MANCHESTER CITY COUNCIL

# Planning

## Growth & Development

## Delegated officer report for planning application

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| **Application no.** | 137717/LO/2023 |
| **Date registered valid:** | 31 July 2023 |
| **Proposal:** | Listed Building Consent for installation of internal partitions. |
| **Address:** | 1-5 St Anns Square, Manchester, M2 7EF |
| **Ward(s):** | Deansgate Ward |
| **Applicant:** | Mr Stephen Bourne Signet Jewelers |
| **Agent (if any):** | Mr Paul Turner Mansell Associates Ltd |
| **Case officer:** | Max Gibson<br>Tel: 0161 219 6359<br>Email: maximillian.gibson@manchester.gov.uk |
| **Recommendation:** | Approve |
| **Date of recommendation:** | **18/09/2023** |

**Application details**

**Type of application:** Listed Building Consent

**Development type:** Listed building alteration

**Date of site visit:**

**Standard consultations:**
Printed: 10 August 2023 Expired: 31 August 2023

**Neighbour notifications**
Printed: 10 August 2023 Expired: 31 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 St Ann's Square, an area of public realm in Manchester's city centre. The Grade I-listed St Ann's Church the centre point of the square. The character of the area comprises several different by retail units and food and drink uses on all sides. The square is covered by the St Ann's Square Conservation Area. There are a number of listed buildings in the immediate vicinity, including the Grade II-listed Royal Exchange.

The site relates to a retail unit on the ground floor of the Royal Exchange at number 1-5 St Ann's Square. The site formerly housed a Moss Bros suit shop. The interior of the unit has been heavily modified over time and little historic fabric remains.

**Description of development**

The development relates to the installation of a new fit out in the unit to form two new units housing high-end watch and jewellery retailers. Consent to form a new shopfront on the right-hand unit was granted under app. ref. 135178/FO/2022 in 2022. The works include the remodelling of the rear of the unit to form a storeroom and toilet facilities, including an accessible WC, the installation of a new floor, including the covering over of the stairwell to the downstairs of the unit, and the installation of new semi-transparent polycarbonate and metal roller-shutters to fulfil the security needs of the applicant.

**Consultations & Notification Responses**

Publicity - a notice was displayed on site, informing passers-by of the development. The development was advertised in the local press as one affecting a listed building. Letters were sent to surrounding occupiers informing them of the development. No representations have been received as a result of this publicity.

**Issues**

Planning History
An application to form a new shopfront with doorway and level access in the right-hand glazed opening of the unit was approved under app. ref. 135178/FO/2022 in 2022.

An application for the internal fit out of the two new units was approved under 136906/LO/2023. This broadly similar to the current proposal although with a different rear of house arrangement.

***Issues***
*Principle*
The application seeks consent for internal fitout and subdivision of a unit in the Royal Exchange to form two new units that will house watch shops. The use as a retail unit is considered acceptable given the Royal Exchange history as a marketplace and therefore the use is considered acceptable pursuant to policy EN3 of the MCS which states that heritage assets should be re-used in a manner consistent with their heritage and Section 16 of the NPPF which promotes development which secures the ongoing economic viability of listed buildings.

Furthermore, as an application by the same applicants for similar works was approved under app ref. 136906/LO/2023, it is considered that the principle of the use and subdivision into two units has already been established. However, an assessment of the works and their impacts on the listed building is necessary and is undertaken below.

*Impact on the listed building*
The unit, formerly occupied by Moss Bros, retains little historic fabric due to extensive modern remodelling that has been undertaken previously including plaster boarding of walls, dropped ceilings and a new shopfront. Hence the majority of the fitout will do little to impact underlying historic fabric and therefore is considered to be acceptable.

The proposed scheme is broadly similar to that proposed under app. ref. 136906/LO/2023, with some notable differences to the internal arrangements in the back of house. This rear area, which would interlink both halves of the development, would house the office, staff room and toilets, including an accessible WC. The arrangement means that the whole of the ground floor space in the two units will be utilised, ensuring ongoing maintenance of the space. As under app ref. 136906/LO/2023 the front portion will be subdivided into two sales areas. This subdivision will create a degree of less than substantial harm but is considered acceptable as it will create two new economically viable units that will ensure the ongoing use of the space.

To facilitate the creation of the southern of the two sales units, the modern stairway to the basement would be removed and the void over boarded. This aspect of the proposal is considered to create the greatest degree of less than substantial harm as it would involve significant intervention into and alteration of the existing space. Access to the basement would be maintained by a rear landlord stairway. As the stairway is a modern intervention, its removal is not considered to be unduly harmful to the character or appearance of the building. Therefore, on balance, the removal to form two new ground floor businesses is considered acceptable to secure ongoing economic viability of the unit pursuant to Paragraph 197 and 199

of the NPPF. A condition is attached to this approval so that full and final details of this aspect of the works are provided to the City Council for approval to ensure the interventions to do no harm the underlying structure of the listed building.

The proposal would see the boxing in of the rearmost window from the unit into the central arcade of the Royal Exchange. This would screen the rear storeroom and staff area from view. This would create a moderate degree of less than substantial harm by obscuring views from the arcade, a feature oh high significance, into the unit. The other two windows would retain view through. On balance, this approach is considered acceptable due to the retention of views through two of the three windows and as other units in the arcade also have partially obscured glazed shopfronts.

The units would have new roller shutters installed, which is consistent with the approved shopfront and signage strategy for the Royal Exchange. There is a recess into which the shutters can be retracted when not in use, which is deliberately incorporated into the design of the unit. The shutters themselves are made from clear polycarbonate with metal rods through it. This provides the necessary security arrangements whilst allowing views into the unit.

The finishes, such as the floor finishes, carpets and tiling, plaster boarding of the walls and fixed furniture is reversible in nature and would be affixed into modern fabric. The modern cornice to the will be continued and reinstated at the rear of the shop where the rear wall be moved forwards.

The repositioning of the WC will require new service arrangements, which are not currently finalised. Full and final details will be conditioned to ensure the impact on historic fabric is limited.

*Impact on the conservation area*
As the works are internal, it is not predicted the works would have a great impact on the conservation area. The roller shutters are positioned a substantial distance from the windows and have visual permeability, therefore maintaining an active frontage when the shops would be closed. All external works have been approved under previous applications and follow the guidance laid out under the signage strategy. The works are therefore acceptable pursuant to policy DC18 of the UDP and Section 16 of the NPPF.

*Conclusion*
In summary, the works would result in a moderate degree of less than substantial harm owing to the significant changes in the floorplate and the subdivision of the single large unit into two smaller units. On balance, this is considered to be acceptable as it would create two new businesses which would help ensure the ongoing economic viability of the site and complement the existing character of the listed building and wider conservation area. The development is hence considered acceptable pursuant to policy EN3 of the MCS, saved policies DC18 and DC19 of the UDP and Section 16 of the NPPF, in particular paragraphs 197 and 199.

**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 polices 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**

**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 - Proposed 1615-03-01 BASEMENT GENERAL ARRANGEMENT PLAN received by the City Council, as Local Planning Authority, on 31/07/2023

-Drawing - Proposed 1615-03-01 REV F GROUND FLOOR GENERAL ARRANGEMENT PLAN
-Drawing - Proposed 1615-03-02 REV F GROUND FLOOR REFLECTED CEILING PLAN
-Drawing - Proposed 1615-03-06 REV F INTERNAL ELEVATIONS
received by the City Council, as Local Planning Authority, on 12/09/2023

-Design & Access Statement DESIGN & ACCESS STATEMENT received by the City Council, as Local Planning Authority, on 31/07/2023

-Heritage Statement HERITAGE STATEMENT received by the City Council, as Local Planning Authority, on 31/07/2023

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, full and final details of the stairway, including specifications of materials and cross sections of any junctions withe existing floor and walls, shall be submitted for approval in writing by the City Council as Local Planning Authority.

The approved details 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 interests conservation and heritage pursuant to policies SP1, DM1, CC9 and EN3 of the Manchester Core Strategy (2012)

4) Prior to commencement, full and final details of the roller shutter, including materials and drawings of fixing methods to ceiling, shall be submitted for approval in writing by the City Council as Local Planning Authority.

The approved details 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 interests conservation and heritage pursuant to policies SP1, DM1, CC9 and EN3 of the Manchester Core Strategy (2012)

5) 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
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
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
2 Market Street, Manchester, M1 1PT
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 - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL