



Cheeky Deano's

PLANNING AND HERITAGE STATEMENT

95 Oxford Street, Manchester





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95 Oxford Street, Manchester

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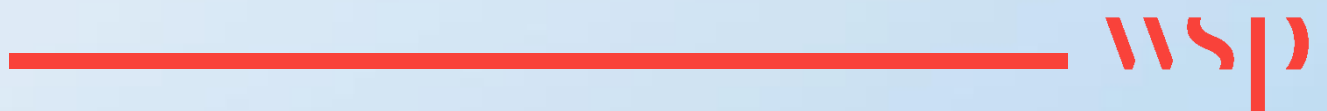


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INTRODUCTION



INTRODUCTION

This Planning and Heritage Statement has been prepared to support a planning application and listed building consent for the minor alteration, refurbishment and change of uses of 95 Oxford Street which forms a unit within the St James' Buildings. Consent is sought for the change of use from a retail unit (previously Venus flower shop) to allow the sale of hot food on and off site.

The St James' Buildings is a substantial Grade II listed multi-storey office building completed in 1912. It occupies the majority of the east side of Oxford Street and sits adjacent to and over the Rochdale Canal. The site is located within the Whitworth Conservation Area of central Manchester.

This Planning Statement will demonstrate that, in the context of national local planning policy, there are no reasons to warrant a refusal and therefore planning permission and listed building consent should be granted. This support statement sets out the nature of the planning application, relevant planning history and assess the application against key material planning considerations. A heritage assessment is also set out to support the listed building consent.

This statement also comprises a Heritage Assessment. The proposed development comprises internal and external alteration and refurbishment works to the ground floor unit in support of creating a new high end unit for food and beverage use in the form of a hot food eatery. The proposed works are minor in nature but briefly comprise the incorporation of kitchen equipment within the empty unit together with ventilation equipment to allow hot food to be prepared on site.

The change of use requires Planning Permission only and the internal alterations and refurbishment works require Listed Building Consent only. Given the existing state of the unit and the proposed development, the same information will be provided for both applications.

This statement also includes a heritage assessment to understand the impact of the proposed development upon the heritage significance of the site.

This report concludes that the proposed development is acceptable in both planning policy and heritage terms and should be approved without delay.

THE SITE, CONTEXT AND PROPOSED DEVELOPMENT

THE SITE

The application site is a unit within the St James' Buildings, a building that is owned and managed by Bruntwood, a specialist property company. The building predominantly comprises multi-tenant office space together with food, drink and retail uses located on the ground floor.

St James Buildings is located on Oxford Street and together with Wilmslow Road and Oxford Road, form part of an 18th century route from Manchester to Oxford. The area is significant in conservation terms, due to the outstanding architectural character it possesses.

CONTEXT

As detailed in the introduction, St James' Buildings are Grade II listed. The building occupies the majority of the east side of Oxford Street, sitting adjacent to and over the Rochdale Canal, within the Whitworth Conservation Area of central Manchester. To the north, the building adjoins the late 19th century and early 20th century commercial buildings. To the south, the building adjoins the Palace Theatre. To the east, the unit (95 Oxford Street) overlooks the Rochdale Canal, the canal also continues to the west of the site beyond Oxford Street.

PLANNING HISTORY

A search of the planning history available on the Council's online system has been conducted in preparation of this statement. The following table summarises the approved changes to the building recorded by Planning Permission and Listed Building Consent applications over recent years. We have noted those dating back to 2013 however there are more applications associated with the site dating back many years.

The list is extensive, showing the Council are in support of works taking place at St James Building – in addition to change of uses – in order to ensure this prominent site remains in active use and thus contributes to the vibrancy and vitality of the city centre.

Reference	Decision	Description
123278/LO/2019	Approved 20 August 2019	LISTED BUILDING CONSENT for Internal fit out works to the 9th floor of the building and alterations to existing roof top decked seating area.
120730/FO/2018	Approved 18 July 2019	Change of use of part of ground floor to dual use restaurant Use Class A3 and bar Use Class A4 (sui generis) together with external alterations to include creation of new entrance off Oxford Street, replacement of existing glazed roof lantern and associated works
120731/LO/2018	Approved 18 July 2019	LISTED BUILDING CONSENT Internal and external alterations in association with change of

		use of part of ground floor to dual use restaurant and bar to include creation of new entrance off Oxford Street, replacement of existing glazed roof lantern and associated works
116779/LO/2017	Approved 27 November 2017	LISTED BUILDING CONSENT for erection of 9th floor extension to form lift lobby, form new openings and alter existing openings, replace windows, and carry out external and internal refurbishment works
112023/LO/2016	Approved 27 July 2016	Listed Building Consent for internal and external alterations to part of first floor. Change of Use of part of first floor from Class B1 (Business Use) to Class D1 (Non-residential education & training centres).
105605/LO/2014	Approved 23 July 2014	LISTED BUILDING CONSENT for conversion of the vacant basement and new fit out to form a new private music school and associated works
105484/LO/2014	Approved 24 July 2014	Listed Building Consent for internal and external alterations to Level 8, including installation of secondary glazing, raised floors, suspended ceilings, lighting, and vents within the glazing, and replacement of nonoriginal doors.
104487/LO/2013	Approved 6 February 2014	LISTED BUILDING CONSENT for the installation of secondary glazing, and lining to soffits and walls on part of level 4
101824/LO/2013	Approved 30 April 2013	LISTED BUILDING CONSENT Refurbishment of office suites to part floor plate of floors 2 and 5
100966/LO/2012	Approved 19 March 2013	LISTED BUILDING CONSENT for Internal and external alterations.

PROPOSED DEVELOPMENT

This planning application seeks permission and listed building consent for internal alterations and refurbishment works together with the change of use to the ground floor unit. The site was formally occupied by a flower shop – Venus flowers but is now vacant. Consent is sought to allow a high end eatery to operate from the currently vacant space.

The main elements of the proposal are summarised below:

- Change of use from retail unit to hot food eatery;
- No structural changes are to be made to the internal or external of the site;
- All walls to be re-plastered to ensure a smooth base for decorative purposes;
- Floors to be tiled through out
- Walls painted up to the kitchen area and then tiled beyond
- Extraction system to remain exposed but updated to allow for hot food preparation;
- All piping and electrical wiring to be run on trays suspended from the ceiling
- Previous vendors signage to be replaced with the same size in the same location ; and
- Industrial style lighting suspended from the ceiling

The site is located within Flood Zone 1 and the proposed development does not fall within the threshold for requiring a flood risk assessment.

Cheeky Deano's offers a casual, stylish setting to eat, drink or take out produce. It is a street food style eatery offering a mix of alcoholic and non-alcoholic beverages together with vegetarian and vegan options. The potential occupiers utilise eco friendly suppliers together with using local produce and recyclable takeaway packaging.



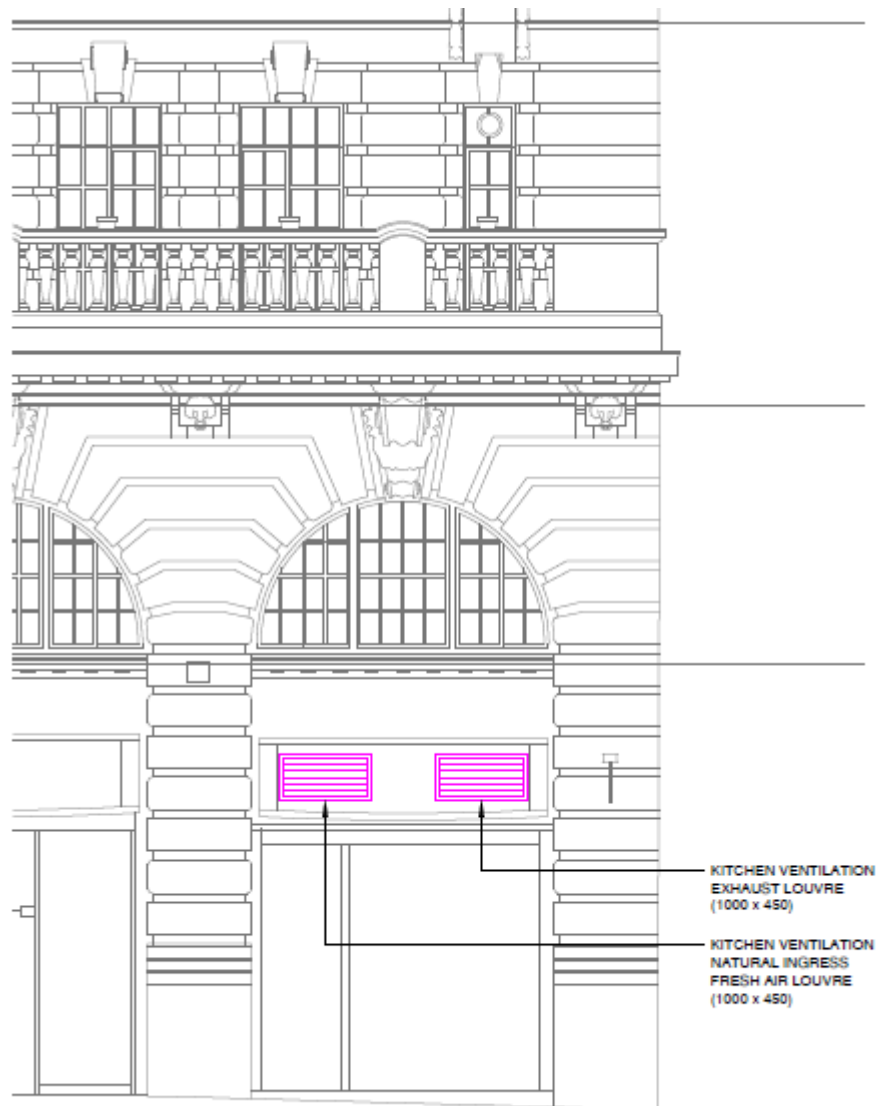
A concept document is submitted as part of this application to demonstrate the nature of the proposed eatery.

The high end eatery will operate during the day and night with operating hours proposed in line with the approved licences (No. 279295) which is 07:00 to 02:30. It will allow for patrons to consume

produce on and off the premises. An operating statement has been produced to ensure the site operates appropriately for the site and surroundings.

Details regarding the fit out for the unit are set out on the plans. To the rear of the unit will be the chargrill, plancha, infill table and two fryers. The sink unit and hand wash basin will also be located along the rear wall. The centre of the unit will be occupied by the counter, cooler and bin area. Between the counter and the cooking facilities at the rear will be the prep tables and sink with dishwasher underneath.

Details regarding the proposed ventilation equipment are set out in the supporting ventilation statement and plan. Externally, the works are minor with a simple external louvre on the front elevation as demonstrated below. Internally, the extraction system is to remain exposed but will be updated to allow for the preparation of hot food.



PLANNING ASSESSMENT

This section assesses the proposed change of use in the context of planning policy. Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 confirm that planning applications must be determined in accordance with the Development Plan unless material planning considerations indicate otherwise.

The Development Plan for the Site comprises of the Manchester Core Strategy (2012) and saved policies from the Manchester UDP (1995). The National Planning Policy Framework (NPPF) is also a material consideration in planning decisions.

PRINCIPLE OF DEVELOPMENT

The site is located within the defined settlement boundary of Manchester City and the City of Manchester (Whitworth Street) conservation area according to the Manchester Core Strategy Proposals map.

The site is within the city centre whereby policy CC7 is relevant. This policy sets out that the City Centre presents the most viable opportunities for mixed-use development, and in general, such development will be promoted as a way of using land as efficiently as possible. The policy continues that a range of uses should be considered for all sites. Specifically with regards to ground floor uses, this policy states that active ground floor uses will be appropriate in locations which have an established public function, or as part of a development which will create such an environment. The proposed development is a supported city centre use, appropriate to the site and surroundings and will assist in creating active ground floor uses in line with policy CC7. It is evident that Oxford Street has developed from a retail based area to a thriving leisure space with a mix of restaurants and bars whereby the proposed eatery will be appropriate.

Objective 4 of the Core Strategy seeks to provide a network of distinctive, attractive and high quality centres, strengthening local identity and under Policy C1, the city centre is identified as the regional focus for commerce, culture, leisure and tourism. The proposed change of use will bring a vacant unit back into use and assist in creating a mix of uses along the vibrant Oxford Street. In line with City Centre Area Policies – RC2 – Area 18 (Whitworth Street, Princess Street, Portland Street and Oxford Street), the proposal will create a lively ground floor use alongside this important pedestrian route on Oxford Street. This concept is also promoted within chapter 7 of the NPPF which seeks to ensure the vitality of town centres.

Saved UDP policy 10 identifies the key factors in determining when a proposal for food and drink use is appropriate. The determining factors are that the use should not increase the level of disturbance or nuisance to an unduly detrimental level. Furthermore, the use should not generate traffic movement or a demand for parking in a detrimental way.

Considering the potential for the food and drink use to create disturbance first, as a starting point it is important to assess the context of the location. Oxford Street is an established destination for A3 uses. It is accepted that the City Centre is an acceptable location for food and drink and uses. Furthermore, it should be recognised that Policy RC20 (Area 18) which includes Oxford Street, encourages lively ground floor uses alongside this important pedestrian route. There are no residential properties within the vicinity and the neighbouring uses comprise the theatre and other eateries which are considered to generate the same level of noise related sources as the proposed

change of use. The proposal will protect the amenity of neighbouring properties through appropriate management (as detailed in the operating statement).

In regard to traffic movement and demand for parking, the location of a food and drink use in the City Centre is sustainable with access available from a range of public transport. Safe servicing access can be achieved off Oxford Street for delivery vehicles. In terms of waste collection, this is communal for St James Building and so there will not be an increase in collection vehicles in this regard. The food and drink use is not anticipated to generate traffic movement or a demand for parking in a detrimental way in this central location.

To conclude, the proposed change of use is wholly supported by local and national planning policy. It will revive a vacant unit on a heavily active street whilst ensuring no detrimental impact to the amenity of neighbouring uses or highway means.

DESIGN AND AMENITY

In terms of General Development Management Principles (Policy DM1), the council will consider developments in regard to appropriate siting, layout, scale, form, massing, materials and detail. Developments will also be considered in terms of their impact on the surrounding areas in terms of the design scale and appearance of the proposed development.

In line with Policy DM1, the change of use has had regard to the character of the surrounding area and its effects on amenity such as noise and litter.

The proposed operating hours are as agreed in the approved license 07:00 – 02:30.

Staff will encourage patrons to leave quickly and quietly. They will monitor behaviour outside the premises within the local street and discourage people from congregating outside. The area will also be kept free from litter.

The proposal will be required to ensure undue disturbance is not created from the proposed use. This is to protect the amenity of neighbouring properties. The management of noise and disturbance is important and will be achieved by means such as not having music playing and implementing the details set out in the supporting operating statement.

In line with UDP Saved Policy 26, the change of use will not cause detrimental impact in noise terms. It is understood that there are no residential properties within the immediate vicinity. The site is bound by restaurants, bars and a theatre, the operating hours and nature of the proposed use is in keeping with the activity found along Oxford Street. In terms of the ventilation/extraction equipment proposed, this is located internally to ensure no further noise sources. The unit is modest in size which limits the number of patrons available at the site ensuring that noise levels are kept appropriate to the surrounding area.

The proposed change of use will not result in substantial changes to the existing unit as set out under 'proposed development'. Therefore, the proposal is appropriate to the site and surroundings and as such, conforms to policy DM1.

The site is located within the Grade II listed St James Building and within the City of Manchester (WHITWORTH STREET) Conservation Area 1985. Policy CC9 requires that development should preserve or enhance heritage assets. Furthermore, Policy EN3 sets out that new development must be designed to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and their accessibility. Proposals which enable the re-use of

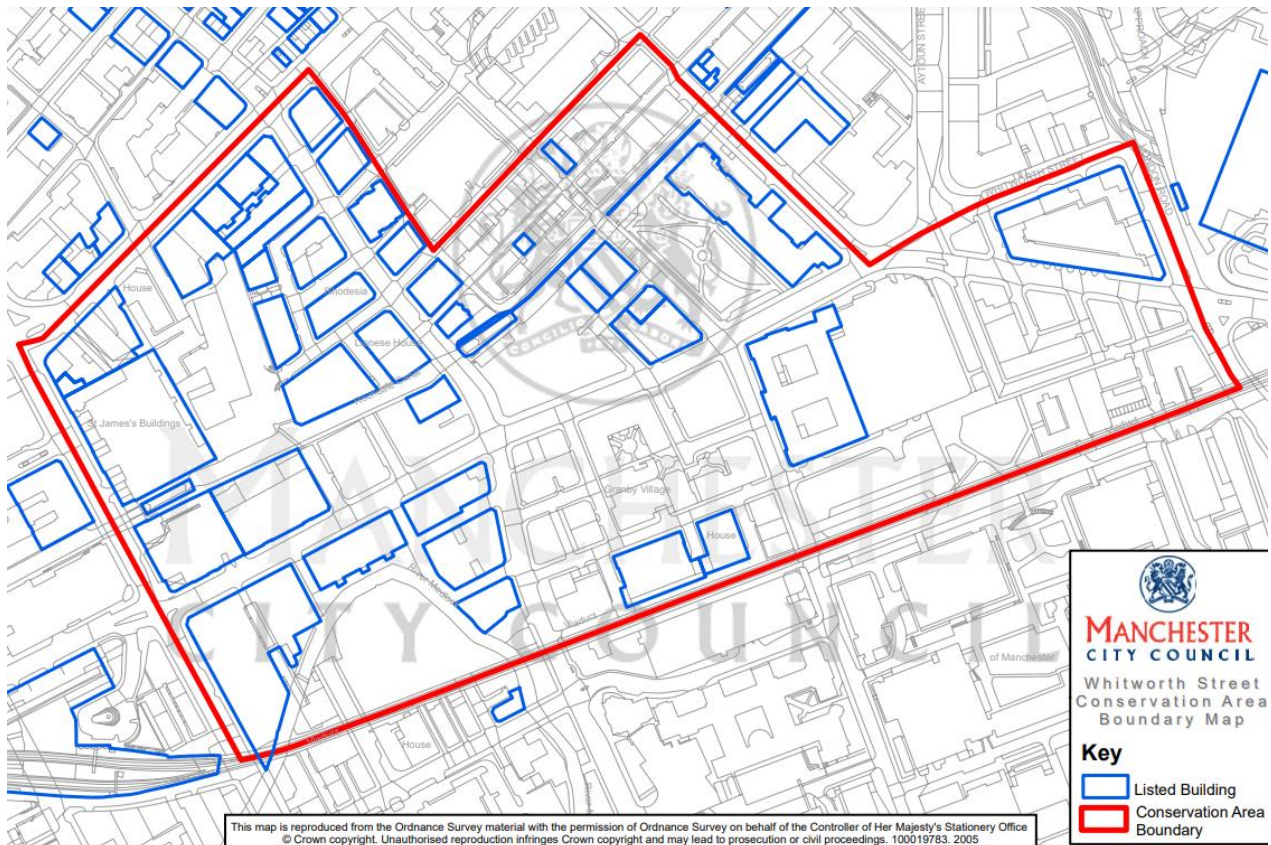


heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

As set out in the Heritage Assessment, the proposal will not cause detrimental impact on the conservation area. The changes are minor in nature and will bring a vacant listed building back into use. The proposal is therefore in line with policies CC9 and EN3.

HERITAGE ASSESSMENT

St. James' Buildings is a substantial Grade II Listed multi-storey office building completed in 1912. It occupies the majority of the east side of Oxford Street, sitting adjacent to and over the Rochdale Canal, within the Whitworth Street Conservation Area of central Manchester. To the north, the building adjoins late 19th and early 20th century commercial buildings. To the south, the building adjoins the Palace Theatre. To the east, an open site formerly occupied by an electrical sub-station is used as car-parking. The official list entry is enclosed within Appendix 1.



The building is owned and managed by Bruntwood, a specialist property company with a number of significant Listed Buildings in their portfolio. The building predominantly comprises multi-tenant office space, together with a basement safe-deposit facility, and ground floor retail, food and beverage uses.

The application site comprises the ground floor unit at 95 Oxford Street, formerly occupied by Venus flower shop. Listo Burrito is located next to the unit at 91 and 93 Oxford Street and includes a small outdoor seating area. Further along Oxford Street, within the St James Buildings at ground floor, are more eateries such as Bundobust and Patisserie Valerie. The overall character of the area therefore is active commercial uses, rather than residential.

The proposed development comprises minor refurbishment works to the ground floor unit to create a high quality commercial unit for a hot takeaway use. Ventilation equipment will be mounted to the rear of the unit however this is minor in nature and has been designed so as to be sympathetic to the site and surroundings. The proposal is beneficial in protecting the heritage asset of the St James' Buildings and securing a continued use for the building

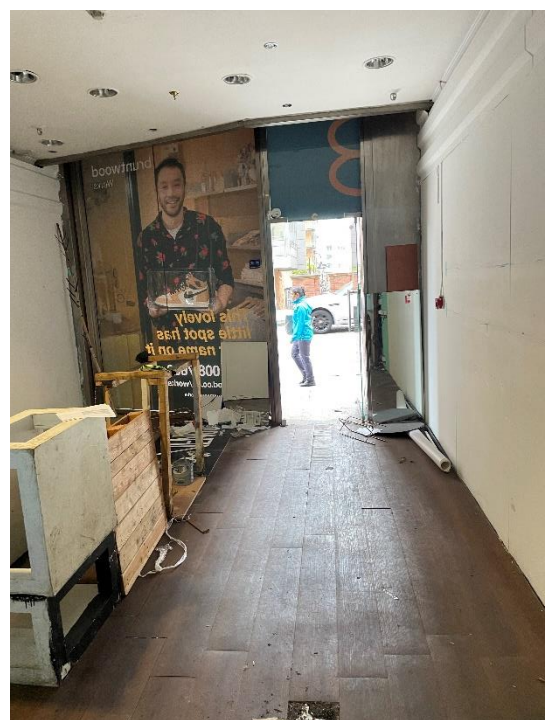
This statement duly accompanies the applications for Planning Permission and Listed Building Consent. The key policies when assessing the conservation impact are saved policies 18 and 19 of the UDP together with policy CC9 of the Core Strategy. These policies require a positive approach in securing the continued use of listed building, the protection of the building's architectural and historic character and works must be carried out to a high standard.

Policy EN3 of the Core Strategy sets out that new development must be designed to preserve, or where possible, enhance the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance. Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

The opportunity to bring a vacant unit back into use and create a high end eatery use will allow for public footfall to continue on this active street. There is a clear demand for food and beverage use space in the Oxford Street area, given its character. This change of use and refurbishment work will utilise a vacant space whilst ensuring there is no detrimental impact to the listed building nor the conservation area through ensuring the works are minor and the use proposed is in keeping with the site and surroundings.

As set out in the planning history section, substantial works have taken place at the St James Building. In July 2019, consent was granted to implement external alterations including the creation of a new entrance off Oxford Street and replacing the existing glazed roof lantern. In comparison to this proposal, these works substantially altered the appearance of the building to allow further active uses to be incorporated on Oxford Street.

To allow for the sale of hot food on and off the site, fit out works are required however has demonstrated by the images below, the unit has no details of significance – it is essentially an empty shell.





No structural changes are to be made internally or externally. The walls will be plastered to allow for decorative purposes and the floors will be tiles throughout. Industrial style lighting will be suspended from the ceiling to reflect the nature of the site and surroundings in addition to the extraction system remaining exposed and all piping and wiring to be run on trays suspended from the ceiling. On the whole, these will not cause detrimental impact to the listed building nor conservation area. The entrance will remain as in situ with no changes proposed.

SUMMARY

The proposed development is sought to bring a vacant unit back into use to create a positive, active frontage along Oxford Street.

The works are minor in nature to allow the unit to operate as a high end hot food eatery. No structural changes are proposed, only decorative. These changes will provide a more aesthetically pleasing space compared to the current vacant unit.

The proposed development is in compliance with policies EN3 and CC 9 of the Core Strategy together with chapter 16 of the NPPF.

The scheme has been developed with a conscious appreciation of the building's heritage and setting. It represents a carefully considered approach to refurbishment and improvement of the ground floor unit of one of Manchester's landmark commercial buildings.

CONCLUSION

Oxford Street is an established destination for A3 uses. It is accepted that the City Centre is an acceptable location for food and drink uses. Furthermore, it is recognised that Policy RC20 (Area 18) which includes Oxford Street, encourages lively ground floor uses alongside this important pedestrian route.

The proposed change of use is a conscientious response to the need to bring a vacant unit back into use on an active frontage whilst ensuring the site and surroundings are respected from a heritage perspective. The type of use is appropriate to the nature and characteristic of Oxford Street, being home to an abundance of commercial and leisure uses. The works required to accommodate the hot food takeaway are minor in nature and utilise the existing unit where possible.

The proposed development is considered to contribute positively to an important Listed Building. The proposal will provide a vibrant use of the ground floor as a food and drink use and bring further positive activity to Oxford Street. This scheme will help to secure the long-term future use of this currently vacant unit.

The development represents sustainable development and accords with the policies of the Manchester UDP Saved Policies, Core Strategy and NPPF. Consequently, the planning application should be approved without delay.



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