

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135486/JO/2022

Date registered valid: 15 November 2022

Proposal: Variation of condition 2 (approved drawings) attached to application ref no 134350/LO/2022

Address: Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT

Ward(s): Piccadilly Ward

Applicant: Mr Paul Crowe Britannia Invest A/S C/o APAM

Agent (if any): Mr Don Murphy Paul Butler Associates

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 19 January 2023

Application details

Type of application: Variation or Removal of Condition

Development type: Listed building alteration

Date of site visit:

Standard consultations:

Printed: 6 December 2022 Expired: 27 December 2022

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: Expired:

Press advert

Published: 29 November 2022 Expired: 20 December 2022

Departure from Development Plan: No

Environmental Statement: Not required

Listed building: Grade II

Conservation area: Whitworth Street Conservation Area 1985

Tree Preservation Order:

Description of Site/Area

The application relates to the Grade II Listed Bridgewater House, which is currently in use as an office.

The building is bounded by the Palace Theatre, Whitworth Street, a multi storey car park and the Rochdale Canal. It is located in an area of Manchester City Centre that accommodates a large number of Grade II and Grade II* former warehouses that are now used as hotels, offices and residential accommodation. The site is also within the Whitworth Street Conservation Area. The building was built in 1912 as a shipping warehouse by Harry S. Fairhurst. It is ten storeys in height including a ground floor. It has a steel frame and is clad with Sandstone Ashlar and White Glazed Terracotta with a concealed roof and is in keeping with the typical construction techniques of the Georgian Period.

Surrounding uses include the Palace Theatre, shops, restaurants, hotels, residential accommodation, offices, takeaways and cafés.

Relevant Planning History:

App ref. 100453/LO/2012/C2 granted listed building consent on 26 November 2012 for the refurbishment of the office suites to part floor plates of floors 8 and 9 including a new raised access floor to 9th floor, new partitions, and modifications to existing suspended ceilings.

Planning History

App ref. 105904/LO/2014/C2 granted listed building consent on 31 July 2014 for the refurbishment of the 9th floor office suite.

App ref. 123089/LO/2019 granted listed building consent for internal refurbishment and decoration of the 9th floor office suite.

App. ref 134350/LO/2022 granted Listed Building Consent for the refurbishment of 5th and 6th floor offices. This includes reconfiguration of the lobby entrance doors from lift on 5th and 6th floor and the introduction of new glazed entrance doors as well as Full refurbishment 5th and half of the 6th floor offices with localised repairs to existing features where necessary.

Description of Development

The submitted application seeks variation of condition 2 (approved drawings) attached to application ref no 134350/LO/2022.

Application ref 134350/LO/2022 sought Listed Building Consent for the refurbishment of 5th and 6th floor offices. This includes reconfiguration of the lobby entrance doors from lift on 5th and 6th floor and the introduction of new glazed entrance doors as well as Full refurbishment 5th and half of the 6th floor offices with localised repairs to existing features where necessary.

The amendments to the scheme for which approval is now sought comprise:

- Re-purposing 5th floor former lift shaft space as breakout areas, with historic lift features to be retained.
- The creation of additional entrance / fire lobbies at 5th and 6th floor levels within the office space, adjacent to lift lobbies.
- Lift lobby to fire lobby doors to be glazed hardwood faced solid doors rather than glazed metal doors.

Consultations & Notification Responses

A press advert was published, a site notice posted, and local residents/ businesses were notified for 21 days. No representations were received as a result of this.

Policy

The main policies that relate to the proposal are Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework, Policies SP1 (Spatial Principles), EN3 (Heritage), DM1 (Development Management) and CC9 (Design and Heritage) of the Adopted Core Strategy for the City of Manchester and saved policy, DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Legislation

Section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Listed Building Act") provides that "in considering whether to grant listed building consent for any works to a listed building, the local planning authority or the Secretary of State 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 Listed Building 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. Members should consider whether there is justification for overriding the presumption in favour of preservation.

Issues

Impact on the Heritage Asset

The changes to the original Listed Building consent were deemed acceptable and overall would enhance the character of the listed building by removing modern partitions and suspended ceilings and any instances of harm would be very low level and outweighed by the public benefits of the scheme which include preservation of the listed building through sustaining a continued viable use.

The creation of the additional fire lobbies is required for fire safety of the building due to the height of the building is over 18 metres. The additional lobbies are not considered to have a neutral impact on the special interest of the listed building. The repurposing of former historic lift shaft space, is regarded as having minor positive impact on the heritage asset. The intention is to clean and repaint in breathable white emulsion which is considered acceptable as the brickwork is already painted and this would not cause further damage.

Given the above, it is considered that the proposals are acceptable in terms of Section 16 of the National Planning Policy Framework, policies, EN3 and CC9 of the Core Strategy for the City of Manchester and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

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 requesting further information.

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 from the 19 November 2021 as attached to Listed Building Consent 131489/LO/2021

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:

Stamped as received by the City Council as local planning authority on 12 July 2022:

006 Ga Sixth Floor Plan 1:100 A1
Demolition Drawings
075 Ga Fifth Floor Demolition Plan
076 Ga Sixth Floor Demolition Floor Plan
161 Proposed 5th Internal Elevations
162 Proposed 6th Internal Elevations
201 5th Floor Wall Setting Out
300 Fifth Reflected Ceiling Plan
600 5th Floor Finishes Plan
601 5th Wall Finishes Plan
C1210-M01 5th Floor Proposed
C1210-M02 6th Floor Proposed

Received by the City Council as local planning authority on 30 August 2022:

-AXI 160 Rev 01 Proposed 5th & 6th Floor Existing And Proposed Lobby Doors
-AXI 201 Rev 01 Proposed 6th Floor Wall Set Out
-AXI 301 Rev 01 Proposed 6th Floor Reflected Ceiling Plan
-AXI 602 Rev 01 Proposed 6th Floor Finishes
-AXI 603 Rev 01 Proposed 6th Floor Wall Finishes
-Email from Agent

Received by the City Council as Local Planning Authority on 15 November 2022:

-Completed Application Forms for Listed Building Consent and Ownership Certificates.
-Heritage Statement prepared by Paul Butler Associates dated November 2022
-Bridgewater House Design Statement prepared by AXI dated 7.11.22
-Schedule of Repair and Renovation prepared by Blok Projects dated 7.11.22
-Fire Safety Strategy by SPL Fire Engineering Ltd.
-Fire Risk Assessment Report by Ligtas Ltd.
-Proposed GA Fifth Floor Plan Ref 105 Rev 01
-Proposed GA Sixth floor Plan Ref 106 Rev 03
-Proposed 5th & 6th Floor Entrance Lobby Plan and elevations Ref 164.
-Proposed 5th Floor Lift Shaft Refurbishment Plan Ref 165.

Received by the City Council as Local Planning Authority on 19 January 2022:

-Specification and method statement for the repainting of the former lift shaft

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies CC9, EN1, EN3, SP1 and DM1 of the Core Strategy, saved policy DC19.1 and Sections 12 and 16 of the National Planning Policy Framework.

3) The proposed replacement lobby doors should be coloured dark grey/black as shown on the submitted plans, unless other RAL finish is agreed in writing by the City Council as Local Planning Authority

Reason : Because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies CC9 and EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Urban Design & Conservation
Urban Design & Conservation

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 - Whitworth Street Conservation Area 1985
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL