

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137222/LO/2023

Date registered valid: 7 August 2023

Proposal: Refurbish existing ground floor retail area, shopfront, signage and upgrade fire rating to wall and fire exit door in basement.

Address: 2 Market Street, Manchester, M1 1PT

Ward(s): Deansgate Ward

Applicant: Mr Cyril Perraud Molton Brown

Agent (if any): Mr Duncan Smith Ampersand Associates Ltd

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve

Date of recommendation:

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit:

Standard consultations:

Printed: 9 August 2023 Expired: 30 August 2023

Neighbour notifications

Printed: 9 August 2023 Expired: 30 August 2023

Site notice

Posted: Expired:

Press advert

Published: 15 August 2023 Expired: 29 August 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: St Anns Square Conservation Area 1970

Tree Preservation Order:

Description of area

The area relates to a part of the St Ann's Conservation area the runs along Market Street up to the Arndale Shopping Centre. It houses a number of uses, including commercial, dining, drinking, retail, religious and entertainment. The area contains a large number of listed buildings, including the Grade I listed St Ann's Church which gives the square its name and the Grade II listed Royal Exchange, as well as many non-listed heritage assets.

The site relates to a unit in the Royal Exchange at 2 Market Street. The unit currently houses a Molton Brown retail outlet. The site has an entirely modern interior fit out in the ground floor sales area, whilst the basement, which houses the store room, staff WC and manager's office, retains some historic features including plaster cornices in the main space as well as portions of timber ceiling and dado rail by the rear exit.

Description of development

The development relates the installation of a new ground floor sales area fit out, the creation of new service arrangements to facilitate the installation of a new sink to the rear of the shop and fireboarding of the wall around the basement exit into the landlord corridor to ensure adequate fire safety.

Consultations & Notification Responses

Publicity - a notice was displayed on site to inform passers-by of the development. Letters were sent to surrounding occupiers informing them of the development. A notice was posted in the

local press to advertise the works as those affecting a listed building and conservation area. No representations have been received as a result of this publicity.

Issues

The main policies that relate to this application are policies DM1 (Development Management), SP1 (Spatial Principles) EN3 (Heritage) and CC9 (Design and Heritage) of the Manchester Core Strategy (2012), saved policies DC18 (Conservation Areas) and DC19 (Listed Buildings) of the Unitary Development Plan for Manchester (1995) and Section 16 of the National Planning Policy Framework.

Principle

The application seeks consent for works to create a new shop fit out for the existing tenant of the unit as well as fireboarding of a wall in the basement service area to improve fire safety.

The proposed fit out is part of a programme undertaken by Molton Brown to install new shop layouts in their units nationally that will create a new customer experience in the lead up to the busy Christmas sales period. The works will therefore facilitate the continued economic viability of the business and, by extension, the unit.

The works to the wall around the basement door into the landlord corridor are necessary to improve fire safety. This area is currently in a state of disrepair, with crumbling paint and plaster and redundant service penetrations leaving gaps in the wall. The proposal is therefore considered acceptable in principle pursuant to policies DM1 and SP1 of the MCS, which require the City Council to support development where it improves public safety.

Impact on the listed building

The shopfloor fit out, which will require the installation of new furniture, floor, wall and ceiling finishes, lighting and the relocation of the sink/wash area from the front to the back of the store.

The new finishes and furniture, which will replace the existing shop fit out, will have a negligible impact on the listed building. The unit has been thoroughly modified and no historic fabric remains internally. Therefore it is expected that this aspect of the works will not impact any historic fabric.

The relocation of the sink will require a new penetration through the floor into the basement, as well as the installation of new pipework along the basement ceiling to connect to the existing service and drainage arrangement in the basement tea station. This will create a moderate degree of less than substantial harm, as it will require a new interventions into historic fabric - both from the new drainage hole and the fixings for the new pipework.

The area of basement ceiling the penetration will be made is modified ceiling and does not retain the original plasterwork and cornice that are present in other areas of the basement ceiling. Hence, the penetration itself will not impact any historic finishes and is considered acceptable when balanced against the need to maintain the financial viability of the business is the unit, which the development will help facilitate.

The pipework fixings would create some new interventions into the historic fabric. However, these fixings points would be fully and easily reversible in the long term. Furthermore, the ceiling has been significantly modified, including by the presence of service trays for the tenant electrics. Therefore, it is considered that these interventions would not significantly impact the special character and appearance of the listed building to warrant a refusal.

The firewalling around the basement door through to the rest of the Royal Exchange will result in a moderate degree of less than substantial harm as it will be installed over the existing wall

and ceiling which retains a number of historic features, such as a dado rail, cornice and ceiling boards. On balance, this is considered acceptable as it would improve fire safety for the building, which is of benefit to public safety as well as the ongoing conservation of the building as the fire boarding will delay the spread of any fire in the basement to the rest of the building.

Impact on the conservation area

There are no changes proposed to the exterior of the unit, with the shop front and signage on the stonework fascia panel above the door remaining in situ. There will be new interior signage installed suspended from the internal bulkhead in the same manner as the current signage. The new signage will be very similar in design to the existing signage, although slightly smaller in size. It is considered that the effect on the wider conservation area from the proposed works would be negligible due to the minimal material change to the exterior appearance of the unit.

Conclusion

The proposed works to the unit will create a low degree of harm to the listed building due to the highly modified nature of the unit, with the greatest degree of harm coming from the service penetration to facilitate the relocation of the sink. On balance, this is accepted to secure the ongoing economic viability of the unit and as the penetration will be made in an area of unoriginal ceiling in the basement. The fireboarding is necessary on public safety grounds and therefore provides a significant public benefit that outweighs the harm caused by boarding over historic fabric on the wall of the basement. The proposal is therefore supported pursuant to policies DM1, SP1, EN3 and CC9 of the MCS, saved policies DC18 and DC19 of the UDP and Section 16 of the NPPF.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

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:

-Drawing - Existing & Proposed X11 MIXED PLANS received by the City Council, as Local Planning Authority, on 13/09/2023

-Drawing - Proposed 12823_002_02 (8606) BASEMENT WORKS 2received by the City Council, as Local Planning Authority, on 15/09/2023

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.

3) Prior to commencement of the development hereby approved, specifications and details (including scaled cross sections, floor plans, ceiling plans and elevations of the location, appearance and method of installation) of any additional M&E services, not specified in the drawings and documents covered in Condition 2 (Approved Drawings), shall be submitted for approval in writing by the City Council as Local Planning Authority.

The approved details and method statement shall be implemented as part of the development and completed prior to the first occupation of the development.

Reason - To ensure that the development is acceptable in the interest conservation and heritage pursuant to policies SP1, DM1, CC9 and EN3 of the Manchester Core Strategy (2012) and saved policy DC19.1 of the Unitary Development Plan (1995)

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

329 Royal Exchange, Exchange Street, Manchester, M2 7BR
513 Royal Exchange, Exchange Street, Manchester, M2 7EN
PRUDENTIAL ASSURANCE CO LTD, 52 - 55 Royal Exchange, Exchange Street, Manchester, M2 7DA
Watches Of Switzerland, 9 - 11 St Ann's Square, Manchester, M2 7EF
Sub Basement, 1 - 5 St Ann's Square, Manchester, M2 7EF
12 Royal Exchange Arcade, Manchester, M2 7EA
Third Floor, Royal Exchange, Exchange Street, Manchester, M2 7BR
328 Royal Exchange, Exchange Street, Manchester, M2 7BR
Royal Exchange Theatre, Exchange Street, Manchester, M2 7HA
16 Market Street, Manchester, M1 1PT
48 Royal Exchange, Exchange Street, Manchester, M2 7DA
16 - 18 Royal Exchange Arcade, Manchester, M2 7EA
11 Royal Exchange Arcade, Manchester, M2 7EA
3 Royal Exchange Arcade, Manchester, M2 7EA
10 Royal Exchange Arcade, Manchester, M2 7EA
1 Royal Exchange Arcade, Manchester, M2 7EA
4 Royal Exchange Arcade, Manchester, M2 7EA
437 Royal Exchange, Exchange Street, Manchester, M2 7EP
326 Royal Exchange, Exchange Street, Manchester, M2 7BR
517 - 518 Royal Exchange, Exchange Street, Manchester, M2 7EN
Sub Basement, Royal Exchange, Exchange Street, Manchester, M2 7BR
2A Cross Street, Manchester, M2 7AE
2 Cross Street, Manchester, M2 7AE
433 - 434 Royal Exchange, Exchange Street, Manchester, M2 7EP
438 Royal Exchange, Exchange Street, Manchester, M2 7EP
14 Royal Exchange Arcade, Manchester, M2 7EA
7 - 9 Old Bank Street, Manchester, M2 7PE
429 - 430 Royal Exchange, Exchange Street, Manchester, M2 7EP
225 - 226 Royal Exchange, Exchange Street, Manchester, M2 7DA
10 Market Street, Manchester, M1 1PT
8 - 10 Cross Street, Manchester, M2 7AE
14 Market Street, Manchester, M1 1PT
229 Royal Exchange, Exchange Street, Manchester, M2 7DD
442 - 443 Royal Exchange, Exchange Street, Manchester, M2 7EP
THE PRUDENTIAL ASSURANCE, 425 - 426 Royal Exchange, Exchange Street, Manchester, M2 7EP
149 Royal Exchange, Exchange Street, Manchester, M2 7BZ
15 Royal Exchange Arcade, Manchester, M2 7EA
9 Royal Exchange Arcade, Manchester, M2 7EA
MOSS BROS., 1 - 5 St Ann's Square, Manchester, M2 7EF
5 Old Bank Street, Manchester, M2 7PE
47 Royal Exchange, Exchange Street, Manchester, M2 7DA
Sixth Floor, Royal Exchange, Exchange Street, Manchester, M2 7FL
4 Market Street, Manchester, M1 1PT
6 Market Street, Manchester, M1 1PT
43 - 45 Royal Exchange, Exchange Street, Manchester, M2 7DA
Marks And Spencer, 7 - 17 Market Street, Manchester, M1 1PT
12 Market Street, Manchester, M1 1PT
427 - 428 Royal Exchange, Exchange Street, Manchester, M2 7BR

441 Royal Exchange, Exchange Street, Manchester, M2 7EP
9 Old Bank Street, Manchester, M2 7PE
Basement And Ground Floor, 7 - 9 Old Bank Street, Manchester, M2 7PE
Lululemon, 7 St Ann's Square, Manchester, M2 7EF
19 Royal Exchange Arcade, Manchester, M2 7EA
Basement, Royal Exchange, Exchange Street, Manchester, M2 7BR
Fourth Floor, Royal Exchange, Exchange Street, Manchester, M2 7BR
521 Royal Exchange, Exchange Street, Manchester, M2 7EN
THE PRUDENTIAL ASSURANCE COMPANY, 431 - 432 Royal Exchange, Exchange Street,
Manchester, M2 7EP
441A Royal Exchange, Exchange Street, Manchester, M2 7EP
6 Royal Exchange Arcade, Manchester, M2 7EA
231 Royal Exchange, Exchange Street, Manchester, M2 7DD
326 - 327 Royal Exchange, Exchange Street, Manchester, M2 7BR
333 Royal Exchange, Exchange Street, Manchester, M2 7BR
435 - 436 Royal Exchange, Exchange Street, Manchester, M2 7EP
514 - 516 Royal Exchange, Exchange Street, Manchester, M2 7EN
Fifth Floor, Royal Exchange, Exchange Street, Manchester, M2 7BR
3 Exchange Street, Manchester, M2 7EE
228 Royal Exchange, Exchange Street, Manchester, M2 7DD
15 - 17 Old Bank Street, Manchester, M2 7PE
519 Royal Exchange, Exchange Street, Manchester, M2 7EN
446 Royal Exchange, Exchange Street, Manchester, M2 7EP
1 Exchange Street, Manchester, M2 7EE
FRENCH CONNECTION, 7 Exchange Street, Manchester, M2 7EE
12 - 14 Cross Street, Manchester, M2 7AE
16 Cross Street, Manchester, M2 7AE
31 Royal Exchange Arcade, Manchester, M2 7EA
330 Royal Exchange, Exchange Street, Manchester, M2 7BR
324 - 325 Royal Exchange, Exchange Street, Manchester, M2 7BR
444 - 446 Royal Exchange, Exchange Street, Manchester, M2 7EP
Second Floor, Royal Exchange, Exchange Street, Manchester, M2 7BR
18 Market Street, Manchester, M1 1PT
332 Royal Exchange, Exchange Street, Manchester, M2 7BR
232 Royal Exchange, Exchange Street, Manchester, M2 7DD
18 Cross Street, Manchester, M2 7AE
447 - 449 Royal Exchange, Exchange Street, Manchester, M2 7EP
THE PRUDENTIAL ASSURANCE COMPANY, 227 Royal Exchange, Exchange Street,
Manchester, M2 7DD
424 Royal Exchange, Exchange Street, Manchester, M2 7EP
THE PRUDENTIAL ASSURANCE COMPANY, 520 Royal Exchange, Exchange Street,
Manchester, M2 7EN
327 Royal Exchange, Exchange Street, Manchester, M2 7BR
7 Royal Exchange Arcade, Manchester, M2 7EA
8 Royal Exchange Arcade, Manchester, M2 7EA
13 Old Bank Street, Manchester, M2 7PE
20 Royal Exchange Arcade, Manchester, M2 7EA
5 Royal Exchange Arcade, Manchester, M2 7EA
8 Market Street, Manchester, M1 1PT
5 Exchange Street, Manchester, M2 7EE

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 - St Anns Square Conservation Area 1970

Area Team Boundary - Name: CENTRAL