

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137672/LO/2023

Date registered valid: 16 August 2023

Proposal: Listed building consent for internal refurbishment with new external signage

Address: 24 Mosley Street, Manchester, M2 3AG

Ward(s): Deansgate Ward

Applicant: Zoe Stamataki Coffee Lab Piccadilly Gardens MCR Ltd

Agent (if any): Mr Saghir Hussain Create It Studio Architects

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

Recommendation: Approve

Date of recommendation: 10/10/2023

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit:

Standard consultations:

Printed: 18 August 2023 Expired: 8 September 2023

Neighbour notifications

Printed: 18 August 2023 Expired: 8 September 2023

Site notice

Posted: 21 August 2023 Expired: 11 September 2023

Press advert

Published: 22 August 2023 Expired: 5 September 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application relates to no24 Mosley Street, the southern ground floor corner commercial unit of the Grade II listed Colwyn Chambers building. The unit features a splayed corner entrance that fronts out onto the junction where York Street meets Mosley Street. The unit is currently vacant, having last been in use as a hairdressers (Class E). The property features a fan light sign and 2no unauthorised banner signs located along it's York Street side elevation at Ground Floor. The interior of Colwyn Chambers was demolished in the 1990s with its façade being the only original features retained.

Listed building: Grade II

Conservation area: Upper King Street (Extension) Conservation Area 1985

Tree Preservation Order: Not applicable

Description of area

The neighbouring area lies within the heart of Manchester City Centre and the edge of the Primary Shopping Area. Mosley Street connects Piccadilly Gardens, located to the north of the site, to St Peter's Square to south, with both areas being major hubs of pedestrian activity, tram travel and commercial development. Neighbouring built development consists of high rise development in the form of City Tower to the east of the site and 1no New York Street to the south-east. The majority of neighbouring properties lie in various retail and office uses.

Description of development

The application seeks listed building consent for various internal refurbishment works and the installation of 1no fascia sign and 1no hanging sign.

The proposed internal works comprise of the installation of new seating, partition walls to create a WC and kitchen area, counter space, and new air conditioning units.

Proposed external works comprise of the installation of a single fascia sign and hanging sign, as well as remedial stonework repair works. The proposed projecting sign would utilise an existing fixing on the building with a projection of 0.9m. The sign itself would be oval shaped, with a depth of 0.7m, a height of 0.58m and width of 20mm. The sign would feature lettering and logo finished in steel, said features would then protrude 10mm either side of the projecting sign, thus giving it an irregular width and three-dimensional quality. The pitted stonework below the proposed hanging sign would be repaired with mortar of a matching colour to the stonework.

The proposed fascia sign would infill the property's front door fan light on a like for like basis with the existing advertisement on site. The sign would be an aluminium composite board, with printed vinyl logo. The sign would then have a width of 1.9m and a height of 1.55m.

Planning History

137670/AO/2023 - Installation of 1 x non-illuminated fascia sign and 1 x non-illuminated hanging sign – Application under consideration.

034524 - LISTED BUILDING CONSENT Demolition of interior and upgrading of facade prior to redevelopment – Application Approved October 1989.

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 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 the Heritage Asset

As stated previously within this report, the interior of Colwyn Chambers was demolished in the 1990s, approved under application 034524, consequently, the interior of the application site are modern interventions with negligible historical significance. On this basis the proposed interventions in the form of new partitions and air conditioning units etc are considered would have a neutral impact upon the significance of the listed building.

The proposed fascia sign would replace an existing aluminium panel sign within the fan light of the unit's front door. Taking into account how the proposed fascia sign would be replaced on a like for like basis, and how such a sign due to its nature as an aluminium panel would lie flush to the host property, thus having a subtle appearance, it is considered that said form of development would have a neutral impact on the listed building.

The proposed hanging sign would be situated along the property's side elevation fronting out onto Mosley Street. The sign would utilise an existing pole affixed to the property which previously displayed a banner sign. A hanging sign in this location is considered to be visually sympathetic to the building's historical significance. Additionally, it is noted and welcomed that the pitted and damaged stonework below the location of the hanging sign is proposed to be repaired as part of the proposal. Subject to a condition that would require a verification report of the proposed repair

works to be submitted to the Local Planning Authority for approval, it is considered this aspect of the development would have a neutral impact on the significance of the listed building.

On this basis 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 policy 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 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 A1490(01)AP001 Revision P1: Location Plan & Existing Site Plan (Received 26/07/2023)
- o A1490(02)AP002 Revision P3: Proposed Floor Plan (Received 27/09/2023)
- o A1490(02)AP003 Revision P1: Proposed Sections (Received 27/09/2023)
- o A1490(02)AP004 Revision P5: Proposed Elevations (Received 05/10/2023)
- o A1490(02)AP005 Revision P5: Signage Details (Received 05/10/2023)
- o A1490(02)AP006 Revision P1: Signage Details (Received 27/09/2023)
- o A1490(02)AP007 Revision P5: Signage Details (Received 05/10/2023)

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, the National Planning Policy Framework and the Planning (Listed Building and Conservation Areas) Act 1990.

3) No materials shall be used on listed building other than those referred to on the approved plans / supporting documentation.

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 the occupation of the development hereby approved, a verification report that shall confirm the completion of the approved repair works shall be submitted to and approved in writing by the Local Planning Authority. The completed repair works shall then be retained thereafter.

Reason - To ensure the repair of the listed building in the interest of preserving its historical significance in accordance with policies SP1, CC9, EN1, EN3 and DM1 of the Core Strategy, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

Fifth And Sixth Floor, 1 New York Street, Manchester, M1 4HD
York House, 20 York Street, Manchester, M2 3BB
TOKIO MARINE KILN SERVICES LTD, Ninth Floor, York House, 20 York Street, Manchester, M2 3BB
Unit B4, City Tower, Piccadilly Plaza, Manchester, M1 4AH
40 Fountain Street, Manchester, M2 2BE
Sixth Floor, 17 York Street, Manchester, M2 3BA
Second Floor, 2 New York Street, Manchester, M1 4HJ
Twelfth Floor, 1 New York Street, Manchester, M1 4HD
Ground Floor, York House, 20 York Street, Manchester, M2 3BB
38 Mosley Street, Manchester, M2 3AZ
Seventh Floor, 17 York Street, Manchester, M2 3BA
Unit B5, The Exchange, Piccadilly Plaza, Manchester, M1 4AH
Basement, 2 New York Street, Manchester, M1 4HJ
The Alchemist, Ground Floor, 1 New York Street, Manchester, M1 4HD
Ninth Floor, 1 New York Street, Manchester, M1 4HD
Transform Manchester, Fifth Floor, Colwyn Chambers, 19 York Street, Manchester, M2 3BA
Second Floor, Colwyn Chambers, 19 York Street, Manchester, M2 3BA
Eighth Floor, York House, 20 York Street, Manchester, M2 3BB
First Floor, 18 - 22 Mosley Street, Manchester, M2 3AQ
Second Floor, 18 - 22 Mosley Street, Manchester, M2 3AQ
Basement To Third Floor, 17 York Street, Manchester, M2 3BA
Third And Fourth Floor, 2 New York Street, Manchester, M1 4HJ
Seventh Floor, 1 New York Street, Manchester, M1 4HD
Tenth Floor, York House, 20 York Street, Manchester, M2 3BB
SINGLETON CLAMP & PARTNERS LTD, Fourth Floor, Colwyn Chambers, 19 York Street, Manchester, M2 3BA
Sixth Floor, York House, 20 York Street, Manchester, M2 3BB
18 - 22 Mosley Street, Manchester, M2 3AG
1 New York Street, Manchester, M1 4HD
2 New York Street, Manchester, M1 4HJ
Second Floor, 1 New York Street, Manchester, M1 4HD
Fifth Floor, 1 New York Street, Manchester, M1 4HD
Sixth Floor, 1 New York Street, Manchester, M1 4HD
First Floor, Colwyn Chambers, 19 York Street, Manchester, M2 3BA
Fourth Floor, York House, 20 York Street, Manchester, M2 3BB
Ground Floor, 17 York Street, Manchester, M2 3BA
Fourth Floor, 1 New York Street, Manchester, M1 4HD
Eleventh Floor, 1 New York Street, Manchester, M1 4HD
Second Floor, York House, 20 York Street, Manchester, M2 3BB
19 York Street, Manchester, M2 3BA
Third Floor, Colwyn Chambers, 19 York Street, Manchester, M2 3BA
Third Floor, York House, 20 York Street, Manchester, M2 3BB
Fifth Floor, York House, 20 York Street, Manchester, M2 3BB
First Floor, York House, 20 York Street, Manchester, M2 3BB
Fourth And Fifth Floor, 17 York Street, Manchester, M2 3BA
Third Floor, 1 New York Street, Manchester, M1 4HD
First Floor, 1 New York Street, Manchester, M1 4HD
Ground Floor, Colwyn Chambers, 19 York Street, Manchester, M2 3BA
Sixth Floor, Colwyn Chambers, 19 York Street, Manchester, M2 3BA

Basement, 18 - 22 Mosley Street, Manchester, M2 3AQ
William Hill, Ground Floor, 18 - 22 Mosley Street, Manchester, M2 3AG
Eighth Floor, 1 New York Street, Manchester, M1 4AD
42 - 44 Fountain Street, Manchester, M2 2AE
Seventh Floor, York House, 20 York Street, Manchester, M2 3BB
Sixth Floor, 19 York Street, Manchester, M2 3BA
Colwyn Chambers, 19 York Street, Manchester, M2 3BA
Third Floor, 18 - 22 Mosley Street, Manchester, M2 3AQ
First Floor, 2 New York Street, Manchester, M1 4HJ
Tenth Floor, 1 New York Street, Manchester, M1 4HD

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 - Upper King Street (Extension) Conservation Area 1985
Area Team Boundary - Name: CENTRAL