

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137221/LO/2023

Date registered valid: 8 June 2023

Proposal: Listed Building Consent for redecoration of the Opera House facade.

Address: Opera House , Quay Street, Manchester, M3 3HP

Ward(s): Deansgate Ward

Applicant: Mr Stefan Ziemelis Ambassador Theatre Group

Agent (if any): Mr Ian Edwards Osbornes

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

Recommendation: Approve

Date of recommendation: 14/07/2023

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 22 June 2023

Standard consultations:

Printed: 19 June 2023 Expired: 10 July 2023

Neighbour notifications

Printed: 19 June 2023 Expired: 10 July 2023

Site notice

Posted: 22 June 2023 Expired: 13 July 2023

Press advert

Published: 27 June 2023 Expired: 11 July 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application relates to the Grade II listed Opera House on the northern side of Quay Street adjacent to the junction where Byron Street meets Quay Street. The application property dates from 1912 and features a decorative front elevation completed in a Neo-Classical style. The side elevations of the property are secondary being more utilitarian in appearance. The listed building has had various finishes to its front elevation throughout its lifetime and is subject to a live planning permission for repairs to its rendered façade (Approved under permissions 133917/FO/2022 and 133918/LO/2022). The application site is in active use as a theatre (Sui Generis).

Listed building: Grade II

Conservation area: Deansgate Conservation Area 1985

Tree Preservation Order: Not applicable

Description of area

The application site is bound by Quay Street, Byrom Street and Atkinson Street, all of which lie within the Deansgate Conservation Area. Neighbouring buildings to the west along Quay Street date from the late 19th and early 20th century, including the Grade II listed Sunlight House. To the south and west of the application site lies more modern development, with Hardman Square to located west of the application site, the notable exception to this rule is the Grade II listed Cobden House to the south-east. Neighbouring uses are predominantly commercial and are comprised of retail, office and drinking establishment uses.

Description of development

The application seeks listed building consent for the redecoration of the Opera House's façade.

The proposal would primarily consist of the change in colour of the property from that of an orange and beige finish to that of charcoal and stone, with decorative features being highlighted in gold (Said features would include the theatre's column tops, upper roundel sun motif and printed motto "The Play Mirrors Life").

Planning History

A high number of applications are on record for the application site, the most relevant of which are show below:

CDN/22/0645 - Discharge of Conditions 5a (Paintwork Analysis) and 6 (Scaffold Details) attached to Listed Building Consent application referenced 126635/LO/2020 – Approved May 2023.

CDN/22/0327 - Discharge of Conditions 3 (works to windows) and 5c (works to ironmongery) of Listed Building Consent ref:126635/LO/2020 – Approved September 2022.

133918/LO/2022 - Proposed work to repair the rendered facade of the listed building. Introduction of a lead detail to projecting sections and inspections and localised repair of cast iron rainwater goods to Byrom Street and Quay Street elevations – Approved September 2022.

133917/FO/2022 - Proposed work to repair the rendered facade of the listed building. Introduction of a lead detail to projecting sections and inspections and localised repair of cast iron rainwater goods to Byrom Street and Quay Street elevations – Approved September 2022.

126635/LO/2020 - Listed building consent for repairs to external windows including replacement of some modern casements – Approved July 2020.

118311/LO/2017 - LISTED BUILDING CONSENT Replacement of the Theatres Main Entrance Doors off the Quay Street Elevation – Approved April 2018.

Consultations & Notification Responses

The Theatres Trust – No objection.

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

Saved Unitary Development Plan for Manchester - The following saved UDP Policies are of relevance to this application:

- 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

Issues

Impact Upon Heritage Asset

The proposal would involve the redecoration of a Grade II listed building. The submission has been accompanied by a paint analysis, which details that the proposed colour scheme is to reflect the original finish of the property which was a natural stone colour. Over the years the façade of the listed building has been repaired and repainted many times, the proposal is designed to give a more historical and authentic appearance to the application site.

It is noted that the proposed decoration is not an exact match to the original as it is proposed to be paint rather than a natural render. However, such a finish would move close to a more natural stone hue and is more reflective of the original appearance of the building.

The areas to be highlighted in different colours, these being the theatre's column tops, upper roundel sun motif and printed motto "The Play Mirrors Life", have less of a formal evidence base for their addition due to how the original appearance seems to have been more unified across the elevation. However, the proposed slightly contrasting grey element adds some visual interest and are not considered to be out of place. Rather such a finish would provide a more subtle response to the elevation than the current colour scheme and would pick out a number of key features that have historically been highlighted in subsequent colour schemes and as such it is considered there is some precedent in said areas being highlighted. The Theatres Trust has no objection to the proposal.

It is considered that the proposals are based on analysis and understanding of previous decorative schemes and, subject to a condition that would require the submission of samples of the proposed works, would be beneficial in heritage terms in accordance with policies SP1, CC9, EN1, EN3 and DM1 of the Manchester Core Strategy (2012), saved policies DC18.1 and 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 the proposal has been found to have a positive 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 DC18.1 and 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 to be approved.

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 acted positively in determining this application by assessing the proposal against relevant planning policies and all material considerations. The nature of the scheme has not necessitated further discussions with the applicant. On this basis it is decided to grant planning permission in accordance with the presumption in favour of sustainable development.

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 22-114-LOC1: Location Plan (Dated May 2022; 08/06/2023)
- o 22-114-FIN4: Elevations - Finishes (Dated June 2023; Received 08/06/2023)
- o KEIM Mineral Paints - Manchester Opera House, 3 Quay Street, Manchester, M3 3HP (Prepared by Keim Mineral Paints; Dated 20/05/2022; Received 08/06/2023)
- o Materials Analysis: Paint, Stucco & Window Joinery Manchester Opera House (Prepared by Motion Project Management; Dated September 2022; Received 08/06/2023)

Reason: To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, CC5, EN14, EN19 and DM1 of the Core Strategy, saved policies DC19 and DC26 of the Unitary Development Plan and Sections 9, 12 and 16 of the National Planning Policy Framework.

3) Prior to the commencement of the development hereby approved, a sample repair, with new paint colour, shall be submitted to and approved in writing by the City Council. The scheme shall then proceed in accordance with the approved details in a timescale to be agreed in writing with the City Council.

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

The Theatres Trust
Heritage & Urban Design

Suite 202 Second Floor, Sunlight House, Quay Street, Manchester, M3 3LE
Sixth Floor Room 631, Sunlight House, Quay Street, Manchester, M3 3LE
Third Floor, 1 Hardman Square, Manchester, M3 3EB
Second Floor, 1 Hardman Square, Manchester, M3 3EB
Ground Floor, 1 Hardman Square, Manchester, M3 3EB
Seventeenth Floor, 1 Hardman Square, Manchester, M3 3EB
Unit 1, Overseas House, Quay Street, Manchester, M3 3HN
Eleventh Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
Fifth Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
10 Byrom Street, Manchester, M3 3BF
First Floor, 15 Quay Street, Manchester, M3 3HN
Part Thirteenth And Mezzanine Floor, Sunlight House, Quay Street, Manchester, M3 3LE
111 Sunlight House, Quay Street, Manchester, M3 3LE
FLIPBOOK LTD, First Floor, 19B Quay Street, Manchester, M3 3HN
Lime Blue (O) Part Second Floor, 19B Quay Street, Manchester, M3 3HN
5 - 7 Byrom Street, Manchester, M3 4PF
Seventh Floor, 1 Hardman Square, Manchester, M3 3EB
Sixth Floor, 1 Hardman Square, Manchester, M3 3EB
Ninth Floor, 1 Hardman Square, Manchester, M3 3EB
Flat, Sunlight House, Quay Street, Manchester, M3 3JZ
Advertising Right BT Inlink Outside Overseas House, Quay Street, Manchester, M3 3HN
Pt Ground Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
Thirteenth Floor, Sunlight House, Quay Street, Manchester, M3 3LE
Sixth Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
Bannatyne Health Club And Spa, Sub Basement And Basement And Ground Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
109 Sunlight House, Quay Street, Manchester, M3 3LE
Suite 106, Sunlight House, Quay Street, Manchester, M3 3JZ
Ground Floor, 19B Quay Street, Manchester, M3 3HN
Eleventh Floor, 1 Hardman Square, Manchester, M3 3EB
Byrom House, 21 Quay Street, Manchester, M3 3JD
Fifth Floor, 15 Quay Street, Manchester, M3 3HN
Fourth Floor, Overseas House, Quay Street, Manchester, M3 3HN
Fourth Floor And Fifth Floor, Sunlight House, Quay Street, Manchester, M3 3LE
1 Byrom Place, Manchester, M3 3HG
19 Quay Street, Manchester, M3 3HN
Suite 201 Second Floor, Sunlight House, Quay Street, Manchester, M3 3LE
Old Grapes Inn, Quay Street, Manchester, M3 3JU
Suite 603 Part Sixth Floor, Sunlight House, Quay Street, Manchester, M3 3LE
Fourteenth Floor, 1 Hardman Square, Manchester, M3 3EB
Tenth Floor, 1 Hardman Square, Manchester, M3 3EB
Fourth Floor, 15 Quay Street, Manchester, M3 3HN
Second Floor, 15 Quay Street, Manchester, M3 3HN
Overseas House, Quay Street, Manchester, M3 3HN
Third Floor, Overseas House, Quay Street, Manchester, M3 3HN
Second Floor, Overseas House, Quay Street, Manchester, M3 3HN
The Blues Kitchen, 13 Quay Street, Manchester, M3 3HN
Suite 102B Part First Floor, Sunlight House, Quay Street, Manchester, M3 3LE
Seventh Floor, Sunlight House, Quay Street, Manchester, M3 3LF

Suite 608 Part Sixth Floor, Sunlight House, Quay Street, Manchester, M3 3LE
 Unit 2, Overseas House, Quay Street, Manchester, M3 3HN
 19B Quay Street, Manchester, M3 3HN
 1 Hardman Square, Manchester, M3 3EB
 Fifteenth And Sixteenth Floor, 1 Hardman Square, Manchester, M3 3EB
 Rooms 625 627 And 629, Sunlight House, Quay Street, Manchester, M3 3LE
 Eighteenth Floor, 1 Hardman Square, Manchester, M3 3EB
 Third Floor, 15 Quay Street, Manchester, M3 3HN
 Sixth Floor, Overseas House, Quay Street, Manchester, M3 3HN
 17 Quay Street, Manchester, M3 3HN
 Eighth Floor, Sunlight House, Quay Street, Manchester, M3 3LU
 Room 614, Sunlight House, Quay Street, Manchester, M3 3JZ
 Office 2 Second Floor, 19B Quay Street, Manchester, M3 3HN
 1 Little Quay Street, Manchester, M3 3JU
 8 Byrom Street, Manchester, M3 3BF
 Thirteenth Floor, 1 Hardman Square, Manchester, M3 3EB
 Suites 110 And 112 And 114, Sunlight House, Quay Street, Manchester, M3 3JZ
 1302 Sunlight House, Quay Street, Manchester, M3 3LE
 Suite 114, Sunlight House, Quay Street, Manchester, M3 3JZ
 Sunlight House, Quay Street, Manchester, M3 3JZ
 Suite 102A Part First Floor, Sunlight House, Quay Street, Manchester, M3 3LE
 First Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
 Third Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
 Office 1 Second Floor, 19B Quay Street, Manchester, M3 3HN
 Eighth Floor, 1 Hardman Square, Manchester, M3 3EB
 MANSON INSURANCE LTD, Ground Floor, 15 Quay Street, Manchester, M3 3HN
 Fifth Floor, 1 Hardman Square, Manchester, M3 3EB
 Twelfth Floor, 1 Hardman Square, Manchester, M3 3EB
 First Floor, 1 Hardman Square, Manchester, M3 3EB
 Nineteenth Floor, 1 Hardman Square, Manchester, M3 3EB
 Suite 101 Part First Floor, Sunlight House, Quay Street, Manchester, M3 3LE
 60 Quay Street, Manchester, M3 3JE
 Room 1301, Sunlight House, Quay Street, Manchester, M3 3LE
 Second Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
 15 Quay Street, Manchester, M3 3HN
 Thirteenth Floor Maintenance Room, Sunlight House, Quay Street, Manchester, M3 3LE
 Office 3 Second Floor, 19B Quay Street, Manchester, M3 3HN
 Third Floor, 19B Quay Street, Manchester, M3 3HN
 Fourth Floor, 1 Hardman Square, Manchester, M3 3EB
 Store, 1 Hardman Square, Manchester, M3 3EB
 First Floor, Overseas House, Quay Street, Manchester, M3 3HN
 Thirteenth Floor Room 1B, Sunlight House, Quay Street, Manchester, M3 3LE
 624 - 628 Sunlight House, Quay Street, Manchester, M3 3LE

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 - Deansgate Conservation Area 1985
 Susceptible to Surf Water Flood (Less) -

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