2nd November 2023
L 231102 SAV Cover Letter

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SUBMITTED VIA PLANNING PORTAL REFERENCE: PP-12528118

Dear Sir or Madam

THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
FULL PLANNING PERMISSION AND LISTED BUILDING CONSENT FOR THE CREATION OF 3 SEPARATE RETAIL UNITS THROUGH A SERIES OF INTERNAL WORKS, EXTERNAL ALTERATIONS TO THE FRONT ELEVATION AND ASSOCIATED WORKS
35 KING STREET, MANCHESTER, M2 7AT
STRATHCLYDE PENSION FUND C/O DTZ INVESTORS

Introduction

We write on behalf of our client, Strathclyde Pension Fund c/o DTZ Investors, to apply for planning permission and Listed Building Consent for the creation of 3 separate retail units through a series of internal works, external alterations to the front elevations and associated works at 35 King Street in Manchester.

In accordance with the Town and Country Planning (Development Management Procedure) Order 2015, the documents which comprise the application include the following:

- This covering letter;
- The completed application forms;
- Full Drawing Pack provided by Cushman and Wakefield;
- Design and Access Statement, prepared by Savills (November 2023); and
- Heritage Statement, prepared by Donald Insall Associates (September 2023).

The application has been submitted electronically via the Planning Portal website **(PP-12528118**). The requisite application fee of £234.00 has also been paid electronically.

The Application Site

The application site comprises 35 King Street in Manchester City Centre. The site is located on the pedestrianised retail area of King Street in the centre of Manchester. The property is located on the north side of King Street near both the corner with Cross Street and the walkway through to St Ann's Square. King Street is renowned for its exclusive retail and food and beverage offering. In recent years however, the area has

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experienced an increased incidence of vacant units. The surrounding area consists of a mix of retail, food and beverage, office and residential uses.

The Site comprises a vacant building, which was most recently occupied by Jack Wills, who were in occupation from 2010 until 2020. The building has been vacant since 2020.

The property comprises a Grade II Listed Building arranged over four floors (English Heritage number: 1282985). The listing was downgraded from II* in the 1990's given the lack of surviving interior elements. The Site is also located within the St Ann's Conservation Area.

Given the application site's city centre location, it is highly sustainable in terms of its proximity to local amenities. The application site is located within the heart of Manchester City Centre, and is immediately surrounded by a range of employment uses, shops, restaurants and cafes; all of which are within easy walking distance of the site. The site comprises an incredibly accessible location in immediate proximity to existing services, amenities, transport nodes and employment.

Planning History

The application site has a fairly detailed planning history, which is set out in full on Page 38 of the associated Heritage Statement. The majority of the planning history for the building comprises applications for signage, external alterations and internal reconfiguration. In terms of the most recent planning history, a series of applications were approved in 2011 to allow occupation by Jack Wills:

- 094440/LO/2010/C1 (Approved 2nd February 2011) – Listed Building Consent for internal and external alterations including removal of metal columns, fenestration amendments to King St and St Ann's Churchyard elevations, removal of handrail to King Street entrance and installation of signage

- 094402/AO/2010/C1 (Approved 2nd February 2011) – Retrospective application for installation of signage to King Street and St Ann's churchyard elevations – pin mounted letters, brass plaque, projecting sign, glazing signage

- 094661/FO/2010/C1 (Approved 2nd February 2011) – External alterations including removal of metal columns and fenestration amendments to King Street and St Ann's churchyard elevations and removal of handrail to King Street elevation

The Proposed Development

The application seeks full planning permission and Listed Building Consent for the creation of 3 separate retail units through a series of internal works, external alterations to the front elevations and associated works at 35 King Street in Manchester. The application is submitted on behalf of the Landlord and forms part of a series of applications for the refurbishment of the building. This application simply seeks to allow the landlord to undertake enabling works to create separate retail units for the incoming tenants. A further application for Planning Permission and Listed Building Consent will be submitted in due course on behalf of the Tenant, which will relate to the more specific fit-out proposals.

The works proposed as part of the current application are minor and almost wholly located in the modern retail service wings of the building. The proposals are predominantly internal and will not have an impact on the Conservation Area, or the significance of the Listed Building.

Full detail of the proposals are provided on the plans submitted as part of the application, however to summarise, the works will include the following principal elements:

- Strip out of the existing lightweight partitions to the ground floor;
- Removal of steel staircase from Unit 3 from ground floor to first floor;
- Cut out of floor to Unit 1 for the provision of staircase between basement and ground floor;

- Installation of blockwork walls to separate the three demises;
- Infill of concrete floor at first floor level following removal of staircase;
- Installation of two glazed door sets to Units 1 & 3;
- New electrical supply to Unit 1 and new water supply to all units;
- Extension of existing soil pipes from basement of Unit 3 to provide pop ups to facilitate future fit outs to Units 1 & 2;
- Strip out of existing M&E installations to Units 1 & 3; and
- New fire alarm and basic lighting to Units 1 & 3.

The proposal will be the first stage of a wider proposal to bring the vacant building back into active use, in turn contributing to the vitality of the surrounding area.

Planning Policy and Assessment of the Proposed Development

The applicant has assessed the proposed development against the relevant policies of the development plan and material considerations, including the National Planning Policy Framework ('**NPPF**').

The statutory development plan for the Site consists of the following:

- Manchester's Local Development Framework – Core Strategy Development Plan Document 2012 (the '**Core Strategy'**); and

- The Unitary Development Plan for the City of Manchester – Extant UDP Policies (1995) (the '**UDP**').

The application site is located within the City Centre area on the Core Strategy Proposals Map, where policies CC1 to CC10 apply. The site is also designated within Policy CC2 'City Centre Primary Shopping Area' which promotes retail provision in the City Centre. In addition, the site is located within the St Ann's Square Conservation Area. The site is also allocated under policy RC20 Area 6 Deansgate/St Mary's Gate/Cross Street/John Dalton Street of the UDP, which promotes the high quality character of this area of the city.

The Core Strategy

The Core Strategy was adopted in July 2012 and replaced most of the policies in the former Manchester Unitary Development Plan.

The policies of relevance in the Core Strategy are:

- SP1 – Spatial Principles
- CC2 – Retail
- CC9 – Design and Heritage
- T1 – Sustainable Transport
- EN1 – Design Principles and Strategic Character Areas
- EN 3 – Heritage
- EN 4 – Reducing CO2 Emissions by Enabling Low and Zero Carbon Development
- EN 6 – Target Framework for CO2 reductions from low or zero carbon energy supplies
- EN16- Air Quality
- DM 1 – Development Management

The UDP

As above, the Core Strategy replaced the majority of the UDP for the City of Manchester policies. Some policies remain saved and the most relevant are:

- DC18.1 – Conservation Areas;

- DC19.1 – Listed Buildings
- RC20 – Small Area Proposals.

The National Planning Policy Framework

The NPPF seeks to secure development that is sustainable. Paragraph 8 confirms that the planning system has three overarching objectives to achieving sustainable development; economic, social and environmental. The objectives of relevance to this proposal are:

1. The economic objective, which helps to build a strong, responsive and competitive economy by ensuring that sufficient land of the right types is available to support growth and innovation;

2. The social objective to support strong, vibrant and healthy communities; and

3. The environmental objective to make efficient use of land.

Paragraph 11 outlines the presumption in favour of sustainable development. For decision taking, this means:

1. Approving development proposals that accord with an up to date development plan without delay; or

2. Where there are no relevant development plan policies, or the policies which are most important for determining the applications are out of date, granting permission unless:

    a. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    b. Any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 81 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraph 81 is one of only a few policies that places the weight to be attached to a policy requirement, that is that significant weight should be attached to proposals that support economic growth.

Paragraphs 119-123 relate to making the most effective use of land. Of relevance to this proposal, Paragraph 120 states that policies and decisions should promote and support the development of under-utilised land and buildings.

Paragraphs 189-192 relate to proposals affecting heritage assets. Of relevance to this proposal, Paragraph 192 seeks for applications to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

The key development policy themes are:

1) The Principle of Development
2) Design and Heritage
3) Sustainability

The Principle of Development

Paragraph 86 of the NPPF states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management

and adaptation. Part (c) recognises the importance of retaining and enhancing existing markets, and where appropriate, re-introducing or creating new ones.

The floorspace has been vacant since 2020. The property no longer serves the needs of businesses due to its format, and therefore the proposals, which are straight forward and simply seek for enabling works to split the retail unit into three and facilitate occupation by new occupiers, are entirely appropriate.

Policy CC2 of the Core Strategy states that the Council will promote the growth and improvement of retail provision within the City Centre.

The re-occupation of a prominent building on King Street will contribute to the vitality and viability of the wider area, and increase the overall attractiveness of a key City Centre location.

Design and Heritage

Policy CC9 (Design and Heritage) and EN3 (Heritage) of the Core Strategy state that heritage assets should be enhanced or preserved. The re-use of heritage assets is also encouraged. In line with these policies, the proposal has considered the listed nature of 35 King Street, and the fact that the site falls within a Conservation Area, and aims to retain all of the historical features within the existing building. It is also worth noting at the outset that the works proposed are minor and almost wholly located in the modern retail service wings, with the only area of works to the main historic core considered to have a neutral impact on the building's special interest. The proposal is therefore fully in line with the objectives of local and national planning policy, namely Policies CC9 and EN3 of the Core Strategy, Policies DC18.1 and DC19.1 of the UDP and Paragraph 190 of the NPPF.

The Heritage Statement submitted in support of the application also notes that given the nature of the works and the fact they are predominantly internal, there will be no impact on the wider conservation area. Section 5 of the Heritage Assessment assesses the impact of the proposals and confirms that most of the current proposed works are located within the modern flanking and rear wings of the building, such as the removal of a modern staircase between the ground and basement floor, and the re-orientation of internal partitions. The only element to have the potential for an impact on the listed building is the blocking up of the openings between the historic core and the wings at basement level. However, there is no evidence to suggest that the openings in the basement are early and they have evidently been substantially altered previously. The significance was lost following the demolition of the earlier wings and their replacement with modern extensions in the 20th Century. As such, the proposed blocking of these doorways is considered to have a neutral impact on the significance of the building and would have no bearing on the preservation of the remaining elements of special interest.

The Heritage Statement therefore concludes that the proposals would sustain the significance of the listed building in accordance with Paragraph 199 of the NPPF and all relevant policies in the development plan.

Policy EN1 relates to design principles and seeks for all development in Manchester to have regard to the strategic character area in which the development is located. Opportunities for good design should also be fully realised. Policy DM1 states that proposals should have appropriate layout and materials. The Design and Access Statement submitted as part of the application sets out the design principles and clearly demonstrates that good design will be achieved as part of the proposal.

Economic Benefits

The application site is currently vacant floorspace that is not in economically beneficial use. The proposed development will assist in bringing the floorspace back into use in a sustainable matter and assist in securing economic growth. Once occupied, the proposal will also make a significant contribution to economic growth and prosperity and accord with the Government's agenda to promote development that results in economic growth.

It is also important to note that Paragraph 120 of the NPPF seeks for decisions to promote and support the development of under-utilised land and Paragraph 81 places significant weight on the need to support economic development.

In light of the above, the economic positives of the proposal weigh heavily in favour of the grant of planning permission and Listed Building Consent. It follows that the proposal accords with Policy EC1 of the Core Strategy and the aims of the NPPF that seek to build a strong, competitive economy and place significant weight on the need to support economic growth.

Sustainability

The proposal meets the three dimensions of sustainable development as defined within Paragraph 8 of the NPPF, as demonstrated below:

- **Environmental**- the proposal will largely re-use the existing building fabric, in turn reducing emissions whilst protecting the heritage of the building where possible.

- **Social-** the proposal will ensure the building actively contributes to the community by bringing it back into full occupancy, and actively contributing to the environment of King Street.

- **Economic**- the proposal will enable the building to be brought back into active economic use, in turn supporting the vitality and viability of the City Centre.

In light of the above, we conclude that the proposal should be supported under the terms of Policies EN4, EN6 and EN16 of the Core Strategy, and the relevant policies relating to sustainable development in the NPPF.

The proposal should also be supported under the overarching objectives of SP1 of the Core Strategy, as the development will make a positive contribution to the area and create a well-designed development that will enhance the character of the area.

Summary and Conclusion

This application seeks full planning permission and Listed Building Consent for the creation of 3 separate retail units through a series of internal works, external alterations to the front elevations and associated works at 35 King Street in Manchester.

The proposal will allow the site to be brought back into active use, in turn contributing to the vitality of the surrounding area.

In light of the assessment undertaken, we conclude that:

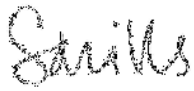
1. The proposal accords with the relevant policies in the development plan;
2. The proposal accords with the principal material considerations, namely the objective to secure sustainable development established by the NPPF; and
3. There are no other material considerations that should outweigh the presumption in favour of granting planning permission for sustainable development.

We respectfully recommend that planning permission should be granted in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004.

We trust that you have sufficient information to register the application and commence its formal consultation.

We will contact you shortly to confirm details of the Council's timescales for determining the application. In the meantime, if you have any questions please contact Matthew Sobic or Katie Parfett at these offices.

Yours faithfully



Savills (UK) Ltd
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