

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126186/JO/2020
Date registered valid: 6 February 2020
Proposal: Application to vary Condition 2 (Specified Plans) on 124227/LO/2019.
Address: 13 St John Street, Manchester, M3 4DQ
Ward(s): Deansgate Ward

Applicant: Mr Nilesh Bhatt 705 18 Leftbank, Manchester, M3 3AJ
Agent (if any): Mrs Victoria Jane Saunders Bernard Taylor Partnership Ltd Elizabeth House , 486 Didsbury Road, Heaton Mersey, Stockport, SK4 3BS
Case officer: Joe Hobbs
Tel: 0161 600 8772
Email: j.hobbs@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 19 June 2020

Application details

Type of application: Variation or Removal of Condition

Development type: Listed building alteration

Date of site visit: 17 February 2020

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 17 February 2020 Expired: 9 March 2020

Press advert

Published: 25 February 2020 Expired: 17 March 2020

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: St John Street Conservation Area 1970

Tree Preservation Order:

Description of area

The site - This application relates to a 3 storey mid-terraced property located at 13 St. John Street in the city centre. The building is Grade II listed, as are most of the other terraced properties in St. John Street. The site is within the St. John Street conservation area. The area surrounding the application site is mainly commercial in nature as the properties in St. John Street are largely used for offices and/or Use Class D1 uses. The application site is currently vacant but was last used as offices Use Class B1.

The street takes its name from the Georgian Church which stood on the site of what is now St. John's Gardens. From the historic maps it appears that the houses in the street were built in phases between 1770 and 1850. Mapping indicates the No.13 was built by 1836. The Street is a rare surviving example of a Georgian street in Manchester and the buildings external street facades remain largely intact and in the case of No.13 the internal arrangement of principal rooms also remains complete.

No. 13 St. John Street is in a terrace of four similar town houses. The houses are built in red brick in Flemish bond with sandstone dressings and slate dual roofs. The terrace is formed in a double plan depth. No. 11 is double fronted with the others single fronted. All built at different dates with various rear extensions, some clearly 20th century. In the case of No.13 the three

storey outrigger is present, however alterations are evident. To the rear elevation a doorway and staircase have been introduced to provide means of escape from the basement.

Description of development

Listed Building consent was granted in November 2019 at the site for internal and external works associated with change of use from offices (Class B1) to a single residential dwelling (use class C3) and creation of a single storey conservatory to rear. This application seeks to vary Condition 2 (Specified Plans) to allow design changes to the internal layout, partial tanking to the basement, the rebuilding of the outrigger to the rear, and changes to the windows.

Consultations & Notification Responses

Publicity was made regarding the application in the form of a site notice. No responses were received.

Issues

The main issue to consider with regards the proposed changes to the original planning permission is impact on the character of the listed building.

The main changes proposed were as follows:

- Removal of Chimney breast in kitchen to create pen plan space
- Introduce double glazing to existing windows as opposed to secondary glazing units
- Detail of proposed tanking works to basement
- Rebuild existing outrigger in line with existing kitchen and incorporate glazed roof
- Alterations to internal layout

It was considered that the proposed removal of the chimney breast would not be acceptable, as the harm that would be caused by removing this original feature would not be outweighed by any discernible public benefit. The proposal was altered to retain the chimney breast, but remove the adjoining wall to open up the space. This was considered acceptable.

The amended approach to windows would involve the installation of slimline double glazing panes, into the existing original window frames. This would involve the retention of the original timber window frames, but removal of the panes (the majority of which are non-original having been replaced previously) and replacement with slimline double glazed panes. This approach was established once it was realised that the panes in the windows were not original. The originally approved approach of installing secondary glazing would have been a more intrusive approach, and given the majority of the glazing panes to be removed are non-original, the installation of double glazing panes is considered an acceptable approach.

The proposed tanking works to the basement would enable the use of the space as habitable rooms, making the use of the building more viable. Areas of damp have been evidenced and identified through site visits. The proposed system would be completely reversible. There would also be an area of original brickwork left exposed in the basement stairwell/corridor to allow for the original materials to be understood and appreciated. In this particular instance, the harm caused by obscuring the original brickwork would be outweighed by ensuring the continued use of the building by making more rooms available for use.

The rebuilding of the external outrigger has already been considered acceptable in the original application. The proposed change is to build it out slightly larger to be in line with the original kitchen. This is considered to be acceptable.

The proposed alterations to the internal layout predominantly involve the altering of proposed locations for non-original partitions, so is considered acceptable.

Given the above, it is considered that there would be some harm caused to the heritage asset, however this harm would be considered to be less than substantial and would be outweighed by the public benefit of making best use of the space within the listed building, thus serving to continue a viable use within the heritage asset.

For the above reasons, the proposal is considered to be acceptable and consistent with policies NPPF Section 16 (Conserving and enhancing the historic environment), DM1 (Development Management) SP1 (Spatial Planning), CC9 (Design and Heritage) and EN3 (Heritage) of the Core Strategy and saved policies DC18 (Conservation Areas) and DC19 (Listed Buildings).

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 13th November 2022.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990, and 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:

Location Plan Ref 100
stamped as received by Manchester City Council as Local Planning Authority 19th July 2019

Demolition Plans 206A
Basement Screen 212A
Basement Staircase 213A
13 St John St Gazetteer
Electrical Sockets and Switches Concept
Radiator Concept
Waste management proforma
received via email 29th July 2019

Proposed Roof Plan 217
received via email 16th August 2019

Noise Impact Assessment by e3p ref 50-047-R1-1
received via email 22nd August 2019

Method Statement for timber repair
received via email 27th August 2019

Section as proposed 216B
Planning/Design and Access Statement
received 28th August 2019

Proposed Bedroom Ventilation 220
Proposed ducting position 221
Design, Access and Heritage Statement
received via email 5th September 2019

Email from Vicky Saunders dated 18th September confirming details of the proposed ventilation system
received via email 18th September 2019

Air Quality Report
received 27th September 2019

Demolition Plans 106B
Proposed Second Floor 111D
Proposed Internal Opening Elevations 123
Window repair and door schedule
Bat Survey by Martin Prescott
Email from Vicky Saunders dated 1st October 2019 confirming all new doors to be Secured by Design, and that ventilation boost facility to be located internally
received via email 1st October 2019

Email from Vicky Saunders 16th October 2019 confirming the specification for the proposed boiler
received via email 16th October 2019

Window Details 218 C
Secondary Glazing typical details 228
received via email 21st Oct 2019

Email from Vicky Saunders 23rd October confirming sound output of proposed ventilation system
A151DCE fan specification document
Passivent iMev Brochure
received via email 23rd October 2019

Basement Ceiling Sections 230A
received via email 24th Oct 2019

Window refurbishment details 225D
Email from Vicky Saunders re. sound output of ventilation system including comment from acoustician
received via email 28th Oct 2019

Proposed Basement 208 E received 30th Oct 2019

Conservatory and glass Floor 214B
Proposed Elevation Plans 215B
Proposed Window Schedule 227D
received via email 8th November 2019.

Proposed Ground Floor 209 C
Proposed First Floor 210 C
Proposed Second Floor 211 C
received via email 11th November 2019.

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) Notwithstanding the details shown in the approved documents and detailed in condition 2 of this decision, full and final details of the following shall be submitted and approved in writing prior to any works to those elements commencing on site:

- a) Roofworks - Detailed method statement for proposed repair works to the roof and chimney stacks and samples of any replacement materials including final details of proposed roof ventilation
- b) Glazing - an on site sample of the proposed double glazing system to existing windows; full details of the proposed new double glazed windows including detailed cross-sections through the frame at the base, head, reveal, glazing bars and details of how it connects with the existing fabric, including colour and fitting detail; followed by provision of a sample of the proposed glazing window on site. No windows shall be removed without the above details being provided to and approved by the Local Planning Authority.
- c) Extension - Details of the new glazing system proposed for the extension including detailed cross-sections through the conservatory framing and details of how it connects with the existing fabric, including colour and fitting detail

d) Brick cleaning/repair - the cleaning, repairs and treatment of the exposed brickwork of the internal walls, including but not limited to the exposed areas of brickwork to the basement, and the area of brickwork to be removed and part-rebuilt adjacent to the Chimney breast in the kitchen. This shall include the provision of samples of proposed replacement brick and mortar where required.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM1, SP1, CC9 and EN3 of the Manchester Core Strategy (2012) and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester (1995).

Appendix 1 – List of consultees & neighbours notified

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