



Planning Statement

Part retrospective planning application under section 73A of the Town and Country Planning Act 1990 (as amended) and Section 19 of the Planning (Listed Buildings Conservation Areas) Act 1990 for minor modifications to planning permission 126026/JO/2020 and listed building consent 126186/JO/2020 for change of use from Offices (B1) to a single dwelling (use class C3) at 13 St Johns Street, Manchester, M3 4DQ

for Mr Nilesh Bhatt

Emery Planning project number: 20-509

Project : 20-509
Site address : 13 St Johns Street,
Manchester, M3 4DQ
Client : Mr Nilesch Bhatt

Date : 15 July 2021
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Approved by : Caroline Payne

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1. Introduction

- 1.1 This statement is submitted on behalf of Mr Nilesh Bhatt in support of a section 73a and section 19 of the Planning (Listed Buildings and Conservation Area) Act for an application to regularise minor modification to planning permission 126026/JO/2020 and listed building consent 126186/JO/2020). The applications also seek approval for additional minor amendments including the installation of an artificial green wall to the previously approved schemes.
- 1.2 Due to the sheer volume of submitted plans and supporting documents that have been submitted in connection with the previous planning and listed building applications for the property, we are only providing amended plans to cover the areas of retrospective work and minor irregularities in this application. All other details remain the same.

Drawing no	Description	Full drawing no.	Approved planning revision no.	Approved listed building planning revision no.	Proposed planning Section 73 planning revision no.	Proposed listed building Section 73 planning revision no.
200	Location Plan	SJ-BTP-00-LP-DR-A-3521_200	-	-	-	-
201	Existing Site Plan	SJ-BTP-00-XSP-DR-A-3521_201	-	-	-	-
202	Existing Plans	SJ-BTP-00-01-DR-A-3521_202	A	A	A	A
203	Existing Elevations	SJ-BTP-00-E-DR-A-3521_203	A	A	A	A
206	Demolition Plans	SJ-BTP-00-LP-DR-A-3521_206	D	A	E	E
208	Proposed Basement	SJ-BTP-00-BF-DR-A-3521_208	J	E	N	N
209	Proposed Ground Floor	SJ-BTP-00-GF-DR-A-3521_209	J	C	L	L
210	Proposed First Floor	SJ-BTP-00-1F-DR-A-3521_210	J	C	H	H
211	Proposed Second Floor	SJ-BTP-00-2F-DR-A-3521_211	H	C	J	J

Drawing no	Description	Full drawing no.	Approved planning revision no.	Approved listed building planning revision no.	Proposed planning Section 73 planning revision no.	Proposed listed building Section 73 planning revision no.
215	Proposed Elevations	SJ-BTP-00-E-DR-A-3521_215	E	B	H	H
216	Section as Proposed	SJ-BTP-00-SE-DR-A-3521_216	E	B	F	F
217	Proposed Roof Plan	SJ-BTP-00-RF-DR-A-3521_217	C	-	F	F
219	Method statement for timber	SJ-BTP-00-D-DR-A-3521_219	-	-	-	-
220	Bedroom ventilation	SJ-BTP-00-D-DR-A-3521_220	A	-	A	A
225	Window refurbishment details	SJ-BTP-00-D-DR-A-3521_225	A	D	F	F
227	Window Schedule	SJ-BTP-00-D-SH-A-3521_227	G	D	H	H
229	Door Schedule	SJ-BTP-00-D-SH-A-3521_229	N/A	N/A	B	B
250	Detail – Basement footings	SJ-BTP-00-D-DR-A-3521_250	N/A	N/A	B	B
251	Conservation Rooflight Spec Sheet	SJ-BTP-00-D-DR-A-3521_251	N/A	N/A	-	-
252	Existing and Proposed sections Thru Party Wall	SJ-BTP-00-D-DR-A-3521_252	N/A	N/A	B	B
253	Proposed Section Detail Thru Box Gutter	SJ-BTP-00-D-DR-A-3521_253	N/A	N/A	D	D
254	Lead Laylight Detail to Staircase	SJ-BTP-00-D-DR-A-3521_254	N/A	N/A	-	-

Drawing no	Description	Full drawing no.	Approved planning revision no.	Approved listed building planning revision no.	Proposed planning Section 73 planning revision no.	Proposed listed building Section 73 planning revision no.
255	Detail Section Through Conservatory	SJ-BTP-00-S-DR-A-3521_255	N/A	N/A	A	A
256	Setting Out Drawing for Steelwork	SJ-BTP-00-D-DR-A-3521_256	N/A	N/A	-	-
257	Green Wall/Conservatory Details 1/2	SJ-BTP-00-S-DR-A-3521_257			B	B
258	Green Wall / Conservatory Details 2/2	SJ-BTP-00-S-DR-A-3521_258			B	B
259	Rear Lean To Details 1/2	SJ-BTP-00-S-DR-A-3521_259			B	B
260	Rear Lean To Details 2/2	SJ-BTP-00-S-DR-A-3521_260			B	B
261	Rear Yard Wall Proposals	SJ-BTP-00-S-DR-A-3521_261			-	-
SD01	Scope of works for glazing	3521 SD03			-	-
SD02	Bedroom rooflight	3521 SD03			-	-
SD03	Velux roof light	3521 SD01			-	-

1.3 The application is also accompanied by a detailed Heritage Statement prepared by Pegasus Group

- 1.4 which addresses all the issues which are subject to this Section 73 application in detail. To avoid repetition, the reader is also directed to the Heritage Statement for a detailed assessment of the elements of the submitted scheme.

Background

- 1.5 Planning permission and listed building consent was granted for the change of use of this former office building to a dwelling in November 2019 under planning permission 124226/FO/2019 and listed building application 124227/LO/ 2019. Subsequent planning and listed building applications were made seeking variations to the approved plans courtesy of applications 126026/JO/2020 and 126186/JO/2020 which were both approved in June 2020. Other applications to discharge conditions have also been submitted but these remain outstanding – please refer to paragraph 2.5 below for the full history details.
- 1.6 There are some discrepancies between the approved plans listed on the decision notices for the planning permission and listed building consent. Primarily these differences arise with the plans and drawing numbers referred to, for example the planning application decision notices refers to drawing number 208 Rev J, but the listed building approval refers to same drawing number 208 Rev E. There also appears to be several typing errors with plan revisions being referred to within the decision notices which do not exist.
- 1.7 Following the latest approvals, the applicant was keen to progress building work with a view to repairing the property to form his family home. We understand that work commenced with the knowledge of the City Council as numerous discussions took place with the officers and informal agreement reached regarding many areas of work. Some areas of work have now been approved courtesy of applications 127577/FO/2020 and 127578/LO/2020.
- 1.8 As work has continued on site it has been found that there are still a number of discrepancies between the plans approved on the planning and listed building applications which need to be regularised, some also appear to be typing errors.
- 1.9 The applicant is also keen to seek approval for a number of new minor amendments which the applicant now wishes to introduce as part of the conversion works to provide a modern contemporary home whilst retaining and restoring many of the building's historical features. These details are included within this application and are discussed in detail later within the report.

2. Context

Site location and description

- 2.1 St John Street is believed to be the only surviving Georgian terraced street in central Manchester and forms the heart of the St Johns Conservation Area, which was designated on 4th November 1970. The properties date from the 18th and 19th centuries and are located between Deansgate and Bryon Street.
- 2.2 No 13 is listed as a group with numbers 11, 15 and 17 only in 1952 with an amendment being made in 1994. The listing only refers to the exteriors of the building; it is understood that none of the buildings were inspected internally in either 1952 or 1994.
- 2.3 The listing for the property reads as follows –

“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.)”.

- 2.4 The application building was originally a dwelling house with its most recent use being office accommodation, as indicated in the listing. Planning permission and listed building consent has now been granted to change the use of the building back to its original use as a dwelling house, please see below.

Relevant planning history

- 2.5 The property has a long and detailed planning history for a number of alterations and modifications, the most recent and those considered to be most relevant to the current scheme are listed below;

- Planning permission for the change of use from office (Class B1) to a single residential dwelling (use class C3) and creation of a single storey conservatory to the rear – application reference 124226/FO/2019 – Approved November 2019.
- Listed building consent for internal and external works associated with change of use to a single dwelling house – application reference 124227/LO/2019 – Approved November 2019.
- Application to discharge condition 4 on 124226/FO/2019 – decision still outstanding.
- Listed building consent to vary condition 2 (specified plans) on application 124227/LO/2019 - application reference 126186/JO/2020 – Approved June 2020
- Planning permission to vary condition 2 – specified plans on 124226/FO/2019 – Application reference 126026/JO/2020 – Approved June 2020.
- Application to install 2 new rooflights to rear of main roof – application reference 127577/FO/2020 – Approved January 2021.
- Listed building application for 2 new rooflights to rear of main dwelling – application reference 127578/LO/2020 – Approved January 2021.
- Planning Application to discharge condition 10 (samples of external materials) submitted - application reference 126026/JO/2020 – decision outstanding.

3. Policy context

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the relevant development plan:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

- 3.2 The application must (in part) also be considered in the context of the legal duty as conferred by S16(2), 66 (1) and S72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, which state:

"In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or it's setting or any features of special architectural or historic interest which it possesses" S16(2)

"In considering whether to grant planning permission (or permission in principle) for development which affects a listed building or it's setting, the local planning authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or it's setting or any features of special architectural or historic interest which it possesses" S66(1)

"In the exercise, with respect to any buildings or other land in a conservation area, of any powers under the provisions mentioned in subsection (2)), special attention must be given to the desirability of preserving or enhancing the character and special appearance of that area."S72(1)*

(* includes the Planning Acts)

Development plan context

Manchester Development Plan

- 3.3 The development plan comprises the Manchester Core Strategy, which was adopted in 2012, and the saved policies of the Unitary Development Plan, which was adopted in 1995.
- 3.4 The relevant, local heritage planning policy maintains the same focus as the NPPF. Manchester City Council's (MCC) heritage policies focus on the fundamental importance of "preserving or, where possible, enhancing the historic environment".

- 3.5 The following policies from Manchester's Core Strategy are of importance to the heritage assets considered within this statement.
- 3.6 Policy CC9 (Design and Heritage) states that development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including Listed Buildings, Conservation Areas and Scheduled Ancient Monuments. The policy also establishes that new development must support the range of uses the Council expects in the City Centre and contribute to a coherent and integrated physical environment.
- 3.7 Policy EN3 (Heritage) states that throughout the City, MCC will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts. Any new developments must be designed to support MCC in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance.
- 3.8 The Council's key regeneration objective is tempered by the need to ensure that: "historic sites and areas of particular heritage value should be both safeguarded for the future and, where possible, enhanced for their own heritage merits and as part of wider heritage regeneration proposals" (paragraph 12.21, Policy EN3). The policy thus evidently requires development proposals to be sensitive to the inherent values of the designated heritage asset, with any impact justified by clear, documentary evidence.

Material considerations

Emerging Development Plan

Places for Everyone – Joint Development Plan Document - Publication Stage

- 3.9 The GM Places for Everyone plan was published on 12th July 2021. Consultation will take place for 8 weeks beginning in August 2021. Very limited weight can be attached to this document at present.

Emerging Manchester Local Plan

- 3.10 The council is currently undertaking a review of the Core Strategy, the Local Plan and the saved policies from the Unitary Development Plan. Consultation on the local Plan Issues document ended in April 2020. Very limited weight can be attached to this document.

National planning policy and guidance

National Planning Policy Framework (the Framework)

- 3.11 The revised Framework was published by the Government in February 2019 setting out the Government's planning policies for England and how they expect these to be implemented.

Achieving sustainable development

- 3.12 Paragraph 8 states that achieving sustainable development means that the planning system has three overarching objectives, which are independent and need to be pursued in mutually supportive ways:

- An economic objective
- A social objective
- An environmental objective

The presumption in favour of sustainable development

- 3.13 Paragraph 11 states that "Plans and decisions should apply a presumption in favour of sustainable development."
- 3.14 It also states that for decision-taking this means approving development proposals that accord with the development plan without delay; and where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
- The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Determining applications

- 3.15 Paragraph 47 states that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

Design

- 3.16 Section 12 of the Framework seeks to achieve well-designed places. Paragraph 124 recognises that the creation of high -quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work. Paragraph 127 of the Framework also reinforces the good design principles of paragraph 124 and provides guidance on how this can be achieved.

Heritage

- 3.17 Section 16 of the Framework provides details on assessing, conserving, and enhancing the historic environment in respect of designated and non-designated heritage assets. In particular, paragraphs 189 states that: –

“The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance”

- 3.18 Paragraph 192 of the Framework 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.
- The desirability of new development making a positive contribution to local character and distinctiveness.

- 3.19 The Framework confirms that in 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 (paragraph 193). The designated heritage asset in this case is the host building itself and the St John Conservations Area. Clearly it is desirable to sustain and enhance these heritage assets.

Other material considerations

Supplementary planning guidance documents

3.20 The following supplementary planning guidance document is relevant to the determination of this planning application:

- Guide to Development in Manchester Supplementary Planning Document (SPD) (Adopted April 2007).

4. Legislative context

- 4.1 Section 73A of the TCPA allows for retrospective planning permission to regularise development that has been carried out without planning permission, as per our emphasis in the extract below:

73A Planning permission for development already carried out.

(1) On an application made to a local planning authority, the planning permission which may be granted includes planning permission for development carried out before the date of the application.

(2) Subsection (1) applies to development carried out—

*(a) **without planning permission;***

(b) in accordance with planning permission granted for a limited period; or

(c) without complying with some condition subject to which planning permission was granted.

(3) Planning permission for such development may be granted so as to have effect from—

(a) the date on which the development was carried out; or

(b) if it was carried out in accordance with planning permission granted for a limited period, the end of that period.

- 4.2 In this case the application made under S73A seeks planning and listed building consent for minor work carried out without the necessary planning permission in place. It is suggested that permission should be granted subject to a condition listing the plans relating to the development as constructed.

5. Heritage

- 5.1 This statement should be read in conjunction with the detailed Heritage Statement prepared by Simon Britt, Principal Built Heritage Consultant of Pegasus Group.

The Heritage Asset

- 5.2 The Framework states at paragraph 189 that:-

"In determining applications Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected including any contribution made by their setting. The level of details should be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposals on their significance"

- 5.3 The application host buildings is a Grade II listed building situated within the St John Street Conservation Area, both of which are designated heritage assets. The building was originally listed in 1952 and the conservation area designated in November 1970.

Designated Heritage Asset – The Listed Building and the St Johns Street Conservation Area

- 5.4 Sections 16(2), 66(1) and 72 (1) of the Planning (Listed Building and Conservation Areas) Act (1990) states that special attention must be paid to the desirability of preserving or enhancing the character, setting and appearance of the Conservation Area or any special architectural features or historic interest which it possesses. The test can be met by either development which makes a positive contribution to an area's character or by development which leaves the character and appearance unharmed.
- 5.5 Paragraph 192 of the Framework 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.
 - The desirability of new development making a positive contribution to local character and distinctiveness.

- 5.6 The Framework confirms that in 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 (paragraph 193). The designated heritage asset in this case is the host building itself and the St John Conservation Area. Clearly it is desirable to sustain and enhance both of these heritage assets.
- 5.7 In this instance both planning permission and listed building consent has been granted to convert the building from office accommodation to provide a new unit of residential accommodation. Permission is now being sought to regularise minor works carried out to the approved scheme whilst retaining and restoring many of the building's historical features.
- 5.8 We conclude that any perceived harm is low and far outweighed by the benefits of providing a single unit of residential accommodation within the City Centre. This assessment accords with the balanced judgement required by paragraph 196 of the Framework where if the development leads to a less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

6. Planning considerations

- 6.1 As referred to above the principle of the conversion of 13 St John Street from office accommodation to a single residential use is acceptable. The detail relating to the proposed internal works and modifications which are required/carried out to turn the property into a modern contemporary home whilst maintaining and repairing as many of the original historical features as possible are discussed below.

Nearby Properties

- 6.2 Over the last few years, a number of the listed properties on the southern side of St John Street, have been subject to planning and listed building applications for the conversion from office/business accommodation to new homes.
- 6.3 One example is 15 St John Street which was of a very similar internal layout at ground floor to the application site particularly in the former kitchen area with an internal curved wall and chimney stack. The approved alterations have removed large sections of the original historic fabric which showed the buildings original room layout. Consent was granted for the removal of these details thus resulting in large open plan living spaces. A large modern three storey extension has also been approved which almost completely obscures the original rear elevation of no. 15 St John Street. Modern intervention using modern materials has been allowed in relation to the repair and renovation of intricate detailing and replication of historic features.
- 6.4 In comparison, the applicant wishes to regularise the approved plans and seek some further minor internal modifications some of which involve the original historic fabric and others which involves reorganising some of the later modern internal walls that are either already in situ or have been approved as part of the previous permissions.
- 6.5 The applicant has gone to considerable lengths to repair many of the historic features that have been retained, such as sliding sash timber windows and internal timber shutters surrounding the windows. Also, ornate cornicing detailing, deep skirting boards with the same profiling and door surrounds have been replicated, as well as the repair and re- introduction of ornate ceiling roses, and restoration of existing floorboards where these have still been existence.

Proposed scheme

- 6.6 This application seeks minor amendments to the approved scheme and to regularise discrepancies between the previously approved planning permission and Listed Building Consent.
- 6.7 The listing description sets out that No 13 has been listed for group value only (please refer to paragraphs 6.7 and 6.23 of the Heritage Statement which confirms that the level of significance varies considerably). The external appearance to St John Street is of high significance but the rear elevation and internal appearance is of low significance. This is clarified by the lack of specific reference to No 13 within the listing or reference to any internal works. This is also demonstrated by the modifications that have recently been undertaken at No 15 St John Street which has been granted planning permission for a large 3 storey extension clad in lead has and has also undergone substantial internal alterations altering the historic room layout of the building and removing many elements of the historic fabric.
- 6.8 The works now proposed to No 13 in addition to the previously approved scheme are spread over the four floors of the property i.e. basement, ground floor, first and second floor. The full details of the precise alterations now proposed are listed at paragraphs 7.9-7.50 of the Heritage Statement and are summarised below:

Basement

- 6.9 The basement is considered to be of low architectural significance. The basement space was a secondary space in relation to the hierarchy of the floors and many elements of significance have been removed previously by the use of the building as commercial premises/offices. The alterations now proposed, including the re-opening of the previously bricked up opening and restoration of staircase and vaulted ceiling are of benefit to this space and will provide a heritage benefit.

Ground Floor

- 6.10 The loss of the historic fabric on the ground floor is minimal. The removal of the later addition of the window between the dining room and conservatory is proposed. As this window is a later addition any historic fabric has already been lost. It follows that the creation of the conservatory at the rear of the building should enable this space to be utilised and benefit the habitable space which leads/ joins the conservatory. This is discussed in detail at paragraph 7.22 of the Heritage

Statement, where it states that the logical entry into the conservatory would be from the dining room and the window cannot be seen to be the principal reason for the building to have been listed.

- 6.11 The chimney breast is considered to be of low significance. It was poorly constructed and lacks any architectural features. The proposed alterations already approved would lead to a single pillar being left within the new kitchen area and would make no contribution to the understanding of the original room layout. It is concluded within the Heritage Statement that any harm caused by the removal of the whole chimney breast would be insignificant.
- 6.12 The applicant also proposed to expose the original coal chute within the floor of the conservatory, and this should be seen as a positive addition to the building.

First Floor

- 6.13 The proposed works at first floor only effect the previously approved stud partition walls with no removal of any historic fabric. The alterations now proposed will enable the original historic layout of the building to be read without interruption and is a positive alteration to that of the previously approved scheme. Likewise, the proposed modifications to the bathroom layout will result in no greater impact to the works already consented as it only involves the relocation of previously approved stud wall rather than effecting any historic fabric. This along with the level of restoration details already carried out in connection with the repairs to the ornate plaster works, including the ceiling rose cornice details along with faithful replication of the skirting boards and full restoration of windows all have a positive benefit to the historic fabric.
- 6.14 As with the ground floor the proposed alterations to the stud walls and doorways will cause no additional harm to the existing layout. The stud walls have clearly been later additions and the proposed changes will have a neutral effect.

Second Floor

- 6.15 It is proposed to introduce an internal laylight under the already approved roof light to provide natural daylight onto the landing. The laylight should be welcomed and will have a positive heritage benefit, the introduction of the detailed plasterwork around the fitting of the laylight should be a detail that should be welcomed.

- 6.16 The main change on this floor is the orientation of the previously approved roof lights in the outrigger to the rear of the property. The reason for the change in orientation is fully understandable and the insertion of the rooflights in the approved location would require far more damage and removal of the historic roof timbers. This coupled with the fact that the elevation of the roof lights is effectively on the internal roof slope of the outrigger with no 15 St John Street means the roof lights are not visible. The rear of the building is considered to be of low significance and therefore the proposal will not harm the listed building nor the wider conservation area.

Repairs

- 6.17 The applicant has undertaken an extensive schedule of repairs on the listed building which has enabled many historic features to be restored and repaired. In many areas details have been reinstated where they have previously been removed in their entirety by previous occupiers of the building. The level of detail and craftsmanship that has been carried out should be applauded and has resulted in a superior level of work within the building which has resulted in a positive impact on this Grade II Listed Building.

External Green Wall

- 6.18 As part of the previous planning application, permission was granted for the introduction of a living green wall to be introduced on the western yard wall which abuts no 15 St John Street. This detail was proposed to improve the outlook from the rear and side windows of the outrigger from the application building. As a result, condition 11 on the amended planning approval 126026/JO/2020 required details of the living wall to be submitted and approved.
- 6.19 Due to the building work having started on the building it was essential that if a green wall was to be installed it needed to be done whilst the scaffolding was in place especially prior to the construction of the conservatory element. As a result, the green wall has now been installed.
- 6.20 However, before installation and in carrying out the necessary research with regards the introduction of any living wall, professional advice was sought to assess the proposal and what, if any issues, may arise with its introduction in the proposed location. The advice received indicated that the chances of success, despite the rear of the property facing south would be limited. This was due to the distance/proximity of the walls between of no.13 and 15, lack of direct sunlight, difficulties in being able to carry out the regular and necessary maintenance and upkeep of the plants due to the ground floor extension and importantly the watering and feeding of the plants.

6.21 At the time the living wall was originally proposed, as part of planning application 124226/FO/2019, the consultation response from GMEU officer in an email dated 25th September quoted the concerns of GMEU officers stating:

'Whilst GMEU supports the use of green roofs/green walls in this case I have significant reservations about the likely success of such a proposal..... the orientation will leave a back yard width of 2.5-3m (scaled off google) which is highly likely to be shaded at all times. GMEU consider that highly shaded locations are not always effective.'

6.22 A letter of support from the installers 'I Want Plants' accompanies this application and explains in more detail the specific issues that would be faced with a living wall. Please refer to Appendix EP1.

6.23 Another important factor was that the applicant would need to agree with the owners of No 15 how such a wall would be secured to the external wall of their property. It would also be necessary to provide reassurance to the owners that this would result in no damage to their property and that there would be no egress of water through any automatic watering system that would need to be introduced. Unfortunately, as no guarantees could be provided with regard to any water egress the owners of no. 15 would not agree to the installation of a living wall. However, they were agreeable that if a method of fixing could be achieved which would not involve any new holes in the external cladding to their property they would be amenable to an artificial wall being installed and secured to their property.

6.24 A method of fixing including a specific bracket has been devised which uses the existing fixing holes for the cladding. The artificial wall was designed around these fixings and installed prior to the removal of the scaffolding being used to repair and restore the external brickwork.

6.25 The resulting artificial green wall that has been installed is of a high quality and gives the impression that the wall is in fact real. It also meets the applicant's requirements and improves the outlook and residential amenity from windows of no 13 considerably.

7. Summary and conclusions

- 7.1 This statement is submitted on behalf of Mr Nilesh Bhatt in support of a section 73a and Section 19 of the Planning (Listed Buildings and Conservation Area) Act for an application to regularise minor modification to planning permission 126026/JO/2020 and listed building consent 126186/JO/2020). The applications also seek approval for additional minor amendments including the installation of an artificial green wall to the previously approved schemes.
- 7.2 As referred to within the Heritage Statement, the significance of No 13 St John Street is achieved from its external appearance primarily that facing onto St John Street and its subsequent construction to the character of the street as a whole.
- 7.3 Without doubt the previous commercial use of the building has led to unsympathetic alterations and modifications to the building which has resulted in a negative impact to the historic character of the building.
- 7.4 The previously approved scheme has allowed the building to be returned to a single residential unit, with the modifications approved leading to an improved understanding of the layout and progression of the building.
- 7.5 The retrospective modifications now being sought involve minor alterations to the already approved schemes. The alterations now proposed are all considered to be of low significance and result in less than substantial harm. This work is very localised to specific area over the four floors of the building and do not harm the reason for the building being listed in the first instance.
- 7.6 Overall, when viewed with the extensive restoration works and that are being carried out will result in significant heritage benefits that substantially outweigh any minor harm caused by the proposal.
- 7.7 The modifications proposed as part of this application seeks to regularise the previous discrepancies that exist between the approved planning permission and listed building consent and seek further minor modifications which are all considered to have a low significance on the historic fabric of the building. The proposals are therefore considered to fully accord with both national and local planning policies, in particular policy CC9 and EN3 of the Core Strategy and should therefore be approved without delay.

8. Appendices

EP1 – Letter of support from 'I want plants'.