

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131787/FO/2021

Date registered valid: 30 September 2021

Proposal: Change of Use of from medical consulting rooms to a single residential dwelling, creation of a single storey extension, first floor external terrace and refurbished/new external windows and doors.

Address: 17 St John Street, Manchester, M3 4DR

Ward(s): Deansgate Ward

Applicant: Zerum Construction Management Ltd C/o Agent

Agent (if any): Miss Tamara Ettenfield Zerum Consult 4 Jordan Street , Manchester , M15 4PY

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24 March 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 14 October 2021 Expired: 4 November 2021

Neighbour notifications

Printed: 14 October 2021 Expired: 4 November 2021

Site notice

Posted: Expired:

Press advert

Published: 19 October 2021 Expired: 9 November 2021

Departure from Development Plan: No

Environmental Statement: Not required

Listed building: Grade II

Conservation area: St John Street Conservation Area 1970

Tree Preservation Order:

Description of Site/ Area

The application relates to 17 St. John Street, one of seven matching townhouses which were constructed in 1820 as elegant, all seven townhouses are now Grade II listed.

The building is a listed building, with the following description available on Historic England's website:

11- 17 St John Street

Terrace of 4 town houses, now offices. Late C18; altered. Red brick in Flemish bond with some sandstone dressings, slate roof. Double-depth plan, No.11 double-fronted and the others all single-fronted; with various back extensions. Three storeys over cellars, a symmetrical 14-bay facade with a plinth, 1st-floor sill-band, plain frieze and modillioned cornice, No.11 forming 5 bays and the others 3 bays each, the doorways regularly spaced between pairs of windows. The doorways are round-headed, and have set-in doorcases with slender engaged Ionic columns and Greek-key friezes, and semi-circular fanlights (those at Nos 11 and 13 with elegant curvilinear tracery and the others plain); the windows are 4-pane sashes (except those at 2nd floor which are 6-pane sashes with shallow upper leaves), those at 1st floor with shallow panelled aprons and otherwise all with raised sills and flat-arched heads. The roof has large lateral chimney stacks crossing the ridge. Rear: No.11 has a curved stair-turret lit by a large round-headed window with intersecting glazing bars. Interiors not inspected. Matches Nos 21 to 25 (q.v.).

Listing NGR: SJ8340697908

As well as being listed, the building is located within the St. John Street Conservation Area, designated in 1970.

Description of Proposal

The applications seeks planning permission for a change of Use of from medical consulting rooms to a single residential dwelling, creation of a single storey extension, first floor external terrace and refurbished/new external windows and doors. Listed building consent is also sought for internal and external including the erection of a single storey rear extension and erection of first floor external terrace.

The internal and external works can be summarised as follows:

Ground floor

- o The retention of the original curved wall to the outrigger.
- o Retention of a small nib between the front and rear rooms.
- o Lightwell to rear yard to be covered.
- o Existing stair spindles and balustrade to be reinforced and repaired.
- o Erection of single storey rear extension and first floor external terrace

- First floor

- o The proposals for the first and second floor levels have been reversed to accommodate the original planform of both floor levels. This change has resulted in the retention of the original planform to the principal front room and entrance door/wall to landing, which will now form the master bedroom.
- o The submitted second floor bathroom and walk-in wardrobe has now been relocated to the rear bedroom, and accessed from the master bedroom, including sealing the existing door shut and leaving it exposed from the landing side.
- o Creation of a bathroom in the rear outrigger room, including new bathroom suite and removal of Edwardian moulded/obscure glass from sash window and replacement with clear glass.

- Second floor

- o Retain original planform to front two former servant's rooms.
- o Remove original panelled door/architraves between front two rooms and cover over/make good.
- o Creation of a bathroom in the rear outrigger room, including installation of a new bathroom suite.
- o The removal of existing wall/WC enclosure and cupboard to landing to create larger bathroom.

- Basement

- o Retention of a wall nib to the proposed opening between front and rear room.
- o Tanking system to be applied to inside face of external walls and floor.
- o Existing door heights to be made higher to accommodate the new tanking system to floor.

- General

- o Repair and redecorate all original internal doors where possible, replace all ironmongery with heritage style fittings.

Consultations & Notification Responses

Local residents were notified and a site notice was posted for 21 days. No representations were received.

Urban Design & Conservation

A site visit was held with the agent and a number of elements of the proposal have been amended and it was agreed where further information would be required, a full and final details condition could be added to any approval.

Historic England
No comments received.

Highway Services
No objection subject to the inclusion of informative.

Environmental Health
Recommendation of informatives and conditions relating to acoustic insulation, external plant acoustics, air quality and waste management.

Ward Councillors
No comments received.

Greater Manchester Police
No objection, recommendation of security measure which are to be added as an informative.

Polices

NPPF (2021):

The NPPF sets out the Government's planning policies for England and these should be applied. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay.

Saved Unitary Development Plan Policies:

DC1: In determining planning applications that include extensions to residential properties, the LPA will have regard to the character of the property, amenity of neighbouring occupiers, desirability of enabling people to adapt their homes, overall appearance of the proposal in the street scene and effect of an loss of on-site car parking. Extensions will be allowed so long as they are not excessively large or bulky, do not create a loss of sunlight, daylight or privacy, are not out of character by virtue of design or materials, they would not result in a loss of off-street car-parking.

DC18: The LPA shall give particularly careful consideration to development proposals within Conservation Areas. The council will seek to preserve and enhance the character of Conservation Areas.

DC19: The LPA will have regard to the desirability of securing the retention, restoration, maintenance and continued use of listed buildings. LBC would not generally be granted for demolition of a listed building, for changes to a listed building where they would have a detrimental impact on the character or appearance nor the internal/external alteration or addition to the listed building where there would be an adverse effect on its architecture or character.

DC26: The LPA shall use the development control process to reduce the impact of noise on people living, working and visiting the city. The LPA shall consider the effect of new

development proposals that are likely to be generators of noise, as well as new development that may be exposed to existing noise sources which are effectively outside of planning control.

Core Strategy Policies

SP1: Development in all parts of the city shall make a positive contribution to neighbourhoods by creating well designed places that enhance or create character, make a positive contribution to the health/safety/wellbeing of residents, consider the needs of all members of the community, protect and enhance the built and natural environment whilst minimising emissions.

CC9: Development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas etc.

EN3: Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

DM1:

All development should have regard to a variety of specific issues, including but not limited to:

- Appropriate siting, layout, scale, form, massing, materials and detail
- Impact on surrounding areas in terms of design, scale, appearance and character
- Effects on amenity including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation including development that would be sensitive to existing noise sources
- Accessibility including in terms of disabled access and sustainable transport
- Community safety and crime prevention
- Design for health
- Adequate internal accommodation
- Refuse storage and collection
- Vehicular access and parking
- Biodiversity, landscape and built heritage
- Flood risk and drainage

Issues

Principle of Development

The application seeks permission for a change of use from a building used for medical consulting (Use Class E) to a single, private dwellinghouse (Use Class C3). The surrounding area is characterised by a mixture of dwelling houses, apartments and medical/office uses. It is not considered that the change of use would be detrimental to the character of the surrounding area. It is also not considered that a residential use in this location would be particularly sensitive to any nearby sources of pollution or noise generation.

The proposed additions and external/internal alterations would require due consideration when considering that the building is both listed and within a Conservation Area.

Heritage

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting “special regard” will be given to the “desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. The effect of this section is that decision-makers considering harm to heritage assets cannot simply treat the desirability of preserving the setting of a listed building as a mere material consideration to which they can simply attach the weight they see fit in their judgement.

The statutory duty provided by section 66(1) of the Act goes beyond that and treats the preservation of the setting of a listed building as presumptively desirable. The effect of the

statutory requirement is to impose a duty on decision-makers to give “considerable importance and weight” or “high priority” to the desirability of preserving listed buildings and their settings. Section 16 of the NPPF (Conserving and Enhancing the Historic Environment) contains information and guidance as to how an LPA should assess an application that would have impact upon a designated heritage asset (which includes both listed buildings and conservation areas). The harm to a heritage asset is defined as a ‘sliding scale’, from most harmful being the total loss of a heritage, through to substantial harm to less than substantial harm. In this instance, the original proposal proposed certain elements that were classed as causing substantial harm. Some of these elements have been removed from the proposal, reducing the overall level of harm. In addition, some of the elements of work which may still be the cause of substantial harm, can be further controlled by using an appropriately worded full and final details condition.

When considering the amendments that have been made to the scheme to mitigate against heritage impact whilst making the scheme viable, and the ability to control elements of the works through the provision of a full and final details condition, it is considered that the proposal would have overall less than substantial harm. It is also noteworthy that the scheme would bring a vacant building back into its former and original use as a private dwellinghouse, which is considered appropriate.

Upon consideration, the application accords with Section 16 of the National Planning Policy Framework, as well as saved Manchester Unitary Development Plan policies DC18.1 and DC19.1 as well as Manchester Core Strategy policy EN3 with regards to heritage impacts.

Amenity & Design

The application proposes the erection of a single storey extension and first floor terrace. The proposed rear extension would create a larger lounge area at ground floor. It is not considered that the proposal would give rise to any undue impacts on residential amenity due to its limited height scale and massing. There will be a step back at first floor level to create a terrace which will have and obscure glazing to the side of 19 St John Street to provide more privacy for residents in both houses. The extension itself will use matching brick to work harmoniously with the surrounding context.

It is not expected that the proposed scale or position of the single storey rear extension would cause any undue impact to the amenity of any neighbouring occupiers, given its modest scale and its position. In addition, the proposed extension would not be visible from any public vantage points or St. John Street and, as such, would have no identifiable harm on the street scene.

The proposed single storey extension, subject to appropriate materials, is acceptable and accords with saved Unitary Development Plan policy DC1 and Core Strategy policies SP1 and DM1.

Residential Amenity

The proposed change of use will return the application property back to a private dwellinghouse, which was its original use. There is potential amenity impacts to the occupiers of the future property, as a residential use is more sensitive than the current use relating to a medical practice. As such, an appropriately worded condition ensuring that the internal acoustics do not exceed thresholds that would be considered inappropriate for a residential dwelling would have to be met, in accordance with saved Unitary Development Plan policy DC26.1

Highways, Accessibility and Parking

The proposed dwelling is located within the city centre of Manchester, in a highly accessible location with nearby public transport available in the form of rail, bus and tram. As such, the lack of parking provision is accepted in this instance.

The application was accompanied by a suitable refuse/waste proforma which has been accepted by the LPA.

Conclusion

The proposed development represents sustainable development and would cause less than substantial harm overall to the listed building and St. John Street Conservation Area. Where elements of substantial harm were identified, amendments to the proposed scheme were secured or full and final details can be sought by way of an appropriately worded planning condition. It is considered that the proposal accords with the relevant policies contained within the Manchester Core Strategy and Unitary Development Plan.

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 the planning application, 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. In this instance this has included advice about the information required to be submitted to support the application and discussions regarding amendments to the proposals

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:

Received by the City Council as Local Planning Authority on 02 March 2022:

Existing Basement Floor Plan 01-B1-00-0001 Rev P04
Existing Ground Floor Plan 01-00-00-0001 Rev P05
Existing First Floor Plan 01-01-00-0001 Rev P06
Site Plan 01-ZZ-00-0001 P02
Existing Second Floor Plan 01-02-00-0001 Rev P04
Existing Roof Plan 01-RL-00-0001 Rev P03
Demolition Plan - Ground Floor 01-00-00-0010 Rev P08
Demolition Plan - First Floor 01-01-00-0010 Rev P08
Demolition Plan - Second Floor 01-02-00-0010 Rev P07
Demolition Plan- Basement 01-B1-00-0010 Rev P08
Proposed Ground Floor Plan 01-00-00-0020 Rev P09
Proposed First Floor Plan 01-01-00-0020 Rev P07
Proposed Second Floor Plan 01-02-00-0020 Rev P07
Proposed Basement Plan 01-B1-00-0020 Rev P06
Existing Elevations 01 01-ZZ-00-2001 Rev P02
Proposed Elevations 01 01-ZZ-00-2020 Rev P03
Proposed Sections 01 01-ZZ-00-1020 Rev P04
Existing Sections 01 01-ZZ-00-1001 Rev P01
Existing Sections 02 01-ZZ-00-1002 Rev P01
Proposed Roof Plan 01-RL-00-0020 Rev P02
Existing Elevation 02 01-ZZ-00-2002 Rev P01
Proposed Section 02 01-ZZ-00-1021 Rev P03
Proposed Elevation 02 01-ZZ-00-2021 Rev P02
Area schedules 01-ZZ-00-0002

Received by the City Council as Local Planning Authority on 30 September 2022:

Waste Management Proforma

Ambient Noise & Building Envelope Assessment 17 & 23 St John Street, Manchester ref no. J003442-5042-CW-01 dated July 2021

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) Prior to external works, all materials to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining, details of ventilation/air bricks, and a strategy for quality control management.

The approved materials shall then be implemented as part of the development.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, pursuant to policies SP1 and DM1 of the Core Strategy.

4) (a) Prior to the commencement of development, a scheme for acoustically insulating the proposed residential accommodation against noise from neighbouring roads and the railway line shall be submitted to and approved in writing by the City Council as local planning authority.

There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB L_{Amax,F} by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

Gardens and terraces (daytime) 55 dB LAeq

(b) Upon completion of the development and prior to first occupation of the residential units, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance, pursuant to policies SP1 and DM1 of the Core Strategy.

5) (a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

The scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The approved scheme shall be completed before the premises is occupied.

(b) Prior to first use of any externally mounted ancillary plant, equipment and servicing, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Core Strategy.

6) a) Prior to commencement of the development mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

7) The approved scheme for the storage and disposal of refuse 'Waste Management Proforma and Design and Access Statement' received by the City Council as Local Planning Authority on 30 September 2021, shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

Informatives

1) The applicant should be advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with MCC Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

2) If any new external fittings are to be installed (i.e. windows or doors then they should be certified to Secured by Design standards.

An intruder alarm should be installed with contacts on all external doors and with movement detectors. The alarm should be monitored by an appropriate body.

Due to the single storey element at the rear of the development, we would recommend that these doors and windows should also be certified to Secured By Design standards.

Dusk till dawn lighting should be installed to all external doors.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Greater Manchester Ecology Unit

13 St John Street, Manchester, M3 4DQ
95 Porchfield Square, Manchester, M3 4FG
85 Porchfield Square, Manchester, M3 4FG
75 Porchfield Square, Manchester, M3 4FG
65 Porchfield Square, Manchester, M3 4FG
19 St John Street, Manchester, M3 4DS
22 St John Street, Manchester, M3 4EB
21 St John Street, Manchester, M3 4DT
15 St John Street, Manchester, M3 4DG
11 St John Street, Manchester, M3 4DW
24 St John Street, Manchester, M3 4DF
93 Porchfield Square, Manchester, M3 4FG
91 Porchfield Square, Manchester, M3 4FG
89 Porchfield Square, Manchester, M3 4FG
87 Porchfield Square, Manchester, M3 4FG
83 Porchfield Square, Manchester, M3 4FG
81 Porchfield Square, Manchester, M3 4FG
79 Porchfield Square, Manchester, M3 4FG
77 Porchfield Square, Manchester, M3 4FG
73 Porchfield Square, Manchester, M3 4FG
71 Porchfield Square, Manchester, M3 4FG
69 Porchfield Square, Manchester, M3 4FG
67 Porchfield Square, Manchester, M3 4FG

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 John Street Conservation Area 1970
Area Team Boundary - Name: CITY1