

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134090/LO/2022
Date registered valid: 19 July 2022
Proposal: Listed Building Consent for new shopfront, signage and internal fit out
Address: 56 King Street, Manchester, M2 4LY
Ward(s): Deansgate Ward

Applicant: Mr George Blanchard C. & J. Clark International Ltd 40 High Street,
Street, BA16 0EQ

Agent (if any):

Case officer: Emily Booth
Tel: 0161 234 4193
Email: emily.booth@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 30 August 2022

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 27 July 2022 Expired: 17 August 2022

Site notice

Posted: 29 July 2022 Expired: 19 August 2022

Press advert

Published: 2 August 2022 Expired: 23 August 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: St Anns Square Conservation Area 1970

Tree Preservation Order: Not applicable

Description of area

This application relates to a Grade II Listed Building located at 56 King Street. The building is located in the St Anns Square conservation area. It also forms part of the settings of a number of other listed buildings and non-designated heritage assets and makes a positive contribution. It is close to the Grade II Listed 62 King Street and a number of other Grade II Listed buildings are located on King Street.

These proposals relate to the King Street elevation of the building and the ground and basement floors. Internally the ground floor has been significantly altered, but the basement retains some features including a vaulted ceiling, a shelving unit built into the wall and a column and pavement lights.

Surrounding uses include bars, restaurants, hotels, residential accommodation, offices and law courts.

Description of development

Listed Building Consent is sought for:

- The removal of elements of the non-original internal fit out from the ground floor.

- The installation of internal lighting unit and an air-conditioning unit to be attached to the existing plasterboard ceiling.
- The installation of vinyl tiles and carpet to existing non-original sub floor.
- The installation of a partition wall to separate the sales floor from the back of house. The partition would house advertising screens.
- The installation of fixed perimeter wall shelving to the ground floor.
- Alterations to the non-original skirting to accommodate the non-fixed cash desk.
- Internal redecoration.
- The installation of a partition in the basement.

The shop front would also be painted black and a externally illuminated individual letter sign and an externally illuminated projecting sign would be installed.

Consultations & Notification Responses

Publicity - The application was advertised in the local press as an application for listed building consent and as affecting a Conservation Area; a site notice was displayed on site and letters were sent to surrounding residents. No responses were received.

Issues

Issues and Policy

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; and
- 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:

The internal works affect non-original fabric and slightly reduce the impact on the original volume of the space and are acceptable.

The external signage is acceptable as it comprises individual letters mounted on the existing fascia and a slim projecting sign.

Black is not the most appropriate colour for the shop front as a more traditional and paler colour is preferred. However the shop fronts along King Street vary in colour and the shop front next to the property is dark purple and the shop front two doors away is also black. An off white strip has been included in the proposals to soften the impact and break up the darker colours.

It is considered that the benefits of the proposal would outweigh the less substantial harm caused to the affected heritage asset and are consistent with paragraphs 196 and 197 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement. The public benefits of the external works are the reoccupation and improved maintenance of the building.

Subject to compliance with conditions, the proposals are 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 to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. Appropriate conditions have been attached to the decision to ensure an acceptable 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:

The location plan received by the City Council as local planning authority on 17 June 2022

The drawings referenced:

ORIG/22/03 Rev B

ORIG/22/05 Rev B

ORIG/22/06 Rev B

received by the City Council as local planning authority on 24 August 2022

ORIG/22/01 Rev E

ORIG/22/04 Rev B

ORIG/22/07 Rev B

ORIG/22/09 Rev A

ORIG/22/10 Rev B

received by the City Council as local planning authority on 18 August 2022

The drawing showing signage sections received by the City Council as local planning authority on 30 August 2022

The following documents:

The Heritage Statement prepared by C&J Clark International Limited received by the City Council as local planning authority on 13 July 2022

The Design and Access Statement prepared by C&J Clark International Limited received by the City Council as local planning authority on 17 July 2022

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies EN3, CC9, SP1 and DM1 of the Manchester Core Strategy, saved policies DC17.1, DC18.1 and DC19.1 and Section 10 of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Advertising Right Out Side 56, King Street, Manchester, M2 3NQ
Third Floor, 39 South King Street, Manchester, M2 6DE
Second Floor, 39 South King Street, Manchester, M2 6DE
First Floor, 39 South King Street, Manchester, M2 6DE
Third Floor, 41 South King Street, Manchester, M2 6DE
Second Floor, 41 South King Street, Manchester, M2 6DE
First Floor, 41 South King Street, Manchester, M2 6DE
Ground Floor, 41 South King Street, Manchester, M2 6DE
Basement, 41 South King Street, Manchester, M2 6DE
Rear Part Ground First Second And Third Floors, 33 King Street, Manchester, M2 6AA
Third Floor, 1 St James's Square, Manchester, M2 6DN
Basement To First Floor, 33 King Street, Manchester, M2 6AA
35 King Street, Manchester, M2 7AT
Ground Floor, 1 St James's Square, Manchester, M2 6DN
Fourth Floor, 1 St James's Square, Manchester, M2 6DN
Fifth Floor, 1 St James's Square, Manchester, M2 6DN
52 King Street, Manchester, M2 4LY
39 South King Street, Manchester, M2 6DE
33 King Street, Manchester, M2 6AA
Second Floor, 1 St James's Square, Manchester, M2 6DN
GLAISYERS SOLICITORS LLP, First Floor, 1 St James's Square, Manchester, M2 6DN
54 King Street, Manchester, M2 4LY
60 King Street, Manchester, M2 4LZ
58 King Street, Manchester, M2 4LY
50 King Street, Manchester, M2 4LY

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - St Anns Square Conservation Area 1970
Area Team Boundary - Name: CENTRAL