

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135050/LO/2022

Date registered valid: 13 October 2022

Proposal: Listed Building Consent for internal alterations in relation to shop fit-out and new internally illuminated fascia signage

Address: 54 King Street, Manchester, M2 4LY

Ward(s): Deansgate Ward

Applicant: Kevin Breese Edit Suits Co Third Floor, 54 Bow Lane, London, EC4M 9DJ

Agent (if any): Ashley Wilson Sculpt 221 Scott House, Custard Factory, Birmingham, B9 4AA

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 8 December 2022

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit:

Standard consultations:

Printed: 20 October 2022 Expired: 10 November 2022

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 27 October 2022 Expired: 17 November 2022

Press advert

Published: 25 October 2022 Expired: 15 November 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area:

Tree Preservation Order:

Description of site and surrounding area

The site is in a c.1700 townhouse which now houses a commercial unit on the ground floor and office space in the upper stories. Whilst the upper stories appear to remain mostly intact, the ground floor commercial unit has modern commercial fitout including a 20th C timber and glass shopfront.

The building is in Manchester city centre, wholly within the St Ann's Square conservation area. There are several other Grade-II listed buildings on King Street and the Grade-I listed St Ann's Church is in the immediate vicinity. There are a variety of uses in the area associated with city centre development, such as comparison and convenience retail, commercial office, residential apartments and culture/leisure uses.

Description of development

The application for listed building consent is seeking permission for installation of an internally illuminated fascia sign and shop fit-out internal alterations. A detailed description of the works can be found in the Heritage Statement (Revision B) submitted by the applicant on 04/11/2022

Consultations & Notification Responses

Publicity - The application was advertised in the local press as an application for listed building consent, a site notice was displayed on site and letters were sent to surrounding occupiers. No replies have been received.

Issues

The Adopted Core Strategy for the City of Manchester

Policy EN1 (Design Principles and Strategic Character Areas) advises that developer's will be expected to consider the City's heritage, including its listed buildings, conservation areas, archaeological remains and historic street pattern.

Policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

Policy CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected.

Policy SP1 (Spatial Principles) advises that development in all parts of the City should protect and enhance the built environment.

Policy DM1 (Development Management) advises that all development should be appropriately sited, scaled, formed, massed and detailed with appropriate layout and materials and should have regard to the character of the surrounding area and effects on built heritage.

The Unitary Development Plan for the City of Manchester

Saved Policy DC14 (Shopfronts and Related Signs) confirms acceptable shop front works.

Saved Policy DC18.1 (Conservation Areas) states that the Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering issues including the effect of signs and advertisements.

Saved Policy DC19.1 (Listed Buildings) advises that in determining applications for listed building consent the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. The City Council will:

- Not permit any external or internal alteration or addition to a listed building where in its opinion, there would be an adverse effect on its architectural or historic character.

National Policy

Sections 16, 66 and 74 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings and conservation areas. Development decisions should, therefore, accord with the requirements of the NPPF and to section 16 (Conserving and Enhancing the Historic Environment).

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development". In order to meet this key planning objective, in this

instance, the development should sustain and contribute to the stimulation of a thriving historic environment.

Paragraph 197 states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality.
- The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 194 advises that local planning authorities should require an applicant to submit sufficient information to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 200 advises that any harm to or loss of a designated heritage asset should require clear and convincing justification. Substantial harm or loss should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional.

Paragraph 201 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Section 12 (Achieving Well Designed Places) advises that the government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Under these criteria the effect of the proposal on the affected heritage assets has been considered.

This application relates to alterations to the shopfront and internal shop fit-out.

The proposed shopfront alterations would be in keeping with other shop fronts fronting King Street.

The 20th C timber shopfront is to be repaired and reused. Damaged cornicing will be repaired. The existing door is to be modified to simplify the glazing.

The proposed fascia sign would be at the same level and have a similar appearance to the adjacent shop front. It will sit flush with the front of the building.

The proposed individual lettering of the new fascia sign would be in keeping with other acceptable examples in the St Ann's Square Conservation Area. Power for the illumination of the lettering will be routed through the more modern fascia board to ensure the original historic fabric is not impacted.

The proposed hanging, projecting sign is in keeping with the age of the building and in keeping with the design of others installed at the other shop fronts in the St Ann's Square Conservation Area. It replaces an incongruous, unauthorised and unsupported sign.

The proposed internal alterations should have no impact on the historic fabric. M&E, including a new AC unit, will utilise existing routing. New partitions are to be freestanding. Historic features in the front and rear are to be left untouched. Exposed historic mouldings in the storage area are to be left uncovered.

A low level of less than substantial harm would arise with the benefits of an appropriate active shop occupying the listed building outweighing that harm. The proposal is consistent with paragraph 200 of the NPPF and address sections 66 and 72 of the Planning Act. The existing, unauthorised projecting box sign will be replaced with a slimmer, hanging sign in keep with other acceptable examples in the conservation area which will enhance the street scene. The internal alterations should not impact historic fabric.

Given the above, the works are considered to be consistent with the above identified policies.

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 based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, some negotiations were necessary and the scheme is considered acceptable and appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan, policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

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:

-Drawing - Location Plan 81.01, Drawing - Proposed Floor Plans 82.01 Rev F received by the city council as local planning authority on 04/11/2022

-Drawing - Proposed Sections 85.01 Rev G received by the city council as local planning authority on 10/11/2022

-Drawing - Proposed Elevations 84.01 Rev J received by the city council as local planning authority on 06/12/2022

-Heritage Statement Rev B received by the city council as local planning authority on 04/11/2022

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 new projecting sign hereby approved will be fixed to the wall using the existing fixing points left by the original projecting box sign as confirmed by the agent in an email dated 22/11/2022 and the following document:

-Drawing - Proposed Sections 85.01 Rev H received by the city council as local planning authority on 10/11/2022

Reason - To ensure that the development minimises harm to the historic fabric of a listed building. 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.

Informatives

1) The applicant should be advised that any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicences@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Urban Design & Conservation

Appendix 2 – Planning constraints

-