

## **Planning**

## **Growth & Development**

### **Delegated officer report for planning application**

**Application no.** 136767/LO/2023

**Date registered valid:** 18 April 2023

**Proposal:** Listed Building Consent for internal works associated with the refurbishment of the 3rd and 4th floor office accommodation.

**Address:** Canada House, 3 Chepstow Street, Manchester, M1 5FW

**Ward(s):** Deansgate Ward

**Applicant:** Mr Fergus Evans Grosvenor OEI Limited

**Agent (if any):** Mr Stephen Levrant Heritage Architecture Ltd

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

**Recommendation:** Approve

**Date of recommendation:** 13/07/2023

## Application details

**Type of application:** Listed Building Consent

**Development type:** Listed building alteration

**Date of site visit:** 16 May 2023

### Standard consultations:

Printed: 4 May 2023      Expired: 25 May 2023

### Neighbour notifications

Printed: 4 May 2023      Expired: 25 May 2023

### Site notice

Posted: 16 May 2023      Expired: 6 June 2023

### Press advert

Published: 9 May 2023      Expired: 30 May 2023

**Departure from Development Plan:** No

**Environmental Statement:** Not required

### Description of site/building

The application relates to the Grade II listed Canada House. The property is a seven storey former packing warehouse now office block, with recessed sixth and seventh floor, dating from 1909 and is completed in buff terracotta with steel frame. Internally, the application site has undergone extensive refurbishment under permission 115863/LO/2017, with the third floor then undergoing further works under application 132516/LO/2021.

**Listed building:** Grade II

**Conservation area:** Not applicable

**Tree Preservation Order:** Not applicable

### Description of area

The neighbouring area lies within the heart of Manchester City Centre, with the site lying to the west of Oxford Road and to the south of St Peters Square. Neighbouring properties are in a variety of commercial uses, mainly consisting of offices (Class E), food retail units (Class E) and drinking establishments (Sui Generis). To the north of the site lies the Grade II listed Princes Buildings at no18, no20 and no24-28 Oxford Road. To the south of the site lies the Grade II listed Lee House at no90 Great Bridgewater Street.

### Description of development

The application seeks listed building consent for various internal alterations to part of the property's third and fourth floor to facilitate the creation of a modern office space (Class E).

Alterations to the third floor would consist of the removal of 2no sets of existing partitions and a kitchenette. New partitions would then be installed to create 2no meeting rooms, 2no work pods and a comms room. A new kitchenette would then be installed on the site of the existing. The

third floor would also feature a low level wall (Height of 0.75m) in order to enclose the proposed kitchenette.

At fourth floor all modern partitions would be removed, with the exception of a single partition situated in the north-western corner of the property. Said partition would be retained in order to create a meeting room. Other alterations at fourth floor would include the relocation of a historic radiator to facilitate the installation of a new partition and the installation of a kitchenette and booth pod.

### **Planning History**

132516/LO/2021 - Listed Building Consent Internal refurbishment to part of the third floor of the building – Approved March 2022.

118522/LO/2017 - LISTED BUILDING CONSENT for internal alterations to allow for office fit out on part of second floor and all of fourth floor – Approved February 2018.

130751/LO/2021 - Listed Building Consent Internal refurbishment to part of the second floor and third floor of building – Approved September 2021.

115863/LO/2017 - Listed Building Consent for internal alterations to create a new cafe area at ground floor level, and refurbishment works to facilitate office use at 1st, 2nd, 3rd, 4th and 5th floor level, including the installation of external plant and equipment and signage – Approved June 2017.

### **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 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 DC19 – Listed Buildings

National Planning Policy Framework (NPPF)

- Chapter 12: 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.

## **Issues**

### Impact upon Heritage Asset

The proposal would see internal works undertaken to the third and fourth floor of the Grade II listed building comprising of the refurbishment of existing offices, construction of new partitions, installation of new services and other associated works.

Included within the proposed works is the removal of existing modern partitions and other modern fixtures and fixings. Said works are considered would help restore the historic layout of the property and remove unsympathetic features which do not relate or compliment remaining historical features. As such, said works are considered to have a positive impact on the significance of the listed building and are therefore supported.

Proposed partition works are considered to be minimal with large elements of the third and fourth floor remaining open plan in line with the historic layout of the property. Additionally, of note is that the proposed works would also see original cast iron columns be left exposed. Other works to the third and fourth floors would be minimal and low lying, incorporating design techniques which do not further segment the property, this being achieved through the use of low lying walls and curtains.

An original radiator situated at fourth floor would be relocated in order to allow for the installation of a partition between the application site and the adjacent unit. The proposed plans depict that the radiator would be relocated so that it would sit against the proposed partition facing northwards, rather than westwards. It should be noted it has been judged that the location of the partition in this position would cause the least amount of harm to the significance of the listed building, with it abutting a cast iron column and external column. Whilst it is regrettable that the radiator could not be kept in place, it is acknowledged that it would remain on site and that the proposal would see positive works to the listed building removing unsympathetic modern additions. On balance and subject to conditions that would require further detail to be submitted regarding proposed pipe installation works and radiator relocation and repair works, the proposal is considered to have a neutral impact on the significance of the listed building. 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), 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, EN3 and DM1 of the Manchester Core Strategy (2012), saved policy DC19.1 of the Unitary Development Plan for the City of Manchester (1995), the National Planning Policy Framework and Planning (Listed Buildings and Conservation Areas) Act 1990. On this basis permission 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**

Officers have worked with the applicant/agent in a positive and proactive manner in determining this application by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern with the proposal and discussing those with the applicant/agent. In this instance negotiation has been able to successfully resolve the identified concerns and issues

### **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 22 - 090 AXI - L00/B00 Stage 3 Revision 01: Site Location and Block Plan As Existing (Dated 06/04/2023; Received 18/04/2023)
- o 22 - 090 AXI - 063 Stage 4: Third Floor Suite BWIC Plan As Proposed (Dated 06/04/2023; Received 30/06/2023)

- o 22 - 090 AXI - 103 Stage 03 Revision 06: Third Floor Suite Plan As Proposed (Dated 28/06/2023; Received 30/06/2023)
- o 22 - 090 AXI - 113 Stage 03 Revision 03: Third Floor Suite Partition Plan As Proposed (Dated 28/06/2023; Received 30/06/2023)
- o 22 - 090 AXI - 500 Stage 04: Banquette Seating Details As Proposed (Dated 06/04/2023; Received 30/06/2023)
- o 22 - 090 AXI - 501 Stage 04: Work Pods Details As Proposed (Dated 06/04/2023; Received 05/07/2023)
- o 22 - 090 AXI - 502 Stage 04: Banquette Seating Details As Proposed (Dated 06/04/2023; Received 05/07/2023)
- o 22 - 090 AXI - 503 Stage 04: Kitchen Unit Details As Proposed (Dated 06/04/2023; Received 30/06/2023)
- o 22 - 090 AXI - 504 Stage 04: Banquette Seating Details As Proposed (Dated 06/04/2023; Received 30/06/2023)
- o 22 - 090 AXI - 505 Stage 03: Board Room Unit Details As Proposed (Dated 24/10/2022; Received 18/04/2023)
- o 22 - 090 AXI - 507 Stage 04: Low Level Wall Details As Proposed (Dated 06/04/2023; Received 30/06/2023)
- o 22 - 090 AXI - 600 Stage 3 Revision 02: Third Floor Suite Wall Finished Plan As Proposed (Dated 28/06/2023; Received 30/06/2023)
- o 22 - 090 AXI - 601 Stage 3 Revision 02: Third Floor Suite Floor Finishes Plan As Proposed (Dated 28/06/2023; Received 30/06/2023)
- o 22020(10)201: Demolition Plan (Dated 21/03/2023; Received 18/04/2023)
- o 22020(20)201 Revision B: GA With Furniture (Dated 04/04/2023; Received 30/06/2023)
- o 22020(20)201 Revision A: GA Without Furniture (Dated 28/06/2023; Received 30/06/2023)
- o 22020(22)200: Partition & Door Types (Dated 21/03/2023; Received 18/04/2023)
- o 22020(22)300: Partition Details (Dated 21/03/2023; Received 18/04/2023)
- o 22020(35)200: RCP & Lighting Plan (Dated 21/03/2023; Received 18/04/2023)
- o 22020(40)500: Finishes Schedule (Dated 21/03/2023; Received 18/04/2023)
- o 22020(42)200: Wall Finished Plan (Dated 21/03/2023; Received 18/04/2023)
- o 22020(43)200: Floor Finishes Plan (Dated 21/03/2023; Received 18/04/2023)
- o 22020(62)200 Revision A: Small Power & Data (Dated 04/04/2023; Received 30/06/2023)
- o 22020(70)200: Joinery Location Plan (Dated 04/04/2023; Received 18/04/2023)
- o 22020(70)301: AV Wall Joinery Drawing (Dated 21/03/2023; Received 18/04/2023)
- o 22020(70)302: Cloaks Cupboard Joinery Drawing (Dated 21/03/2023; Received 18/04/2023)
- o 22020(73)300 Revision A: Kitchen Design Intent (Dated 04/04/2023; Received 30/06/2023)
- o 22020(90)300: Proposed Internal Elevations (Dated 31/03/2023; Received 18/04/2023)
- o C681 L3-E-62-201 Rev P1: Proposed Level 3 Cat B Small Power & Security (Dated 31/03/2023; Received 18/04/2023)
- o C681 L3-E-63-303 Rev P1: Proposed Level 3 Cat B Lighting & Fire Alarm (Dated 31/03/2023; Received 18/04/2023)
- o C681 L3-M-56-601 Rev P1: Proposed Level 3 Cat B LTHW Heating (Dated 31/03/2023; Received 18/04/2023)
- o C681 L3-M-57-701 Rev P1: Proposed Level 3 Cat B Mechanical Ventilation (Dated 31/03/2023; Received 18/04/2023)
- o C681 L3-M-57-701 Rev P1: Proposed Level 3 Cat B VRF & Mechanical Ventilation (Dated 29/03/2023; Received 18/04/2023)
- o C681 L3-M-57-701 Rev P1: Proposed Level 3 Cat B VRF & Mechanical Ventilation (Dated 29/03/2023; Received 18/04/2023)

- o C681 L3-M-57-702 Rev P1: Proposed Level 3 Cat B Reflective Ceiling Plan (Dated 31/03/2023; Received 18/04/2023)
- o C681 L4-P-52-201 Rev P1: Proposed Level 4 Cat B Above Ground Drainage (Dated 31/03/2023; Received 18/04/2023)
- o C681 L3-P-53-301 Rev P1: Proposed Level 4 Cat B Domestic Water Services (Dated 31/03/2023; Received 18/04/2023)

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, CC9, EN3 and DM1 of the Core Strategy, saved policies DC19.1 of the Unitary Development Plan and National Planning Policy Framework.

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) Notwithstanding the details approved in condition 2, prior to any works relating to the installation of pipework and ducting or trays, full details of said works shall be submitted to and approved in writing by Manchester City Council as Local Planning Authority. The scheme shall then only be implemented in accordance with the approved details.

Reason - In the interests of preserving and protecting the historic character and appearance of the listed building in accordance with policies CC9 and EN3 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) Prior to the relocation of the historic radiator situated at fourth floor, full details of said relocation works and subsequent restoration and repair works shall be submitted to and approved in writing by Manchester City Council as Local Planning Authority. The scheme shall then only be implemented in accordance with the approved details.

Reason - In the interests of preserving and protecting the historic character and appearance of the listed building in accordance with policies CC9 and EN3 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

Ground Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW  
Fifth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Ground Floor, 14 Oxford Court, Manchester, M2 3WQ  
First And Second Floor, 14 Oxford Court, Manchester, M2 3WQ  
Basement, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Upper Ground Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
First Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW  
Third Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5RR  
Temple Of Convenience, Great Bridgewater Street, Manchester, M1 5JW  
Henry Kaye Family Settlement, Fourth Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW  
Puma United Kingdom Ltd, Sixth Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW  
Third Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW  
16 Oxford Court, Manchester, M2 3WQ  
20 Oxford Court, Manchester, M2 3WQ  
24 Oxford Court, Manchester, M2 3WQ  
Ground Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW  
First Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW  
Second Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW  
Fourth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
34 Oxford Street, Manchester, M1 5EL  
Eden & Co Solicitors, 26 Oxford Court, Manchester, M2 3WQ  
44 Oxford Street, Manchester, M1 5EJ  
50 Oxford Street, Manchester, M1 5EJ  
46 Oxford Street, Manchester, M1 5EJ  
48 Oxford Street, Manchester, M1 5EJ  
Sixth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Third Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Ground Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
First Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Basement, 100 Barbirolli Square, Manchester, M2 3WS  
Cafe Ground Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW  
Second Floor And Third Floor, 100 Barbirolli Square, Manchester, M2 3EY  
1 Chepstow Street, Manchester, M1 5FW  
12 Oxford Court, Manchester, M2 3WQ  
Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW  
Ground Floor, 100 Barbirolli Square, Manchester, M2 3WS  
Fifth Floor To Eighth Floor, 100 Barbirolli Square, Manchester, M2 3WS  
Ground Floor And First Floor, 100 Barbirolli Square, Manchester, M2 3WS  
Sub Basement, 100 Barbirolli Square, Manchester, M2 3WS  
Window Display 5, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
BANNATYNES HEALTH CLUB, Basement Health Club G.3, Canada House, 3 Chepstow Street, Manchester, M1 5FW  
10 Oxford Court, Manchester, M2 3WQ  
William Hill, 40 - 42 Oxford Street, Manchester, M1 5EJ  
Window Display 4, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Window Display 1, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
14 Oxford Court, Manchester, M2 3WQ  
Window Display 2, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU

Second Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Window Display 3, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU  
Sixth Floor, Lee House, 90 Great Bridgewater Street, Manchester, M1 5JW  
Ground Floor And First Floor, 1 Chepstow Street, Manchester, M1 5FW  
36 - 38 Oxford Street, Manchester, M1 5EJ  
Fourth Floor, 100 Barbirolli Square, Manchester, M2 3WS  
22 Oxford Court, Manchester, M2 3WQ  
18 Oxford Court, Manchester, M2 3WQ  
Fifth Floor, Canada House, 3 Chepstow Street, Manchester, M1 5FW

## **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  
Susceptible to Surf Water Flood (Less) -  
Area Team Boundary - Name: CENTRAL