

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 134395/VO/2022

**Date registered valid:** 26 July 2022

**Proposal:** City Council Development To replace the 4 no. existing highway lighting units attached to the building with new units in the same locations

**Address:** Royal Exchange, Exchange Street, Manchester, M2 7DD

**Ward(s):** Deansgate Ward

**Applicant:** Mr Trevor Powell Manchester City Council PO Box 532, Town Hall, Manchester, M60 2LA

**Agent (if any):**

**Case officer:** Emily Booth  
Tel: 0161 234 4193  
Email: [emily.booth@manchester.gov.uk](mailto:emily.booth@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 20 September 2022

## **Application details**

**Type of application:** Regulation 3 Consent

**Development type:** Minor Other

**Date of site visit:** 23 August 2022

### **Standard consultations:**

Printed: 29 July 2022      Expired: 19 August 2022

### **Neighbour notifications**

Printed: 29 July 2022      Expired: 19 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**

The application relates to the Grade II Listed Royal Exchange, which is a mixed use building that houses offices, a theatre, shops, bars, restaurants, banks, takeaways and cafes.

The Royal Exchange is bounded by Cross Street, Market Street, Exchange Street/St Ann's Square and Old Bank Street. St Ann's Square is a hard landscaped public square in Manchester City Centre that accommodates a Grade II Listed statue named Cobden's Statue and the Grade II Boer War Memorial and other non-listed sculptures and is frequently used for events including the Christmas Markets. Market Street and St Ann's Square are major shopping areas.

The current building is the third version of the Royal Exchange built between 1867 and 1874 and extended between 1914 and 1931. The building was further modified following the damage caused by the IRA bomb in 1996. It is four storeys, plus two attic storeys in height. The roof is slate and has three glass domes, a baroque turret is in the North West corner and domes are located in the other corners. There is also a balustraded parapet and mansard roof. The elevations are highly detailed and include channelled rusticated piers, Corinthian columns, arched windows, entablature, modillioned cornice and grand entrances.

The original Royal Exchange was a trade exchange for Lancashire's cotton industry. Trading ceased in 1968 and the building began use as a theatre in 1973.

Other listed buildings surrounding St Ann's Square include the Grade I listed St Ann's Church, the Grade II\* Listed 25 St Ann's Street and Grade II listed buildings at 16, 18 and 22 and 17 to 21 St Ann's Square. The site is also within St Ann's Square Conservation Area.

Surrounding uses include the Arndale Centre, St Ann's church, shops, hotels, residential accommodation, banks, offices, bars, restaurants, takeaways and cafés.

### **Description of development**

Planning Permission is sought for the installation of 4no. highway lighting units (Philips Clearflood DW10 27klm NW) on the St Anns Square elevation of the listed building. These would replace the 4no. existing lighting units.

### **Consultations & Notification Responses**

Highway Services - Commented as follows:

There will be no projection over the adopted highway therefore a projection over license will not be required.

The headroom clearance is acceptable.

During installation and maintenance operatives will be expected to comply fully with the relevant traffic laws, including any local parking and movement restrictions.

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](mailto:highwaylicences@manchester.gov.uk)

Publicity - The application was advertised as an affecting a listed building and a conservation area, letters were sent to surrounding occupiers and a site notice was displayed on site. No replies 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 preference would not be to have any on the listed building, but if they are absolutely necessary, they would be required to be colour matched to the stone so that they would be less visible. The units also replace existing units that are understood to have been in place for 20 years.

The units would only be fitted once the existing units are removed.

The existing electricity supply point is a feed pillar located adjacent to No.2 Market Street. This supply point is understood to have been in situ for over 20 years, as has the wall mounted electricity supply that connects all four light units to the supply point. No new holes would be drilled to install the units as existing holes would be used.

The existing cabling points would remain the same.

The units would be maintained in accordance with the City Council's PFI Lighting Contract and delivered by the Services sub-contractor, Amey.

The lighting units are required to comply with the appropriate lighting performance standard for the area of Exchange Street and St Ann's Square has been determined as C2 (BS 5489-1:2013).

A condition will be applied to the application to require the units to be coloured to match the existing fabric.

The works would cause less than substantial harm that would be justified by the provision of adequate lighting levels with St Anns Square.

In view of the above the proposals would subject to compliance with conditions be consistent with Core Strategy Policies DM1, SP1, CC9, EN3 and EN1 and saved UDP policies DC18.1 and DC19.1 and Sections 12 and 16 of the National Planning Policy Framework and would not cause harm to the significance, character and appearance of the listed building.

Highway Issues -

There would be no projection over the adopted highway and the headroom clearance is acceptable.

Informatives would be applied to the application to ensure that the applicant is aware of the need to comply fully with the relevant traffic laws, including any local parking and movement restrictions and for the requirements in relation to licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements to avoid issues. The comments made by our Highways Services have also been sent to the applicant.

In view of the above the proposals are considered to be consistent with Core Strategy Policies DM1 and SP1 of the Core Strategy for the City of Manchester.

### **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 ongoing advice about the information required to be submitted to support the application and extensive advice and support.

### **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 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

The Site Location Plan received by the City Council as local planning authority on 18 July 2022

The drawing referenced MSL-12-24502531 Rev F received by the City Council as local planning authority on 15 September 2022

The Excel survey document referenced RA-01 Rev 0 dated August 2021 received by the City Council as local planning authority on 18 July 2022

The Safe System of Work document prepared by Amey received by the City Council as local planning authority on 15 September 2022

The Design and Access Statement dated September 2022 received by the City Council as local planning authority on 15 September 2022

The PHILIPS Clearflood Large BVP651 specification sheet received by the City Council as local planning authority on 15 September 2022

The Heritage Statement dated September 2022 received by the City Council as local planning authority on 15 September 2022

The document entitled 'Royal Exchange Building - Proposed replacement of highway lighting units' received by the City Council as local planning authority on 18 July 2022

The email from Trevor Powell dated 15 September 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 policies DC18.1 and DC19.1 and Sections 12 and 16 of the National Planning Policy Framework.

3) Notwithstanding the information detailed within Condition 2 of this application, full and final details of:

- a) the colour of the lighting units hereby approved shall be submitted to and agreed in writing by the City Council as local planning authority prior to the installation of the lighting units hereby approved. The colour shall match the stone on which the lighting units will be installed.
- b) an amended product specification and drawings of the lighting units, in the event that alternative lighting units are required, because the approved lighting units cannot be colour matched to the stone on which they would be installed.
- c) a maintenance strategy for the colour and finish.

The works shall be carried out fully and only in accordance with the approved information.

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 so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

4) In the event that the alterations hereby approved are no longer required they shall be removed from the building only in accordance with a method statement submitted to and approved in writing by the City Council as local planning authority prior to the removal of the works hereby approved. The removal shall be carried out only in accordance with the approved method statement and shall be completed within three months of the date of removal of the works hereby approved.

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 in accordance with policies DM1, SP1, CC9 and EN3 of the Core Strategy for the City of Manchester and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

## **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](mailto:highwaylicences@manchester.gov.uk)

2) During installation and maintenance operatives will be expected to comply fully with the relevant traffic laws, including any local parking and movement restrictions.

## **Appendix 1 – List of consultees & neighbours notified**

### Highway Services

Fourth Floor, 2 Old Bank Street, Manchester, M2 7PF  
24 - 26 St Ann's Square, Manchester, M2 7JB  
Basement And Ground Floor, 7 - 9 Old Bank Street, Manchester, M2 7PE  
7 Royal Exchange Arcade, Manchester, M2 7EA  
519 Royal Exchange, Exchange Street, Manchester, M2 7EN  
HOLLAND & BARRETT, 22 St Ann's Square, Manchester, M2 7JB  
OFFICE, 16 St Ann's Square, Manchester, M2 7HQ  
Acresfield, 10 Exchange Street, Manchester, M2 7HA  
2 Market Street, Manchester, M1 1PT  
10 Market Street, Manchester, M1 1PT  
8 Market Street, Manchester, M1 1PT  
18 Market Street, Manchester, M1 1PT  
Doctorcall Limited, Fifth Floor, Kings Court, 2 - 4 Exchange Street, Manchester, M2 7HA  
11 Royal Exchange Arcade, Manchester, M2 7EA  
First Floor, Acresfield, 8 Exchange Street, Manchester, M2 7HA  
Second Floor, Acresfield, 8 Exchange Street, Manchester, M2 7HA  
Sixth Floor, Acresfield, 8 Exchange Street, Manchester, M2 7HA  
Unit 4, Acresfield, 8 Exchange Street, Manchester, M2 7HA  
5 Acresfield, 8 Exchange Street, Manchester, M2 7HA  
Third Floor, Kings Court, 2 - 4 Exchange Street, Manchester, M2 7HA  
441A Royal Exchange, Exchange Street, Manchester, M2 7EP  
446 Royal Exchange, Exchange Street, Manchester, M2 7EP  
441 Royal Exchange, Exchange Street, Manchester, M2 7EP  
442 - 443 Royal Exchange, Exchange Street, Manchester, M2 7EP  
447 - 449 Royal Exchange, Exchange Street, Manchester, M2 7EP  
433 - 434 Royal Exchange, Exchange Street, Manchester, M2 7EP  
THE PRUDENTIAL ASSURANCE COMPANY, 431 - 432 Royal Exchange, Exchange Street, Manchester, M2 7EP  
First Floor, 15 St Ann's Square, Manchester, M2 7PW  
328 Royal Exchange, Exchange Street, Manchester, M2 7BR  
16 - 18 Royal Exchange Arcade, Manchester, M2 7EA  
Sixth Floor, Royal Exchange, Exchange Street, Manchester, M2 7FL  
514 - 516 Royal Exchange, Exchange Street, Manchester, M2 7EN  
521 Royal Exchange, Exchange Street, Manchester, M2 7EN  
513 Royal Exchange, Exchange Street, Manchester, M2 7EN  
517 - 518 Royal Exchange, Exchange Street, Manchester, M2 7EN  
444 - 446 Royal Exchange, Exchange Street, Manchester, M2 7EP  
228 Royal Exchange, Exchange Street, Manchester, M2 7DD  
429 - 430 Royal Exchange, Exchange Street, Manchester, M2 7EP  
Third Floor Rooms 46 To 48 And 50 To 56, 17 St Ann's Square, Manchester, M2 7EF  
Barclays Bank Plc, 17 - 21 St Ann's Square, Manchester, M2 7PW  
Sub Basement, 1 - 5 St Ann's Square, Manchester, M2 7EF  
Second Floor Rooms 27 To 37, 17 St Ann's Square, Manchester, M2 7EF  
2 Old Bank Street, Manchester, M2 7PF  
Third Floor, 2 Old Bank Street, Manchester, M2 7PF  
Fifth Floor, Acresfield, 8 Exchange Street, Manchester, M2 7HA  
437 Royal Exchange, Exchange Street, Manchester, M2 7EP  
435 - 436 Royal Exchange, Exchange Street, Manchester, M2 7EP  
FRENCH CONNECTION, 7 Exchange Street, Manchester, M2 7EE  
15 Royal Exchange Arcade, Manchester, M2 7EA

Barbour, 6 St Ann's Square, Manchester, M2 7HD  
327 Royal Exchange, Exchange Street, Manchester, M2 7BR  
326 Royal Exchange, Exchange Street, Manchester, M2 7BR  
HSBC, 2 - 4 St Ann's Square, Manchester, M2 7HD  
EE, 23 St Ann's Square, Manchester, M2 7PS  
12 - 14 Cross Street, Manchester, M2 7AE  
First Floor To Third Floor, 17 St Ann's Square, Manchester, M2 7EF  
229 Royal Exchange, Exchange Street, Manchester, M2 7DD  
47 Royal Exchange, Exchange Street, Manchester, M2 7DA  
9 Royal Exchange Arcade, Manchester, M2 7EA  
5 Royal Exchange Arcade, Manchester, M2 7EA  
3 Royal Exchange Arcade, Manchester, M2 7EA  
4 Market Street, Manchester, M1 1PT  
First Floor, 8 - 10 Exchange Street, Manchester, M2 7HA  
427 - 428 Royal Exchange, Exchange Street, Manchester, M2 7BR  
BUPA Dental Care, First Floor, 14 St Ann's Square, Manchester, M2 7HQ  
Acresfield, Exchange Street, Manchester, M2 7HA  
McDonald's, 18 St Ann's Square, Manchester, M2 7HQ  
Kings Court, 2 - 4 Exchange Street, Manchester, M2 7HA  
424 Royal Exchange, Exchange Street, Manchester, M2 7EP  
Third Floor, Acresfield, 10 Exchange Street, Manchester, M2 7HA  
1 Exchange Street, Manchester, M2 7EE  
14 St Ann's Square, Manchester, M2 7HQ  
20 Royal Exchange Arcade, Manchester, M2 7EA  
Sub Basement, Royal Exchange, Exchange Street, Manchester, M2 7BR  
Fifth Floor, 2 Old Bank Street, Manchester, M2 7PF  
Fourth Floor And Fifth Floor, Acresfield, 10 Exchange Street, Manchester, M2 7HA  
Second Floor, 2 Old Bank Street, Manchester, M2 7PF  
7 - 9 Old Bank Street, Manchester, M2 7PE  
15 St Ann's Square, Manchester, M2 7PW  
Unit 5, Acresfield, 8 Exchange Street, Manchester, M2 7HA  
Part Sixth Floor FRT, Acresfield, 10 Exchange Street, Manchester, M2 7HA  
1 Royal Exchange Arcade, Manchester, M2 7EA  
19 Royal Exchange Arcade, Manchester, M2 7EA  
DAVID M ROBINSON, 28 St Ann's Square, Manchester, M2 7JB  
Watches Of Switzerland, 9 - 11 St Ann's Square, Manchester, M2 7EF  
Lululemon, 7 St Ann's Square, Manchester, M2 7EF  
13 Old Bank Street, Manchester, M2 7PE  
MOSS BROS., 1 - 5 St Ann's Square, Manchester, M2 7EF  
Second Floor, Kings Court, 2 - 4 Exchange Street, Manchester, M2 7HA  
5 Old Bank Street, Manchester, M2 7PE  
PO Box 320, Royal Bank Of Scotland, St Ann Street, Manchester, M60 2SS  
Showcase At Entrance To 20, St Ann's Square, Manchester, M2 7HG  
STARBUCKS COFFEE, Unit 4 At, 8 - 10 Exchange Street, Manchester, M2 7HA  
Unit 1, Acresfield, 8 Exchange Street, Manchester, M2 7HA  
Third And Fourth Floors, Kings Court, 2 - 4 Exchange Street, Manchester, M2 7HA  
Units 2 And 3, Acresfield, 8 Exchange Street, Manchester, M2 7HA  
Fourth Floor, Kings Court, 2 - 4 Exchange Street, Manchester, M2 7HA  
Ground Floor, Acresfield, 8 Exchange Street, Manchester, M2 7HA  
Basement And Ground Floor, 2 Old Bank Street, Manchester, M2 7PF  
Basement And Ground Floor, 14 St Ann's Square, Manchester, M2 7HQ  
232 Royal Exchange, Exchange Street, Manchester, M2 7DD  
THE PRUDENTIAL ASSURANCE, 425 - 426 Royal Exchange, Exchange Street, Manchester, M2 7EP

8 Royal Exchange Arcade, Manchester, M2 7EA  
438 Royal Exchange, Exchange Street, Manchester, M2 7EP  
THE PRUDENTIAL ASSURANCE COMPANY, 520 Royal Exchange, Exchange Street,  
Manchester, M2 7EN  
48 Royal Exchange, Exchange Street, Manchester, M2 7DA  
4 Royal Exchange Arcade, Manchester, M2 7EA  
326 - 327 Royal Exchange, Exchange Street, Manchester, M2 7BR  
12 Royal Exchange Arcade, Manchester, M2 7EA  
6 Royal Exchange Arcade, Manchester, M2 7EA  
332 Royal Exchange, Exchange Street, Manchester, M2 7BR  
333 Royal Exchange, Exchange Street, Manchester, M2 7BR  
3 Exchange Street, Manchester, M2 7EE  
16 Cross Street, Manchester, M2 7AE  
Second Floor, Royal Exchange, Exchange Street, Manchester, M2 7BR  
Third Floor, Royal Exchange, Exchange Street, Manchester, M2 7BR  
THE PRUDENTIAL ASSURANCE COMPANY, 227 Royal Exchange, Exchange Street,  
Manchester, M2 7DD  
330 Royal Exchange, Exchange Street, Manchester, M2 7BR  
329 Royal Exchange, Exchange Street, Manchester, M2 7BR  
225 - 226 Royal Exchange, Exchange Street, Manchester, M2 7DA  
149 Royal Exchange, Exchange Street, Manchester, M2 7BZ  
324 - 325 Royal Exchange, Exchange Street, Manchester, M2 7BR  
31 Royal Exchange Arcade, Manchester, M2 7EA  
Fourth Floor, Royal Exchange, Exchange Street, Manchester, M2 7BR  
5 Exchange Street, Manchester, M2 7EE  
231 Royal Exchange, Exchange Street, Manchester, M2 7DD  
Fifth Floor, Royal Exchange, Exchange Street, Manchester, M2 7BR  
PRUDENTIAL ASSURANCE CO LTD, 52 - 55 Royal Exchange, Exchange Street, Manchester,  
M2 7DA  
43 - 45 Royal Exchange, Exchange Street, Manchester, M2 7DA  
10 Royal Exchange Arcade, Manchester, M2 7EA  
6 Market Street, Manchester, M1 1PT  
14 Royal Exchange Arcade, Manchester, M2 7EA

## **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 - St Anns Square Conservation Area 1970  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Area Team Boundary - Name: CENTRAL