

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133341/LO/2022
Date registered valid: 12 May 2022
Proposal: LISTED BUILDING CONSENT Formation of stairwell and construct accommodation staircase between Lower Ground Floor and Ground Floor
Address: Carvers Warehouse , 77 Dale Street, Manchester, M1 2HG
Ward(s): Piccadilly Ward
Applicant: Mr Stanley Broster Civic Engineers Charlesbye Farm, Greetby Hill, Ormskirk, L39 2DT
Agent (if any): Mr Stan Broster Stan Broster Design Charlesbye Farm, Greetby Hill, Ormskirk, L39 2DT
Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 22-08-22

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 6 July 2022

Standard consultations:

Printed: 18 May 2022 Expired: 8 June 2022

Neighbour notifications

Printed: 18 May 2022 Expired: 8 June 2022

Site notice

Posted: 18 May 2022 Expired: 8 June 2022

Press advert

Published: 24 May 2022 Expired: 14 June 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II*

Conservation area: Not applicable

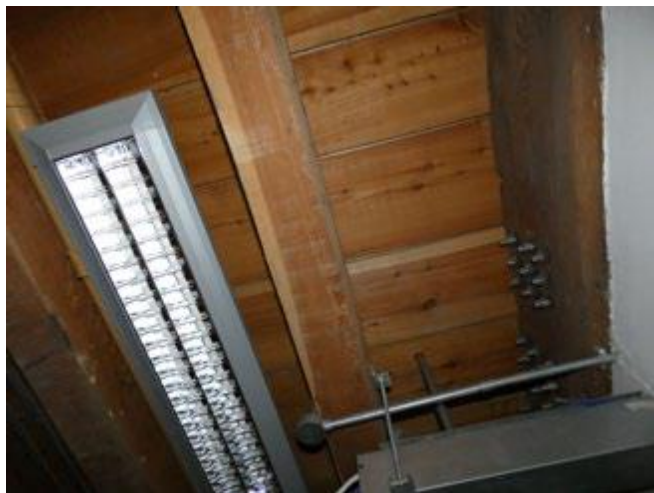
Tree Preservation Order: Not applicable

The application relates to Carver's Warehouse a 2 storey Grade II * Listed Building with frontages onto Dale Street, Paton Street and a surface level car park to the side and rear facing Piccadilly Basin. The building is a former canal warehouse which is now occupied by offices. The building was substantially restored and extended in 2008.

This building is highly significant as the earliest surviving canal warehouse in the city and for its unusual use of loadbearing stone walls and comprehensive use of cast iron columns. As a general purpose canal warehouse structure, it is one of only 59 surviving examples in the region and as a 'Type 1 warehouse', it represents the earliest and most important form of warehouse plan distinguished by the presence of internal canal arms' (legible now only through the arched openings at basement level). Furthermore, it is one of only two warehouses in the city known to have been powered by a waterwheel, the other site being the Grocers' warehouse in the Castlefield Canal Basin.

Specifically the application relates to an area of the ground and lower ground floor. At ground floor the area is occupied by offices. Within the lower ground floor the area is purposed for ancillary facilities comprising circulation areas and a kitchenette and store room. The floor finishes are modern stone and there are modern kitchen and WC partitions along the west side of the floorplan, and a plant room to the south west corner. There is a range of modern surface-mounted services throughout. The kitchenette and store room area are located where the stair is proposed – these spaces are subdivided by modern partitions and, as with the remainder of this floor, feature modern floor finishes, in addition to a gas pipe, service trays and ducts which are hung from the joists. Within the kitchenette is a single cast iron column supporting a hefty timber beam (original) running east - west, which support timber joists and in turn floorboards – the joists and floorboards appear to be part-historic, part replacements in this area. The ends of the joists have been splice repaired.





The modern floor structure and boards, which attempt to match the originals and contribute to the general appearance of the floor / ceiling structure, but do not have the same significance due to their recent date and are considered to have moderate significance.

Modern office fit outs including floor finishes, kitchenettes, modern partitions and services are considered to be of neutral significance.

Description of area

The site lies within an area of the City Centre known as the Northern Quarter which is close to Piccadilly Basin. The area contains a variety of uses including bars, restaurants, commercial, residential and hotel uses.

Description of development

Consent is sought to construct a spiral staircase to directly link the lower ground floor and ground floor of the offices occupied by Civic Engineers. This is to facilitate more efficient communication between staff and avoid the necessity of exiting the office into a public space and re-entering at the required level and allow more efficient operation of the business. This would involve removing 4 existing floor joists and an area of floor boarding above to form a 2350mm x 2650mm well into which a spiral dark grey steel staircase with oak treads would be inserted. The well would be enclosed within a 1100mm high balustrade.

The proposals would also involve the removal of a number of non original partitions from the lower ground floor. The Kitchenette currently situated adjacent to one partition wall would be moved from its current position to the opposite wall of the kitchen area to allow for its removal.

Areas redundant mechanical, electrical and plumbing (MEP) within the lower ground floor in the kitchen / staircase area would be removed where redundant or rerouted.

Consultations & Notification Responses

Publicity – The application was advertised as affecting a listed building and occupiers of adjacent buildings were notified about the application. A site notice was displayed adjacent to the site. No representations have been received.

Historic England – Have suggested the views of the City Council's specialist conservation and archaeological advisers are sought.

National Amenity Society's – No comments received.

Issues

National Planning Policy Framework

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of “sustainable development” (NPPF Paragraph 7). 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.

The following Policies are of relevance to this application:

Section 16 Conserving and enhancing the historic environment – which 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; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

And that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to sustainable harm, total loss or less than substantial harm to its significance.

The following paragraphs need to be considered in the context of this application:.

195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.

197 In determining applications, local planning authorities should take account of:

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

199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

202. 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, where appropriate, securing its optimum viable use.

205. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible⁶⁹. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Core Strategy - The following policies are considered to be most relevant to the proposed development:

Policy CC9 (Design and Heritage) - which states that the design of new buildings will need to be of the highest standard in terms of appearance and function and seeks to preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments.

Policy EN 3 Heritage – which states that throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

The Unitary Development Plan for Manchester – Whilst the Core Strategy has now been adopted some of the UDP policies remain saved as there are no replacement policies contained in the Core Strategy. The relevant policies are detailed below:

DC19.1 (Listed Buildings) - which seeks to preserve and enhance the settings of listed buildings by appropriate control over new developments within their vicinity.

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 in the case of the proposed demolition, to section 12 (Conserving and Enhancing the Historic Environment).

Design Issues and impact on the Character and Fabric of the Listed Building and Conservation Area – The staircase has been revised since the initial application proposal from a half-turn to spiral layout – which has significantly reduced its footprint and impact on historic floor fabric. The stair would sit in the north west corner of the building and would require the removal of a modest portion of historic floor structure – namely joists and floorboards. The joists which would be affected have been subject to previous splice repairs – carried out as part of the 2008 works; whilst some of the floorboards are historic (thought to be late-19th century), some are modern replacements from 2008. The removed fabric would be retained on site, being temporarily used for bench seating and could be reinstated in the future, when Civic Engineers vacate the building and the 2 spaces might be let separately.

The staircase would be of steel and timber – a steel structure and slender balustrades coated dark grey with oak treads and is considered to be appropriate in the context of the historic character of the interior of the building and the proposed interventions would be clearly understood as new additions to the listed building. The staircase would suit the industrial character of the building

As part of the works, the modern partitions in this area would be carefully removed to reinstate the planform as well as revealing more of the floor / ceiling structure and exposing the column which currently sits within the kitchenette revealing better visibility of the existing listed fabric of the building. The Kitchenette currently situated adjacent to one partition wall would be moved from its current position to the opposite wall of the kitchen area to allow for the removal of that wall.

Areas redundant mechanical, electrical and plumbing (MEP) within the lower ground floor in the kitchen / staircase area would be removed where redundant or rerouted allowing for improvement on visibility of the existing timber soffit above

The removal of a small amount of historic fabric and change to planform in this area would cause some minor harm to the significance of the listed building. The change to planform would be minor and would not be untypical of this warehouse – which once contained a series of hatches, large hoist openings and staircases (since removed / openings infilled and covered). The removal of the modern partitions and removal / relocation of MEP would result in a minor improvement to the character of the building by reinstating planform and would better reveal the historic structure. The loss of fabric is intended to be temporary and the fabric would be retained on site, and indeed on show, for future reinstatement which would mitigate the harm caused.

Whilst it is considered that the proposals would cause some minor harm to the listed building this harm would be 'less than substantial'. Given this paragraph 202 of the NPPF requires that the impact of the development should be evaluated against the mitigation that would be provided from the wider public benefits of the scheme including securing its optimum viable use which can include heritage benefits.

The public benefits of the proposals include the following:

- The proposed works have been developed with a detailed understanding of the architectural and historic significance of the building, as set out within the Heritage Statement. The proposed works include removal of non original building fabric and removal / rerouting of MEP which would better-reveal some of its historic features including its floor/ceiling structure and a cast iron column.

- These small-scale works would alter areas which have previously undergone refurbishment which included the insertion of non original fabric and would futureproof the listed building by introducing an interconnecting stair. Whilst not substantially altering the understanding of its original arrangement or character, ensuring the building can continue in its active viable use as an office.

A further benefit of the proposals is securing the continued use by a long term occupier and ensure their continued investment in the heritage asset. Whilst it could be argued that this is a private benefit, there are some demonstrable heritage benefits as detailed above which need to be balanced with the reversibility of the insertion of the staircase.

In the context of the NPPF and S66 of the Act, it is considered that the scheme strikes the right balance between the impact of the changes on the significance of the building, and the public benefits weighed against the level of harm.

Overall, the building would be conserved in a manner that is appropriate to its significance, and would ensuring this Grade II*-listed building can function more efficiently as an office. Whilst the proposals would involve some elements of low level harm, brought about by the insertion of the new stair requiring minor openings in original fabric, given that: the fabric will be retained on site for future reinstatement; that building originally contained a number of interconnecting stairs; and the modest scale and appropriate character of the spiral stair proposed - overall the special interest of the listed building would be preserved. It is considered for the reasons outlined above that the overall approach to the insertion of the staircase would (subject to conditions to agree the detailed design), have an acceptable impact on the character and historic fabric of the listed building.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings and conservation areas as required by virtue of S66 the Listed Buildings Act, the less than substantial would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraphs 199 and 202 of the NPPF and that in view of this, it is considered that the proposed development would on balance be consistent with sections 16 of the National Planning Policy Framework policies SP1, DM1, EN3 and CC9 and of the Core Strategy and saved UDP policies and 19.1

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 in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. A site visit has taken place and following this design advice discussed with the applicant to ensure that the final proposals being considered are acceptable.

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 and operated in accordance with the following drawings and documents:

(a) Location Plan stamped as received on 28-03-22;

(b) Dwgs CE/CW/10B, CE/CW/11B, CE/CW/12, SK-001 P01 and SK-002 P01 all stamped as received on 11-08-22; and Dwgs CE/CW/C/01 C and, CE/CW/C/02C stamped as received on 19-08-22;

(c) Construction Methodology by Civic Engineers dated 11-08-22

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP 1, CC9, EN3 and DM 1 and saved Unitary Development Plan policy DC19.1

3) Notwithstanding the details approved within condition 2 before development commences the following shall be submitted to and approved in writing by the City Council as Local Planning Authority:

(a) Full and detailed method statement for the careful removal of existing timbers and the opening up works;

(b) Final details of the design and installation of the stairs;

(c) Final construction / interface details with existing fabric (this should be on the basis that the minimum amount of existing timbers should be removed in existing lengths without cuts and with agreement if these are to be cut where there isn't currently a joint);

(d) Any new trimming timber (this should be in matching species and fully detailed);and

(e) Details of how and where any timber removed will be set aside (stored) or reused (on the basis that if they are to be reused in the space then they should not be modified but should remain in their original sections for easy reinstatement)

Reason - In the interests of visual amenity and 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
Historic England (North West)
National Amenity Societies

Fourth Floor, Carvers Warehouse, 77 Dale Street, Manchester, M1 2HG
Third Floor, Carvers Warehouse, 77 Dale Street, Manchester, M1 2HG
First Floor, Carvers Warehouse, 77 Dale Street, Manchester, M1 2HG
Ground Floor, Carvers Warehouse, 77 Dale Street, Manchester, M1 2HG
Lower Ground Floor, Carvers Warehouse, 77 Dale Street, Manchester, M1 2HG
Second Floor Carvers Warehouse, 77 Dale Street, Manchester, M1 2HG
Ground Floor, 75 Dale Street, Manchester, M1 2HG
Q ONE AGENCY, First Floor, 75 Dale Street, Manchester, M1 2HG
75 Dale Street, Manchester, M1 2HG

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
Area Team Boundary - Name: CENTRL