

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137012/FO/2023 and 137013/LO/2023

Date registered valid: 11 July 2023

Proposal: External alterations including insertion of external amenity breakout space on the 2nd floor, restoration of the street facing facades of No. 10 and 12 and reinstatement of 3 sliding sash windows on the 3rd floor along with a number of internal alterations

Listed building consent for internal and external works including insertion of indoor outdoor amenity breakout spaces on the 1st and 4th floors, - partial removal and reinstatement of the existing lath and plaster ceiling, reconfiguration of WC layouts, insertion of external amenity breakout space on the 2nd floor, restoration of the street facing facades of No. 10 and 12 and reinstatement of 3 sliding sash windows on the 3rd floor and other internal works

Address: 16 Newton Street, Manchester, M1 2AE

Ward(s): Piccadilly Ward

Applicant: Gary Bell Eastern Green Ltd

Agent (if any): Andrew Burns Atelier MB

Case officer: Angela Leckie
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Recommendation:

137012/FO/2023 : Approve

137013/LO/2023 : Approve

Date of recommendations: 10-01-24

Application details

137012/FO/2023

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 12-09-23

Standard consultations:

Printed: 31 July 2023 Expired: 21 August 2023

Neighbour notifications

Printed: 31 July 2023 Expired: 21 August 2023

Site notice

Posted: 1 August 2023 Expired: 22 August 2023

Press advert

Published: 8 August 2023 Expired: 22 August 2023

Departure from Development Plan: No

Environmental Statement: Not required

137013/LO/2023

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 12-09-23

Standard consultations:

Printed: 31 July 2023 Expired: 21 August 2023

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 1 August 2023 Expired: 22 August 2023

Press advert

Published: 8 August 2023 Expired: 22 August 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: Stevenson Square Conservation Area 1987

Tree Preservation Order: N/A

The application relates to the ground floor façade of 10-12 Newton Street and floors 1 to 4 of 8-16 Newton Street. This group of grade II listed buildings are located within an island site bounded by Dale Street, Newton Street, China Lane and Back Piccadilly. The buildings are a classic example of a late 19 Century Manchester commercial warehouse. Over 5 storeys, the wider group of buildings, which are currently being refurbished as office space at all the upper levels, is relatively well reserved externally with the exception of finish and roof structure.

Consent was granted under applications ref no 118677/FO/2017 and 118678/LO/2017 associated with the works to the building to facilitate its use as modern standard office accommodation above reconfigured and refurbished ground floor and basement commercial space. The works to implement those consents are ongoing.

Description of area

The application site lies within an area of the City Centre known as the Northern Quarter which contains a variety of uses including bars, restaurants, commercial, residential, hotel uses and places of worship. The site also lies close to the major transport hubs of Piccadilly Train station and the Bus and Tram stops at Parker Street within Piccadilly Gardens

Description of development

A number of additional works to those approved under application ref no 118677/FO/2017 and 118678/LO/2017 to provide more market facing / lettable office space are proposed.

Overview

The proposals are centred around the provision of break out spaces on levels 1, 2, and 4. The open-air amenity spaces on levels 1 and 4 would be located within the existing footprint of the building on each floor. A 2 floor breakout space would be located externally on an existing roof.

Along with these works reconstruction works to the lower floor Newton Street facades of 8,10 and 12 Newton Street and internal alterations to the top floor ceilings of 10 and 12 are proposed. The proposals also include relocating a fire exit door, replacement of existing glass block infill openings to the rear of the building, on Mangle Street with timber windows to match the other original windows. Upgrades to means of escape and consequential additional amendments are also proposed.

As this building is highly complicated and being revealed gradually over time, many more issues have come to light as part of the delivery of the 2017 consents. As a result, the proposals also seek consent for additional works to improve the 2017 consent and fix any areas of the building that were revealed following strip-out works.

Planning and listed building consent is therefore sought for works which include the following:

Internal:

Main works

- Removal of non original window and installation of glazed screen and bi-fold doors to create a barrier between internal and external space to create first floor (Back Piccadilly) and fourth floor (Mangle Street) amenity breakout space internally. These would fix to existing walls (end wall and riser wall) with minimum fixings and the addition of new down-stand to meet existing ceiling and new glass partitions, set away from existing ceiling joists;
- Partial reinstatement of previously removed lath and plaster ceiling in 10-12 Newton Street (previously removed on health and safety grounds and to enable effective and safe repair of the roof trusses);
- Reconfiguration of WC Layouts;

Other works

Basement: Creation of cycle store; continue lift in no 12 to basement; Reinstate fixed windows to Back Piccadilly. Trimming back of non-original floor inserts behind windows; Existing stairs ST08, ST10 and ST12 to loading bay blocked with wall (no access to be given to ground floor; Relocate No.16 escape door and stair two bays across along NS elevation. Relocate ground floor bulkhead above stair; 3no new breakthroughs in walls.

Ground Floor: New windows added to Back Piccadilly; Remodel the existing staircase ST23 which features dangerous treads and is non-compliant; Remove glass blocks to Mangle Street; Relocate bin store; create mezzanine; provide bulkhead over relocated basement staircase; Insertion of 2no. sunken areas to the front of No.10 and 12 Newton Street; changes to the loading bay, to reduce the number of partitions and rationalise bins into a single space; reconfiguration of the office reception area with improved circulation, new seating spaces and connections into a proposed wellness centre and No.10 Unit 2 beyond; 1no new breakthrough in wall providing access to No.10 sunken area; Reconfiguring rear of Unit 2 No.10;

First Floor: Insertion of insulation and board to existing floor, above the ground floor of No.16 and section of No.14 to enhance the acoustic performance; Insertion of reinforced structure to chimney breast above;

Third Floor: Reinstatement of 3 windows;

External:

- Ground floor façade 8,10 and 12 Newton – Removal of non original boarding, upvc windows, roller shutters and fascia signage and reinstatement of facades to match existing to 14-16 to including reinstatement of vertical stone divisions and sliding sash windows above no 8 and reinstatement of street level windows with right hand side to open as entrance door. Restoration of sandstone with details which match the original detailing on adjacent stone and reinstatement of all surrounds and cills. All new windows will be timber and matched in details and species with the original windows;
- Replace the very end window on back Piccadilly with a door and stair to the basement;
- 14 Newton facade to have louvres and blocked lower panels replaced with glazing and door;
- Formation of door within existing opening to provide disabled access to the unit via an internal platform lift internally; and

- Removal of existing non original glass block and reinstatement of timber glazed windows at level 3.
- A lift shaft head is required at roof level in order to accommodate the previously approved lift No.14.
- Insertion of a mansafe system - two additional roof hatches are proposed to provide access to the proposed man-safe system and lightwell handrail. This will involve creating two small openings in the roof and small penetrations through walls and fitting of strengthening wire;
- Alterations are to be made to the existing dormer along the Mangle Street end of the building, in order to prevent leaks reforming in certain areas. This will involve removing some sections of non-original timber structure and roof slates. Rotten timber will be discarded and replaced with new pieces. The new dormer will be in a tradition 'V' form, matching that of the existing dormers facing Newton Street/ Back Piccadilly;
- Insertion of lightwell handrail; and
- Relocation of fire exit door for the basement of No.16.

Consultations & Notification Responses

Publicity:

137012/FO/2023 : The application was advertised as a public interest development and a site notice was displayed adjacent to the site. Occupiers of adjacent properties were notified about the proposals. No representations have been received.

Head of Environmental Health: No objections but have recommended a condition relating to the hours of operation of the external terrace.

137013/LO/2023: The application was advertised as affecting a conservation area and a listed building and a site notice was displayed adjacent to the site. No representations have been received.

Manchester Conservation Areas and Historic Buildings Panel – did not wish to be consulted.

Issues

National Planning Policy Framework

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of “sustainable development” (NPPF Paragraph 7). 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.

The following Policies are of relevance to this application:

Section 16 Conserving and enhancing the historic environment – which states that in determining planning 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.

And 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. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to sustainable harm, total loss or less than substantial harm to its significance.

The following paragraphs need to be considered in the context of this application:.

201. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

203. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

205. 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

206. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional

207. Where a proposed development will lead to substantial harm to (or total loss of significance

of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

208. 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, where appropriate, securing its optimum viable use.

209. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Core Strategy - The following policies are considered to be most relevant to the proposed development:

Policy CC9 (Design and Heritage) - which states that the design of new buildings will need to be of the highest standard in terms of appearance and function and seeks to preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments.

Policy EN 3 Heritage – which states that 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.

The Unitary Development Plan for Manchester – Whilst the Core Strategy has now been adopted some of the UDP policies remain saved as there are no replacement policies contained in the Core Strategy. The relevant policies are detailed below:

DC18.1 (Conservation Areas) - which seeks to preserve and enhance the character of its designated conservation areas.

DC19.1 (Listed Buildings) - which seeks to preserve and enhance the settings of listed buildings by appropriate control over new developments within their vicinity.

Sections 16, 66 and 72 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.

Other material Considerations

Places for Everyone

The Places for Everyone Plan is a Joint Development Plan Document, which provides 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.

Policy JP-P 2 (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.

Design Issues and impact on the Character and Fabric of the Listed Building and Conservation Area It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of “sustainable development” (NPPF Paragraph 8). 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.

The proposed change of use would help support the full use of the property in a prominent location in the Stevenson Square Conservation Area. The building would be enhanced internally and externally.

It is noted that the proposals under consideration have evolved from consideration of alternative options and appropriate levels of mitigation in consultation with MCC officers which have informed the current scheme.

In terms of the works to the ground floor frontages it is noted that the current arrangement has destroyed the uniform design and introduced poor quality fabric and a disjointed elevation. All modern alterations are having a negative impact upon areas of high significance. The scheme would restore the original proportions of openings and is a return to a more uniform design. The removal of all non-original altered fabric to front of units 08 and 10 would reverse inappropriate interventions and have a substantial positive impact on the appearance of the building within the street scene as well as in terms of its contribution to the character of the conservation area.

On the 2nd floor the area which would be used for the external terrace is an attractive feature and focus point which currently has no access but has a design which would lend itself to use as a spill out area. The areas of intervention would not impact on architectural features of significant value and the design of the necessary interventions to facilitate the use of this area would be clearly read as modern interventions whilst being appropriate in terms of their design to the character of the listed fabric. It is noted that previous plans to include a glass balustrade behind the existing wall have been modified by placing the floor at a lower level, thus utilising the existing wall as a barrier. This mitigation has improved the scheme by reducing the visual impact and required penetrations into historic fabric. The degree of less than substantial harm in this instance is considered justified when balanced against the potential to enhance this focal point and provide a level of amenity space that is expected by tenants within the city centre, ensuring a continuing occupation and optimum viable end use. The mitigation has lowered the impact of changes. Mangle Street is the rear facing elevation of the building and is of secondary aesthetic importance.

The Mangle Street roof is experienced only obliquely from street level, given the narrow nature of the street. The three windows are behind existing parapets and within the face of the mansard roof and are in very poor condition, appearing to be replacements from a later date. They are a minor contributor to the significance of the listed building with limited aesthetic, communal, historical or evidential value. The removal of existing three non-original windows within mansard side elevation and replacement with new timber framed versions would have a positive impact on the character and fabric of the building. The Bi-fold doors and glass screens from a downstand would be set away from existing ceiling joists and columns and would use minimum fixings. The flow of natural light would also be retained. These would clearly be seen as modern interventions which would be subservient to the architectural and historic features of the listed building. There would therefore be a negligible impact from adding internal screens which would cause negligible harm to significance of heritage values and visual transparency would be retained.

Whilst the ceiling within 10-12 was originally lath and plaster finish its substantial level of alteration is noted. In many areas it was badly damaged beyond repair and several previous alterations had been made with the addition of low-quality ceiling tiles. Roof lights were set within shafts. A horizontal window frame with glazing was in place to the southern end of the space, intended to allow light through from the roof light above. The ceilings, in general, were failing and suffering from extensive decay and hazardous effects of severe pigeon guano. They have been removed to provide a safe working space for necessary repair of trusses (the subject of previous approval).

Glass from the internal frame has also been removed for similar reasons. The frame remains in situ. Historical insurance plans show that the roof light in this location was not original, it can also be concluded that this frame and glazing were non-original additions (an internal roof light without an external rooflight would serve no purpose). It is noted that there were no features of architectural or aesthetic note and the ceilings were standard features, with limited historical, aesthetic, communal or evidential significance. The ceilings in the current condition had a limited ability to convey meaningful evidence of past activity or connect the present to the past. The horizontal window frame is an unusual feature, of makeshift quality and appears similar in form to the frames used within the staircase areas. This has limited significance as evidence of the evolution of the building, but with no particular quality in their finish or design.

It is noted that the lath and plaster would be reinstated to the majority of the ceiling area partially reinstating the historic form. The proposed approach is to retain part of the exposed roof to the rear end of the space 'as is' rather than 'as was as this would have the benefit of making the space more attractive to potential tenants and increase ambient light levels within the space.

Notwithstanding this the ability to read the original form would be retained with brick work to the former ceiling line retaining its painted finish to the lower section and exposed finish above and holes which formerly housed timber joists will also remain on view. Where the new plaster ceiling meets the exposed structure, there would be a plasterboard upstand, set back with existing beams running beyond. It would therefore be clear to all that a ceiling was once in this location. Overall it is considered that the partial omission of the proposed level of replica fabric is, as part of the wider improvement works to the building is on balance an appropriate which balances restoration with ensuring that the space is attractive to the office market is acceptable and would represent less than substantial harm where overall the impact would be minor beneficial.

In terms of the WCs as the original approved layouts were a modern intervention considered that this proposal will provide any more harm to the building.

The reinstatement of the fixed windows to Back Piccadilly and trimming back of non-original floor inserts behind would allow for removal of poor-quality existing frames and boarding and replacement with high quality timber framed alternative and is considered to be an appropriate enhancement to the elevation and street scene.

At ground floor level the new windows to Back Piccadilly (former nightclub end) would result in the removal of non-original and inappropriate modern infill. Reinstating original window design and dimensions.

The removal of window mesh from windows to Back Piccadilly existing would visually enhance this elevation.

The insertion of reinforced structure to chimney breast would ensure stability of fabric with minimal impact on significance.

The insertion of 2no. sunken areas to the front of No.10 and the opening in the wall would removal a portion of existing flooring has been proposed in order to create more volume within the office entrance. The removal of historic fabric is limited and would be balanced against the benefits in terms street level animation achieved by a strong visual connection between the interior and exterior contribute to the attractiveness of the office scheme and ultimately it's viability.

Conditions would be attached to any consents granted to ensure that the proposals including associated repair work are carried out in a manner appropriate to the buildings status and its conservation area location.

Impacts of individual elements of the works would be largely beneficial or negligible/ neutral but some of the works at roof level (relocated deck access, roof hatches and the removal of the pitched slate roof at 2nd floor level) would have minor adverse impacts. Whilst it is considered that the proposals would cause some minor harm to the listed building this harm would be 'less than substantial'.

It is accepted that in order to secure long term uses for vacant listed buildings, some level of change is inevitable. It is considered that the wider proposals would balance a level of harm with modest interventions and alterations including crucially, the positive reinstatement of the front elevation.

Given the level of harm paragraph 208 of the NPPF requires that the impact of the development should be evaluated against the mitigation that would be provided from the wider public benefits of the scheme including securing its optimum viable use which can include heritage benefits.

The public benefits of the proposals include the following:

- Removing decaying fabric and restoring original features along this street elevation, improving the visual appearance and quality of the elevation;
- Repairing and restoring vacant space within a vacant listed building to create market facing office accommodation that is suitable for and attractive to potential occupiers;
- Much of the works would alter areas which have previously undergone change which included the insertion of non original fabric but this is balanced against the proposed levels of repair, reinstatement and remove of non original fabric whilst not substantially altering the understanding of its original arrangement or character, ensuring the building can operate viably as office accommodation.

In the context of the NPPF and S66 of the Act, it is considered that the scheme strikes the right balance between the impact of the changes on the significance of the building, and the public benefits weighed against the level of harm.

Overall, the building would be conserved in a manner that is appropriate to its significance and would ensuring this Grade II listed building can function more efficiently as an office. Whilst the proposals would involve some elements of low level harm, brought about by the insertion of the non-original fabric, overall the special interest of the listed building would be preserved. It is considered for the reasons outlined above that the overall approach to would (subject to conditions to agree the detailed design), have an acceptable impact on the character and historic fabric of the listed building.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving and enhancing the character of the conservation area and to preserving the building or its setting or any features of special architectural or historic interest which it possess as required by virtue of S66 and S72 the Listed Buildings Act, the less than substantial would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraphs 203, 205 and 208 of the NPPF and that in view of this, it is considered that the proposed development would on balance be consistent with sections 16 of the National Planning Policy Framework policies SP1, DM1, EN3 and CC9 and of the Core Strategy, saved UDP policies and 19.1 and Places for Everyone Policy JP-P 2.

Inclusive Access- Approvals under 118677/FO/2017 and 118678/LO/2017, proposed fully accessible office suites. Level access is afforded from street level and the upper ground floor is accessed via a disabled platform lift and additional such provision would be provided as part of the proposals. Lifts in each building allow access to all floors. The breakout spaces on levels 1 and 4 have level access. In terms of the level 2 terrace an options analysis has been carried and it has been concluded that as the inclusion of disabled access would result in the removal of the entire existing wall leading onto the terrace, that when the harm from this is weighed against the benefits and alternative provision elsewhere in the building that the option which has less damage to the listed building is on balance acceptable.

A platform lift would be provided to Unit 8 and there would be level access to an area at the front of Unit 8 for use by disabled customers, although assistance would be required to use the toilet. This is considered on balance to be acceptable given the constraints of the building, the size of the unit and the harm to the heritage asset that providing full access to the whole unit would entail. Overall it is considered that the refurbishment of the building as part of this and the previous application is providing much improved levels of disabled access compared with the existing situation.

In view of the above with respect to disabled access the proposals are considered on balance to be consistent with the requirements of Core Strategy Policy DM1 and DC7.

Impact on Amenity – A condition would limit the hours of operation of the external terrace to minimise any impact on the occupiers of neighbouring residential accommodation. It is considered that the proposals are therefore consistent with Core Strategy Policies DM1 and SP1 and saved UDP policy 26.1

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: 137012/FO/2023 : 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. A pre-application site visit took place to discuss the proposals

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 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be operated in accordance with the following plans and documents:

(a) Location plan E(900) REV A ;

(b) P(110)G , P(120) H , P(125) D, P(130) C, P(140) A, P (150) A P(160) A, P(170) B, P(200) D, P(210) B, P(212), P(213), P(220)A , P(230) E, P(235) B, P(300), P(301), P(310), P(311), P(320), P(330), P(340), P(341), P(350), P(355)A, P(360), P(135), P(136), P(335), P(336), P(337), P(338), P(145), P(146), P(245), P(246) , P(345), P(346), P(347), P(382), P(383), P(386), P(165), P(166), P(265), P(266), P(365), P(366), P(367), P(368), P(400). 1665 - T(463)B; and

(c) Atelier MB e-mail 13-10-22

Reason - Pursuant to Core Strategy Policies SP1, CC1, CC2, CC4, CC9 and EN3 and DM1 and saved UDP policies DC18.1, DC19.1, DC26.1 and DC26.5

3) The external terrace shall only be accessible for use between the hours of 8am-6pm. Out of these hours the doors will be locked.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

4) No amplified sound or any music shall be produced or played in any of the approved external areas.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

5) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The approved materials shall thereafter be used for the development.

Reason - To ensure that the appearance of the development 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, as specified in policies SP1 and DM1 of the Core Strategy.

6) Notwithstanding the details as set out in condition 2 (b) above no development shall commence in relation to the following work unless and until final details (including where appropriate specification and method statement) of the following have been submitted to and approved in writing by the City Council as Local Planning Authority:

(a) Information to illustrate how the detailing to the ground floor frontage would match the existing to include details of stone, mouldings, coursing and windows (including dimensions);

(b) Pointing sample;

- (c) Confirmation of window colour;
- (d) Details of new windows to replace glass block infills to ensure they are an exact match;
- (e) Detailed design of the new door design where the opening to the terrace is being formed;
- (f) Details of the sub station doors; and
- (g) Details sections of the door, frame, making good of reveals and finishes to the ground floor door at 14 Newton Street (Proposed No.16 Fire Escape Stair and Facade Section).
- (h) Details including any access control fixtures and fittings, any external security related fixtures and fittings including CCTV cameras and emergency light fittings.

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 policies CC9 and EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

Recommendation : 137013/LO/2023

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. A pre-application site visit took place to discuss the proposals

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 operated in accordance with the following plans and documents:

(a) Location plan E(900);

(b) P(110)G , P(120) H , P(125) D, P(130) C, P(140) A, P (150) A P(160) A, P(170) B, P(200) D, P(210) B, P(212), P(213), P(220)A , P(230) E, P(235) B, P(300), P(301), P(310), P(311), P(320), P(330), P(340), P(341), P(350), P(355)A, P(360), P(135), P(136), P(335), P(336), P(337), P(338), P(145), P(146), P(245), P(246) , P(345), P(346), P(347), P(382), P(383), P(386), P(165), P(166), P(265), P(266), P(365), P(366), P(367), P(368), P(400). 1665 - T(463)B; and

(c) Atelier MB e-mail 13-10-22

Reason - Pursuant to Core Strategy Policies SP1, CC1, CC2, CC4, CC9 and EN3 and DM1 and saved UDP policies DC18.1, DC19.1, DC26.1 and DC26.5

3) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The approved materials shall be used in the construction of the development.

Reason - To ensure that the appearance of the development 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, as specified in policies SP1 and DM1 of the Core Strategy.

4) Notwithstanding the details as set out in condition 2 (b) above no development shall commence in relation to the following work unless and until final details (including where appropriate specification and method statement) of the following have been submitted to and approved in writing by the City Council as Local Planning Authority:

- (a) Detailed method statements for all of the intervention works;
- (b) Information to illustrate how the detailing to the ground floor frontage would match the existing to include details of stone, mouldings, coursing and windows (including dimensions);
- (c) Pointing sample;
- (d) Confirmation of window colour;
- (e) Detailed specification and product information of the proposed new screens / bifold doors;
- (f) Details of new windows to replace glass block infills to ensure they are an exact match; and
- (g) Detailed design of the new door design where the opening to the terrace is being formed.
- (h) Details of the sub station doors;
- (i) Details sections of the door, frame, making good of reveals and finishes to the ground floor door at 14 Newton Street (Proposed No.16 Fire Escape Stair and Facade Section); and
- (j) Details including any access control fixtures and fittings, any external security related fixtures and fittings including CCTV cameras and emergency light fittings.

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 policies CC9 and EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

5) Before any works necessary to implement the approval commence a methodology and specification for any associated scaffolding 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 building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies CC9 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

Highway Services
Environmental Health

Flat 18, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Flat 22, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Flat 4, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Flat 12, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Second Floor, Dale House, 35 Dale Street, Manchester, M1 2HF
First Floor, 26 - 28 Dale Street, Manchester, M1 1FY
Second Floor, 26 - 28 Dale Street, Manchester, M1 1FY
Flat 2, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Second Floor, 69 - 75 Piccadilly, Manchester, M1 2BT
Flat 9, 2 Mangle Street, Manchester, M1 2DU
Flat 1, 2 Mangle Street, Manchester, M1 2DU
Ground Floor, 12 Newton Street, Manchester, M1 2AN
Flat 21, 79 Piccadilly, Manchester, M1 2BU
Flat 5, 79 Piccadilly, Manchester, M1 2BU
Flat 16, 79 Piccadilly, Manchester, M1 2BU
Flat 19, 79 Piccadilly, Manchester, M1 2BU
Flat 11, 79 Piccadilly, Manchester, M1 2BU
Flat 9, 79 Piccadilly, Manchester, M1 2BU
Flat 8, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Flat 17, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Flat 14, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Basement, 14 Newton Street, Manchester, M1 2AF
Flat 3, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Second Floor, 35 Dale Street, Manchester, M1 2HF
V1BE, 37 Dale Street, Manchester, M1 2HF
Basement, 45 Dale Street, Manchester, M1 2HF
11 Newton Street, Manchester, M1 1HF
Flat 12, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 11, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 17, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 3, 2 Mangle Street, Manchester, M1 2DU
12 Newton Street, Manchester, M1 2AN
6 Newton Street, Manchester, M1 2AW
Flat 4, 79 Piccadilly, Manchester, M1 2BU
Flat 12, 79 Piccadilly, Manchester, M1 2BU
Flat 24, 79 Piccadilly, Manchester, M1 2BU
Flat 7, 79 Piccadilly, Manchester, M1 2BU
Serviced Apartment 8, 79 Piccadilly, Manchester, M1 2BU
Flat 2, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
14 Newton Street, Manchester, M1 2AF
Fourth Floor, 14 Newton Street, Manchester, M1 2AF
3 - 5 China Lane, Manchester, M1 2EL

Flat 24, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Flat 11, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Third Floor, 35 Dale Street, Manchester, M1 2HF
Fourth Floor, Dale House, 35 Dale Street, Manchester, M1 2HF
Fourth Floor, 35 Dale Street, Manchester, M1 2HF
Ground Floor, 35 Dale Street, Manchester, M1 2HF
45 Dale Street, Manchester, M1 2HF
Second Floor And Third Floor, 45 Dale Street, Manchester, M1 2HF
Flat 20, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 14, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 10, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Third Floor Office 42, 75 Piccadilly, Manchester, M1 2BU
Fourth Floor, 69 - 75 Piccadilly, Manchester, M1 2BS
Second Floor Office 11, 69 Piccadilly, Manchester, M1 2BS
First Floor, 12 Newton Street, Manchester, M1 2AN
10 Newton Street, Manchester, M1 2AN
Flat 14, 79 Piccadilly, Manchester, M1 2BU
Flat 1, 79 Piccadilly, Manchester, M1 2BU
Flat 3, 79 Piccadilly, Manchester, M1 2BU
Flat 17, 79 Piccadilly, Manchester, M1 2BU
Flat 15, 79 Piccadilly, Manchester, M1 2BU
77 - 83 Piccadilly, Manchester, M1 2BU
Flat 26, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Fourth Floor, 16 Newton Street, Manchester, M1 2AE
Ground Floor, 16 Newton Street, Manchester, M1 2AE
Flat 5, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
33 Dale Street, Manchester, M1 2HE
Flat 16, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 3, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Third Floor Store 43, 75 Piccadilly, Manchester, M1 2BU
Piccadilly Tavern, 71 - 75 Piccadilly, Manchester, M1 2BS
Flat 6, 2 Mangle Street, Manchester, M1 2DU
Flat 7, 2 Mangle Street, Manchester, M1 2DU
First Floor, 4 Newton Street, Manchester, M1 2AW
Flat 14, 2 Mangle Street, Manchester, M1 2DU
77 Piccadilly, Manchester, M1 2BU
Flat 2, 79 Piccadilly, Manchester, M1 2BU
Flat 18, 79 Piccadilly, Manchester, M1 2BU
Second Floor, 16 Newton Street, Manchester, M1 2AE
First Floor, 14 Newton Street, Manchester, M1 2AF
58 Dale Street, Manchester, M1 2HN
Flat 19, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Flat 15, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Flat 16, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
First Floor, Dale House, 35 Dale Street, Manchester, M1 2HF
British Study Centres, St Margarets Chambers, 5 Newton Street, Manchester, M1 1HL
Flat 5, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 9, Kingsley House, 15 Newton Street, Manchester, M1 1HE
69 - 75 Piccadilly, Manchester, M1 2BS
Third Floor Office 17, 69 Piccadilly, Manchester, M1 2BS
Third Floor Office 20, 69 Piccadilly, Manchester, M1 2BS
Third Floor Offices 18 And 19, 69 Piccadilly, Manchester, M1 2BS
Flat 10, 2 Mangle Street, Manchester, M1 2DU
Flat 5, 2 Mangle Street, Manchester, M1 2DU

Flat 11, 2 Mangle Street, Manchester, M1 2DU
8 - 10 Newton Street, Manchester, M1 2AN
Second Floor, 4 Newton Street, Manchester, M1 2AW
Basement, 4 Newton Street, Manchester, M1 2AW
VS MANCHESTER LTD, Basement, 36 Dale Street, Manchester, M1 2HN
Flat 4, 2 Mangle Street, Manchester, M1 2DU
Flat 23, 79 Piccadilly, Manchester, M1 2BU
Flat 22, 79 Piccadilly, Manchester, M1 2BU
Flat 20, 79 Piccadilly, Manchester, M1 2BU
Flat 10, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Flat 1, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Flat 27, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Flat 20, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
33A Dale Street, Manchester, M1 2HE
Fifth Floor, Dale House, 35 Dale Street, Manchester, M1 2HF
First Floor, 35 Dale Street, Manchester, M1 2HF
Third Floor, Dale House, 35 Dale Street, Manchester, M1 2HF
Basement, Dale House, 35 Dale Street, Manchester, M1 2HF
Ground Floor, 45 Dale Street, Manchester, M1 2HF
67 Piccadilly, Manchester, M1 2BS
Flat 7, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 15, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 8, Kingsley House, 15 Newton Street, Manchester, M1 1HE
First Floor, 75 Piccadilly, Manchester, M1 2BU
Third Floor, 75 Piccadilly, Manchester, M1 2BU
Second Floor 37, 75 Piccadilly, Manchester, M1 2BU
69 Piccadilly, Manchester, M1 2BS
Fourth Floor Office 21, 69 Piccadilly, Manchester, M1 2BS
Flat 6, 79 Piccadilly, Manchester, M1 2BU
Flat 9, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Third Floor, 16 Newton Street, Manchester, M1 2AE
Second Floor, 14 Newton Street, Manchester, M1 2AF
Flat 2, 2 Mangle Street, Manchester, M1 2DU
Flat 23, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Basement, 33A Dale Street, Manchester, M1 2HE
Flat 18, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 13, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 4, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 19, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Kingsley House, 15 Newton Street, Manchester, M1 1HE
75 Piccadilly, Manchester, M1 2BU
Fourth Floor, 75 Piccadilly, Manchester, M1 2BU
Second Floor 34 To 36, 75 Piccadilly, Manchester, M1 2BU
First Floor Gymnasium, 69 Piccadilly, Manchester, M1 2BS
Second Floor 12 To 14, 69 Piccadilly, Manchester, M1 2BS
Basement And Ground Floor, 12 Newton Street, Manchester, M1 2AN
Ground Floor, 8 Newton Street, Manchester, M1 2AN
Basement And Ground Floor, 6 Newton Street, Manchester, M1 2AW
Flat 8, 2 Mangle Street, Manchester, M1 2DU
Flat 10, 79 Piccadilly, Manchester, M1 2BU
Flat 13, 79 Piccadilly, Manchester, M1 2BU
81 Piccadilly, Manchester, M1 2BZ
Flat 28, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Flat 25, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN

First Floor, 16 Newton Street, Manchester, M1 2AE
Third Floor, 14 Newton Street, Manchester, M1 2AF
Ground Floor, 14 Newton Street, Manchester, M1 2AF
36 Dale Street, Manchester, M1 2AF
Flat 7, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Flat 6, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN
Beatnikz Republic, Ground Floor, Dale House, 35 Dale Street, Manchester, M1 2HF
First Floor, 45 Dale Street, Manchester, M1 2HF
Ground Floor And Basement, 26 - 28 Dale Street, Manchester, M1 1FY
26 - 28 Dale Street, Manchester, M1 1FY
Flat 1, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 6, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Third Floor Offices 40 And 41, 75 Piccadilly, Manchester, M1 2BU
First Floor, 69 - 75 Piccadilly, Manchester, M1 2BS
Basement, 8 - 10 Newton Street, Manchester, M1 2AN
Ground Floor, 4 Newton Street, Manchester, M1 2AW
4 Newton Street, Manchester, M1 2AW
Flat 25, 79 Piccadilly, Manchester, M1 2BU
Basement, 77 - 83 Piccadilly, Manchester, M1 2BU
83 Piccadilly, Manchester, M1 2BZ
Flat 21, Finlay Warehouse, 56 Dale Street, Manchester, M1 2HN

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