duty is to be put into practice. Paragraph 192 states that in determining applications, local planning authorities 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, and • The desirability of new development making a positive contribution to local character and distinctiveness. Regarding designated heritage assets, paragraph 193 states that 'great weight' should be given to their conservation and the more important the asset, the greater that weight should be; that significance can be lost through development within its setting. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 196 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.

Local development plan. Relevant in this case are: • Policy EN3 of the City Council's Local Development Framework Core Strategy, adopted July 2012. This states: Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City

Centre. New developments must be designed so as to support the council in preserving, or where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains. Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Saved policy DC18 of the Unitary Development Plan (Conservation Areas), which states that the council will seek to preserve and enhance the character of its designated conservation areas.

Saved Policy DC19 (Listed Buildings), which states: In determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or historic Interest, 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 policy states furthermore that the council will not permit a change of use of a listed building where it would have a detrimental effect on its character or appearance; and not permit any external or internal alteration or addition where there would be an adverse effect on its architectural or historic character.

The impact of the proposed works upon the Character, significance and appearance of this grade II* listed building.

The works would involve the alteration and conversion and partial subdivision of vacant offices at the first, second, third and fourth floor levels into a boutique hotel. External alterations within a lightwell area are also proposed including to facilitate construction of a lift shaft. Such a proposal, subject to a condition requiring final details of the removal of original fabric, design details of replacement materials and recording of historic fabric is considered on this occasion to be acceptable and would in the long term ensure that the internal fabric of the building and its significance would be preserved and protected.

It is considered that the benefits of the proposal would outweigh the less than substantial harm caused to the affected heritage asset by the above described works and are consistent with paragraphs 196 and 197 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement. The benefits of the proposals are that the proposal consists of works that would enhance the efficiency of the building and its character and appearance.

The proposal would not have an impact upon the character of the Upper King Street (Extension) Conservation Area 1985

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 in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. Concerns were raised during the processing of the application about the need to reduce the impact on the character of the listed building in terms of the level of intervention. Suggestions were made about ways in which the scheme could be revised such that it would be acceptable.

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:

Drawings

MAB46 AS05	-						SITE LOCATION PLAN
MAB46 AP01	G	H	H				PROPOSED GROUND &
FIRST FLOOR PLANS							
MAB46 AP02	F	G	H	J	K		PROPOSED SECOND
FLOOR PLAN							
MAB46 AP03	E	F	G	H	J		PROPOSED THIRD
FLOOR PLAN							
MAB46 AP04	E	F	G	H			PROPOSED FOURTH
FLOOR PLAN							
MAB46 AP05	A	A					EXISTING & PROPOSED
BASEMENT FLOOR PLANS							
MAB46 AP06	-	-					EXISTING ROOF PLAN
MAB46 AP07	A	A					PROPOSED ROOF PLAN
MAB46 AP08	-	-					EXISTING EXTERNAL
ELEVATIONS 1 OF 2							
MAB46 AP09	-	-					EXISTING EXTERNAL
ELEVATIONS 2 OF 2							

MAB46 AP10	A	A				PROPOSED EXTERNAL
ELEVATIONS 1 OF 2						
MAB46 AP11	A	B				PROPOSED EXTERNAL
ELEVATIONS 2 OF 2						
MAB46 AP12		-				EXISTING BUILDING
SECTIONS A-A & B-B						
MAB46 AP13		-				EXISTING BUILDING
SECTIONS C-C & D-D						
MAB46 AP14	A	B	C	D		PROPOSED BUILDING
SECTIONS A-A & B-B						
MAB46 AP15	B	C	D	E		PROPOSED BUILDING
SECTIONS C-C & D-D						
MAB46 AP16	-	-				EXISTING & PROPOSED
1ST FLOOR CORRIDOR ELEVATIONS						
MAB46 AP17	A	B	C	D	E	EXISTING & PROPOSED
2ND FLOOR CORRIDOR ELEVATIONS						
MAB46 AP18	A	A	B	C	D	EXISTING & PROPOSED
3RD FLOOR CORRIDOR ELEVATIONS						
MAB46 AP19	A	B	C	D	E	EXISTING & PROPOSED
4TH FLOOR CORRIDOR ELEVATIONS						
MAB46 AP20	-	A	B		C	CORRIDOR TYPICAL
SECTION DETAILS						
MAB46 AP20.1		-	A		B	SECOND FLOOR
PROPOSED CORRIDOR CEILING PLAN						
MAB46 AP20.2		-	A			SECOND FLOOR
PROPOSED CORRIDOR CEILING PLAN						
MAB46 AP20.3		-	A			FOURTH FLOOR
PROPOSED CORRIDOR CEILING PLAN						
MAB46 AP21		B	C		D	TYPICAL BEDROOM
LAYOUT DETAILS						
MAB46 AP22	-	A			B	FIRST FLOOR
SECONDARY GLAZING DETAILS						
MAB46 AP23	-	-			A	SECOND FLOOR
SECONDARY GLAZING DETAILS						
MAB46 AP24	-	-			A	THIRD FLOOR
SECONDARY GLAZING DETAILS						
MAB46 AP25	-	-			A	FOURTH FLOOR
SECONDARY GLAZING DETAILS 1						
MAB46 AP26	-	-			A	FOURTH FLOOR
SECONDARY GLAZING DETAILS 2						
MAB46 AP27	-	-				PROPOSED LIFT SHAFT
THROUGH EXISTING ROOF						
MAB46 AP28	-	-	-			1ST FLOOR HOLES
THROUGH EXISTING FLOOR						
MAB46 AP29	-	A	B		C	2ND FLOOR HOLES
THROUGH EXISTING FLOOR						
MAB46 AP30	-	A	B		C	3RD FLOOR HOLES
THROUGH EXISTING FLOOR						
MAB46 AP31	-	A	B		C	4TH FLOOR HOLES
THROUGH EXISTING FLOOR						
MAB46 AP32	-	-	A			UA ENTRANCE DETAIL -
YORK STREET- PLANS & ELEVATIONS						
MAB46 AP33	-	-	A		B	EXISTING AND
PROPOSED BUILDING SECTION E-E						

MAB46 AP35	-	A	B	C	PROPOSED SECOND
FLOOR - ABOVE CEILING M AND E SECTIONS					
MAB46 AP36	-				EXISTING ROOF FRAME
RECORDS					
MAB46 AP40	-				SHADOW GAP CHIMNEY
ABUTMENT DETAIL					
MAB46 AP41				-	PROPOSED GLAZED
LIGHT RELOCATION DETAIL					
MAB46 AP42				-	TYPE 6 - SECONDARY
GLAZING DETAILS					
MAB46 AP43				-	TYPE 7 - SECONDARY
GLAZING DETAILS					
MAB46 AP44				-	A
SHOWING ALTERATION TO WINDOWS					LIFT SHAFT ABUTMENT
MAB46 AP50	-			A	EXISTING GROUND
FLOOR ENTRANCE LOBBY FLOOR FINISHES & WALL ELEVATIONS					
MAB46 AP51	-			A	PROPOSED GROUND
FLOOR ENTRANCE LOBBY FLOOR FINISHES & WALL ELEVATIONS					
H19147-SK-01	P1				SCHEMATIC DETAILS
FOR CREATION OF FLOOR VOIDS					
MAB B3322-PM-10-20-30-1001	P05				M&E
SERVICES BASEMENT AND GROUND FLOOR					
MAB B3322-PM-10-20-30-1002-P07	P07				M&E
SERVICES FIRST AND SECOND FLOORS					
MAB B3322-PM-10-20-30-1003	P06				M&E
SERVICES THIRD AND FOURTH FLOOR					
MAB B3322-PM-10-20-30-1004	P03				M&E
SERVICES ROOF LEVEL					

All above drawings received by City Council on dates as stated in email from Applicants Agent to MCC 22 March 2024 11:10 hrs.

Documents

- As Submitted with Application
 - o JTS Planning Statement August 2022
 - o Colliers Letter undated
 - o JTS Heritage Statement dated July 2022
 - o Ardent Consulting Passenger Lift Condition Survey
 - o Alison Pike Design & Access Statement Issue 22 July 2022
 - o Hepworth Noise Impact Assessment November 2021
- 20th February 2023
 - o JTS Heritage Statement dated July 2022 (Updated February 2023)
 - o Alison Pike Addendum Design & Access Statement Issue 17 February 2023
- 4th September 2023
 - o JTS Heritage Statement dated July 2022 (Updated February 2023 & August 2023)
 - o Alison Pike Addendum Design & Access Statement addendum Issue 24 August 2023
- 22nd December 2023
 - o JTS Heritage Statement Addendum dated December 2023
 - o Alison Pike Addendum Design & Access Statement Issue 1 December 2023

Email from applicant's agent to MCC with drawing schedule and submission dates 22 March 2024 11:10 hrs.

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.

Notwithstanding the information as set out on the approved plans, additional details of the following shall be submitted to and approved in writing by the City Council as Local Planning Authority (pre-commencement):

- (a) Full and final details, including product specification and samples of the cladding to external lift, spandrel glass, and louvres to windows to rear elevation, prior to alterations to all but one window to rear required to accommodate the sample.
- (b) Full and final details of the proposed works to main stairwell, including to walls, ceilings, floors and joinery.
- (c) Full and final details of the proposed finishes to elevations, walls, ceilings and floors, including samples of any cleaning, repair and reinstatement works.
- (d) A method statement and full and final details of works to original and historic fabric and features, including borrowed lights, windows, doors, tiles, ceilings and plaster.
- (e) An in-situ sample of the proposed secondary glazing prior to installation of all but one secondary glazing units.
- (f) Full and final details of M&E services and drainage, including details of appearance, containment, position and manifestation, other than those on approved plans.
- (g) Full and final detail of any external lighting and other external fixtures and fittings.
- (h) Full and final details of the repair and consolidation works to the ceilings, glazing and associated historic fabric to Former Clerk's Hall.
- (i) Full and final details of the proposed shutter to rear.
- (j) Full and final details of new external and internal doors and fanlights.

Before any works necessary to implement the approval commence a methodology and specification for any associated scaffolding and support structure including its location, means of affixing to the building, location of any associated fixings to the building, details of how the building fabric would be protected from potential damage as a result of the erection of the scaffolding and details of making good to the building fabric following removal shall be submitted to and approved in writing by the City Council as local planning authority. No development shall commence unless and until the above details have been agreed.

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 detailing is required to protect the character and appearance of the listed fabric and to ensure consistency in accordance with policy EN3 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Historic England (North West)
National Amenity Societies
Heritage & Urban Design
National Amenity Societies
Heritage & Urban Design
Historic England (North West)

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 - Upper King Street (Extension) Conservation Area 1985
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL