

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137081/LO/2023

Date registered valid: 3 July 2023

Proposal: Listed Building Consent for installation of non-illuminated sign to side elevation, internal illuminated totem sign and internal window vinyls

Address: Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB

Ward(s): Deansgate Ward

Applicant: CST Limited Partnership

Agent (if any): Don Murphy Paul Butler Associates

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

Recommendation: Approve

Date of recommendation: 08/11/2023

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit:

Standard consultations:

Printed: 13 July 2023 Expired: 3 August 2023

Neighbour notifications

Printed: 13 July 2023 Expired: 3 August 2023

Site notice

Posted: 14 July 2023 Expired: 4 August 2023

Press advert

Published: 25 July 2023 Expired: 8 August 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application relates to the ground floor of the Grade II listed Freetrade Exchange, formerly known as Harvester House. The application property is a former merchant's warehouse, now offices (Class E), with a drinking establishment use approved at ground floor (Sui Generis). The application property is bound by Peter Street, Southmill Street and Bootle Street. The property itself dates from the mid-19th century and is completed in sandstone, its front elevation features a contemporary powder coated modern metal entrance on the property's south-western corner. Where the property's western facing side elevation extends beyond the front elevation of no35 Peter Street it features a rendered mount at ground floor.

Listed building: Grade II

Conservation area: Deansgate Conservation Area 1985

Tree Preservation Order: Not applicable

Description of area

The neighbouring area lies within the heart of the City Centre, with St Peter's Square lying under 175m away from the application site to the east. Peter Street is characterised by a high number of historic listed buildings in various commercial uses, this including the Grade II listed Lancashire House, Royale Club, and Albert Memorial, as well as the Grade II* listed Free Trade Hall that lies opposite the application site. The application site lies within the Deansgate Conservation Area and lies adjacent to the St Peters Conservation Area. More modern development lies to the south-west of the application site in the form of Petersfield House at no35 Peter Street, Great Northern Square and no36 Peter Street.

Description of development

The application seeks listed building consent for the installation of a non-illuminated fascia sign, an internal illuminated totem sign and 4no internal vinyl advertisements.

The proposed sign would be located on the property's western facing side elevation. It would then be completed in PPC metal lettering coloured white. The advertisement would then display the word "Freetrade", with having a height of 2132mm, a width of 282mm and a depth of 10mm. In order to secure the sign to the host property, it would be bonded to it via "UHB exterior grade tape".

The proposed internal totem sign would be located behind the property's modern glazed entrance, set 965mm back from it. The totem itself would also display the word "Freetrade", having a height of 2100mm, a width of 480mm and a depth of 150mm. It would then be completed in a brass frame and a stainless steel face plate.

The proposed internal vinyls would be displayed in the property's front elevation windows facing out onto Peter Street. 3no of the proposed vinyls would display the letter F, with the fourth vinyl being located within the property's former main entrance, now glazed opening, which would depict a tiger to match the tiger keystone head situated above.

Planning History

137820/FO/2023 - Creation of restaurant use at lower ground floor (Class E(b)) and external alterations comprising of removal of glazed entrance, installation of timber door replacement, replacement of 2 no. external feature lamps, addition of menu boards, and new plant equipment to roof – Application pending consideration.

137821/LO/2023 - Listed Building Consent for internal works comprising of installation of kitchen, extract equipment and internal partitions, and external works for the replacement of glazed entrance with timber door, removal and replacement of 2 no. feature lamps to entrance and installation of new plant to roof – Application pending consideration.

137108/AO/2023 - Installation of non-illuminated sign to side elevation – Application pending consideration.

133282/LO/2022 - Refurbishment and alteration works to office building comprising the reconfiguration of main entrance and expansion of reception area, use of lower ground floor as a bar (sui generis), removal of glazed canopy over main entrance, infill of enclosed area at 5th floor level (creating 37 sqm Use Class E(g)(i) office space), replacement of existing glazed entrance screen; repainting of modern ground floor feature western elevation, guardrails, and window frames; replacement of external lighting and removal of redundant lighting; installation of platform lifts; removal of car lift, roller shutter door and louver to vehicle entrance to north elevation of building and creation of additional glazed entrance and reception; installation of upgraded toilet facilities; use of basement for bike store, gym, sauna, changing facilities, toilets and showers ancillary to existing office use of building; other internal works to enable enhancement of internal spaces; removal of redundant plant to roof level and installation of new plant and PV panels – Approved July 2022.

133119/FO/2022 - Application for full planning permission (including a partial change of use to lower ground floor from Office Use (Class E(g)(i)) to Public House, Wine Bar, or Drinking Establishment Sui Generis (p)) to include removal of glass canopy above main entrance, alterations to entrances to south (front) elevation, the infill of an enclosed area to the fifth floor to

create an additional 37 square metres of office space (Class E(g)(i), repainting of modern ground floor feature to western return elevation, replacement of external lighting and removal of redundant lighting, removal of roller shutter door and louvre to vehicle entrance to north (rear) elevation and replacement with glazed entrance and reception, removal of redundant plant, lift overrun to roof level, creation of new plant screen, placement of new plant equipment and PV panels to roof – Approved July 2022.

071196/LO/2004/C1 - LISTED BUILDING CONSENT Internal and external alterations including works to entrances, windows, part replacement of 5th floor roof top accommodation, re-pointing of render, installation of new windows and louvres, external cleaning and building lighting scheme – Approved September 2004.

071195/FO/2004/C1 - Elevational alterations including revisions to building entrance with associated access improvements, new windows at pavement level, glazed infill to existing garage entrance on Peter Street, installation of car platform to Bootle Street, installation of louvres, alterations to facade at fifth floor level and building lighting scheme to facilitate use of the building for office use (Use Class B1) with retail (Use Class A1) and or Financial / Professional Services (Use Class A2) at ground floor – Approved September 2004.

Consultations & Notification Responses

Publicity – None received.

Policy

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy CC9 – Design and Heritage
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN3 – Heritage
- Policy DM1 – Development Management

The Unitary Development Plan for Manchester - For the reasons outlined below the following saved UDP Policies are of relevance to this application:

- Policy DC15 – Advertisements, Hoardings and Posters
- Policy DC18 – Conservation Areas
- Policy DC19 – Listed Buildings

National Planning Policy Framework (NPPF)

- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

Other legislative requirements

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) states that in considering whether to grant Listed Building Consent for any works the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the LBCA Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing

exercise and considerable importance and weight should be given to the desirability of preserving the setting.

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

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

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

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

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

- Policy JP-P2 – Heritage

Issues

Impact upon Heritage Asset

The Freetrade Exchange, as previously stated within this report, has seen modern alterations to its frontage, with a glazed entrance being present on its south-western corner, render being used on its western facing side elevation at ground floor, and modern light and security fixtures being present on its front elevation. It is noted advertisements have previously been installed and then subsequently removed along the property's modern entrance at fascia level, and on its western facing side elevation.

The proposed non-illuminated advertisement present on the property's side elevation, is considered to be a non-intrusive form of signage, with it roughly replicating the size and nature of an advertisement previously located within its proposed location. Furthermore, the advertisement's non-illuminated nature and thin profile would ensure it would be an inconspicuous edition to the listed building that would not detract from its historic features. Additionally, by attaching the advertisement to the host property via UHB exterior grade tape on its modern rendered element, there would be no need for any fixings or openings to be created in historic material. Subject to exact material samples for the advertisement being submitted it is considered this element of the proposal is acceptable.

The proposed totem sign, whilst illuminated, would be located behind the property's modern glazed entrance. Such a design choice would assist in decluttering the property's entrance and act as a subtle way to provide illuminated signage on site. Subject to conditions that would require exact details regarding its material finish and how it would be affixed to the listed building, this element of the proposal is considered to be acceptable. Due to the proposed alterations to the property's front and side elevation, it is also considered appropriate that in the event of an

approval, the development be condition so that the external security camera present on site is relocated internally, to further declutter the property's front elevation.

The proposed window vinyls would be located internally, and thus their visual impact would be reduced compared to if they were applied externally. The vinyls that would display the letter F are considered to be minimal, with them being minor editions to the property, however the vinyl that would replicate the property's tiger keystone would be more significant, with it taking up the majority of the former glazed entrance. However, it is noted the vinyl has taken inspiration from the keystone situated above it and therefore it is appreciated that it seeks to hark back to and highlight a historic feature of the listed building. It is acknowledged that the application of vinyls would cause no lasting harm to the listed building, with them being applied to non-original glazing and thus being easily removable. Subject to details regarding the vinyls opacity, and provided that they are visually permeable, it is considered that this part of the development would be acceptable.

On this basis, and subject to appropriate planning condition, the proposal would have a neutral impact on the significance of the listed building and therefore, the proposal would meet the statutory test to preserve as put forward under Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 and as such is in accordance with policies SP1, CC9, EN3 and DM1 of the Manchester Core Strategy (2012), saved policies DC15.1, DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester (1995), Places for Everyone Plan Policy JP-P2, the National Planning Policy Framework and Planning (Listed Buildings and Conservation Areas) Act 1990.

Conclusion

In light of the above and subject to appropriate planning condition, the proposal has been found to have a neutral impact on the historical significance of the Grade II listed building in accordance with policies SP1, CC9, EN1, EN3 and DM1 of the Manchester Core Strategy (2012), saved policies DC15.1, DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester (1995), Places for Everyone Plan Policy JP-P2, the National Planning Policy Framework and Planning (Listed Buildings and Conservation Areas) Act 1990. On this basis the application is recommended for approval.

Other Legislative Requirements

Equality Act 2010

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

Human Rights Act 1998 considerations

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan,

the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance, this has included ongoing advice that has resolved the issues associated with the proposal.

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:

- o MLA.AR(SK)100: Location Plan (Received 25/05/2023)
- o CFM.AR(PL)122 Revision P02: South Elevation Proposed Signage (Preferred Option) Illuminated Internal Totem (Received 12/10/2023)
- o CFM.AR(PL)124 Revision P03: Proposed Building Signage Peter Street South & West Elevation (Received 19/10/2023)

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 the commencement of the development hereby approved, exact samples of the materials to be used on site shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt this shall include the material finish of all advertisements hereby approved and the opacity of the approved vinyl advertisements.

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 and preserving the historical significance of the listed building in accordance with policies SP1, CC9, EN3 and DM1 of the Core Strategy, saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and the National Planning Policy Framework.

4) Prior to any works relating to the approved totem sign commencing, details regarding how it shall be affixed to the listed building, along with any associated M&E works, shall be submitted to and approved in writing by the Local Planning Authority.

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 and preserving the historical significance of the listed building in accordance with policies SP1, CC9, EN3 and DM1 of the Core Strategy, saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and the National Planning Policy Framework.

5) Within three months of the date of this decision notice, a verification report detailing how the external security camera present on site has been relocated internally shall be submitted to and approved in writing by the Local Planning Authority.

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 and preserving the historical significance of the listed building in accordance with policies SP1, CC9, EN3 and DM1 of the Core Strategy, saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

10 Southmill Street, Manchester, M2 3NW
First Floor, Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB
C, Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB
Fourth Floor, Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB
Fifth Floor, Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB
Radisson Edwardian Hotel, Peter Street, Manchester, M2 5GP
Second Floor, Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB
First Floor To Third Floor, 47 Peter Street, Manchester, M2 3NG
35 Peter Street, Manchester, M2 5GD
Ground Floor, 35 Peter Street, Manchester, M2 5GD
Fifth Floor, 35 Peter Street, Manchester, M2 5GD
Fourth Floor, 35 Peter Street, Manchester, M2 5GD
Third Floor Rear, 47 Peter Street, Manchester, M2 3NG
Third Floor, Freetrade Exchange, 37 Peter Street, Manchester, M2 5QD
47 Peter Street, Manchester, M2 3NG
Club Coliseum, Peter Street, Manchester, M2 3NQ

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 - Deansgate Conservation Area 1985
Area Team Boundary - Name: CENTRAL