

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139093/LO/2024

Date registered valid: 5 February 2024

Proposal: Listed Building Consent for internal alterations to the fourth floor including partial removal of modern raised floor and relocation of modern partitions.

Address: Canada House, 3 Chepstow Street, Manchester, M1 5FW

Ward(s): Deansgate Ward

Applicant: Mr Paul Tinker TBWA

Agent (if any): Mr Jack Haw Adapt Heritage

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

Recommendation: Approve

Date of recommendation: 18/03/2024

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit:

Standard consultations:

Printed: 12 February 2024 Expired: 4 March 2024

Neighbour notifications

Printed: 12 February 2024 Expired: 4 March 2024

Site notice

Posted: 13 February 2024 Expired: 5 March 2024

Press advert

Published: 20 February 2024 Expired: 5 March 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application relates to the Grade II listed Canada House. The property is a seven storey former packing warehouse now office block, with recessed sixth and seventh floor, dating from 1909 and is completed in buff terracotta with steel frame. Internally, the application site has undergone extensive refurbishment under permission 115863/LO/2017, with the third floor then undergoing further works under application 132516/LO/2021. The application site is subject to a live planning permission for internal refurbishment works to the third and fourth floors (Approved under application 136767/LO/2023).

Listed building: Grade II

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The neighbouring area forms the heart of Manchester City Centre, with the site lying to the west of Oxford Road and to the south of St Peters Square. Neighbouring properties are in a variety of commercial uses, mainly consisting of offices (Class E), food retail units (Class E) and drinking establishments (Sui Generis). To the north of the site lies the Grade II listed Princes Buildings at no18, no20 and no24-28 Oxford Road. To the south of the site lies the Grade II Listed Lee House at no90 Great Bridgewater Street.

Description of development

The application seeks listed building consent for internal alterations to the fourth floor consisting of the installation of 3no new partitions and the removal of a modern raised floor and 2no non-original partitions.

The proposed partitions would be situated so that they would abut support columns and would not cut across the property's windows. The partitions would also be designed so as to form to the shape of the property's historic columns that they would abut. The removal of the raised floor would then return the space to its original floor to ceiling height.

Planning History

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

CDN/24/0037 - Discharge of Condition 4 (M&E) of application referenced 136767/LO/2023 – Approved February 2024.

CDN/23/0796 - Discharge of conditions 4 (M&E) and 5 (Radiator Detail) attached to application ref no 136767/LO/2023 – Approved and refused January 2024.

136767/LO/2023 - Listed Building Consent for internal works associated with the refurbishment of the 3rd and 4th floor office accommodation – Approved July 2023.

132516/LO/2021 - Listed Building Consent Internal refurbishment to part of the third floor of the building – Approved March 2022.

118522/LO/2017 - LISTED BUILDING CONSENT for internal alterations to allow for office fit out on part of second floor and all of fourth floor – Approved February 2018.

130751/LO/2021 - Listed Building Consent Internal refurbishment to part of the second floor and third floor of building – Approved September 2021.

115863/LO/2017 - Listed Building Consent for internal alterations to create a new cafe area at ground floor level, and refurbishment works to facilitate office use at 1st, 2nd, 3rd, 4th and 5th floor level, including the installation of external plant and equipment and signage – Approved June 2017.

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 CC1 – Primary Economic Development Focus: City Centre and Fringe
- Policy CC9 – Design and Heritage
- 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 DC19 – Listed Buildings

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.

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. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance. The Plan and its policies must therefore be given significant weight in the planning balance. Relevant policies to the proposal are show below:

- Policy JP-P2 – Heritage

Issues

Impact upon the Heritage Asset

The proposal would see internal works undertaken to the third and fourth floor of the Grade II listed building comprising of the refurbishment of existing offices, removal of non-original partitions and flooring and the construction of new partitions.

Included within the proposed works is the removal of existing modern partitions and a modern raised floor. The proposed works are considered would help restore the full historic floor to ceiling height of the space. As such, said works are considered to have a positive impact on the significance of the listed building and are therefore supported. Proposed partition works are considered to be minimal with historic features of note being left exposed/unaltered e.g. windows and columns. Whilst the works would alter how the space would be perceived and would result in a low level of harm to the historic layout of the space, this is not considered to be to an unacceptable degree, with the proposals being reversible.

Any low level of harm would be outweighed by the public benefits of the proposal which would allow the continued use of the space as a modern workplace. Therefore, 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, CC1, CC9, EN1, EN3 and DM1 of the Manchester Core Strategy (2012), saved policy DC19.1 of the Unitary Development Plan for the City of Manchester (1995), Places for Everyone Plan Policy JP-P2, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Conclusion

In light of the above and subject to appropriate planning condition, the proposal has been found to be acceptable and have a minimal impact on the historical significance of the Grade II listed building in accordance with policies SP1, CC1, CC9, EN1, EN3 and DM1 of the Manchester Core Strategy (2012), saved policy DC19.1 of the Unitary Development Plan for the City of Manchester (1995), Places for Everyone Plan Policy JP-P2, the National Planning Policy Framework and Planning (Listed Buildings and Conservation Areas) Act 1990. On this basis permission is 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, due to the acceptability of the proposals, further negotiation has not been necessary.

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
- CNH-SEV-ZZ-ZZ-DR-A-01010-P02: Existing Site Plan
- CNH-SEV-ZZ-04-DR-A-02014-P02: Fourth Floor - Demolition Plan
- CNH-SEV-ZZ-04-DR-A-02024-P02: Fourth Floor - Proposed Plan
- CNH-SEV-ZZ-04-DR-A-02084-P02: Fourth Floor - Proposed Wall Finishes
- CNH-SEV-ZZ-04-DR-A-02094-P02: Fourth Floor - Proposed Floor Finishes
- CNH-SEV-ZZ-04-DR-A-02414-P02: Fourth Floor - Demolition and Proposed RCP
- CNH-SEV-ZZ-04-DR-A-03010-P02: Demolition Elevations - A C H
- CNH-SEV-ZZ-04-DR-A-03011-P02: Demolition Elevations - B I J
- CNH-SEV-ZZ-04-DR-A-03020-P02: Proposed Elevations - A C H
- CNH-SEV-ZZ-04-DR-A-03021-P02: Proposed Elevations - B I J
- CNH-SEV-ZZ-04-DR-A-03022-P02: Proposed Elevations - D E F G
- CNH-SEV-ZZ-04-DR-A-03100-P03: Partition Details (Received 05/02/2024)
- CNH-SEV-ZZ-04-DR-A-03101-P01: Partition Junction Details (Received 05/02/2024)
- CNH-SEV-ZZ-04-DR-A-03102-P01: Partition Standard Details (Received 05/02/2024)

All stamped as received by the City Council as Local Planning Authority on 26/01/2024 unless specified otherwise.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, CC9, EN3 and DM1 of the Core Strategy, saved policies DC19.1 of the Unitary Development Plan and National Planning Policy Framework.

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.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

Third Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
Fourth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Ground Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
Second Floor And Third Floor, 100 Barbirolli Square, Manchester, M2 3EY
16 Oxford Court, Manchester, M2 3WQ
Third Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5RR
12 Oxford Court, Manchester, M2 3WQ
Ground Floor And First Floor, 100 Barbirolli Square, Manchester, M2 3WS
Fifth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Window Display 3, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Third Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Window Display 2, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Ground Floor, 100 Barbirolli Square, Manchester, M2 3WS
Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW
First And Second Floor, 14 Oxford Court, Manchester, M2 3WQ
Window Display 1, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Ground Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW
Fourth Floor, 100 Barbirolli Square, Manchester, M2 3WS
Upper Ground Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Puma United Kingdom Ltd, Sixth Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
Henry Kaye Family Settlement, Fourth Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
1 Chepstow Street, Manchester, M1 5FW
BANNATYNES HEALTH CLUB, Basement Health Club G.3, Canada House, 3 Chepstow Street, Manchester, M1 5FW
Basement, 100 Barbirolli Square, Manchester, M2 3WS
14 Oxford Court, Manchester, M2 3WQ
Ground Floor, 14 Oxford Court, Manchester, M2 3WQ
Fifth Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
36 - 38 Oxford Street, Manchester, M1 5EJ
Fifth Floor To Eighth Floor, 100 Barbirolli Square, Manchester, M2 3WS
Ground Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Sixth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
First Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
First Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW
Basement, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Window Display 5, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Window Display 4, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Cafe Ground Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
Second Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
First Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW
Ground Floor And First Floor, 1 Chepstow Street, Manchester, M1 5FW
Sixth Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW
Second Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Sub Basement, 100 Barbirolli Square, Manchester, M2 3WS

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

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: CENTRAL