

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141643/LO/2024

Date registered valid: 2 December 2024

Proposal: Listed Building Consent for the replacement of front door fanlight, rear door and ground floor rear window.

Address: 18 - 20 St John Street, Manchester, M3 4EA

Ward(s): Deansgate Ward

Applicant: Joseph Empsall 18 St John Street Chambers

Agent (if any): Joseph Empsall Pegasus Group

Case officer: Michael Pearson
Tel: 0161 219 2735
Email: michael.pearson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23/01/2025

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit:

Standard consultations:

Printed: 12 December 2024 Expired: 5 January 2025

Neighbour notifications

Printed: 12 December 2024 Expired: 5 January 2025

Site notice

Posted: 13 December 2024 Expired: 6 January 2025

Press advert

Published: 17 December 2024 Expired: 7 January 2025

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application relates to 18 – 20 St John Street, a pair of Grade II listed Georgian townhouses, now in use as a barristers chambers (Class E (c)(ii)). The properties are 3 storey, completed in red brick with Flemish bond, and also feature sash windows and historic fanlights. Both properties then also feature rear outriggers which feature non-original timber windows and doors.

Listed building: Grade II

Conservation area: St John Street Conservation Area 1970

Tree Preservation Order: Not applicable

Description of area

The neighbouring area lies in walking distance of Deansgate and St Peters Square, and also is situated within the St John Street Conservation Area, which is characterised by Georgian town houses between three and four storeys. Larger scale commercial development lies to the north and east as one travels further to the heart of the City Centre. To the south/south-west smaller scale residential development is present, with St John's Gardens lying to the west of the site across Byrom Street. St John Street itself is comprised of properties in residential or small scale Class E office and administrative uses.

Description of development

The application seeks listed building consent for the repair of one of the property's front fanlights, and the replacement of a window and door situated in no20's rear outrigger.

The proposal would see the repair of the fanlight's central glass pane, as well as its westerly most pane, which have both cracked and feature missing glass.

The ground floor window in no20's outrigger, suspected to be an early 20th century addition, will be removed and replaced with a like for like timber window that will utilise a chamfer timber bead to reflect a putty line finish. Similarly, the no20's rear outrigger door, again a likely 20th century addition, will be replaced like for like, utilising the aforementioned chamfer timber bead finish.

Planning History

108407/LO/2015/C1 - Listed Building Consent for the reconfiguration of the ground and second floor office space – Approved June 2015.

F06189/LB - Alterations and extensions to former dental surgery to form offices – Approved May 1977.

Consultations & Notification Responses

Publicity – None received.

Policy

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy EC2 – Existing Employment Space
- Policy EC3 – The Regional Centre
- Policy CC1 – Primary Economic Development Focus: City Centre and Fringe
- Policy CC9 – Design and Heritage
- Policy EN3 – Heritage
- Policy DM1 – Development Management

Saved Unitary Development Plan for Manchester – The following saved UDP Policies are of relevance to this application:

- Policy DC19 – Listed Buildings

The Places for Everyone Plan – Joint Development Plan Document, for nine of the 10 boroughs which make up Greater Manchester adopted on 21st of March 2024:

- Policy JP-Strat2 – City Centre
- Policy JP-P2 – Heritage

National Planning Policy Framework (NPPF)

- Chapter 16 – Conserving the Historic Environment

Other Legislative Requirements

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) states that in considering whether to grant Listed Building Consent for any works the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the LBCA Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and considerable importance and weight should be given to the desirability of preserving the setting.

Issues

Impact upon the Heritage Asset

The application site, previously Georgian townhouses, have now been in a longstanding use as a Barrister's Chambers. The windows the proposal concerns are either, in case of the fanlight, physically broken and require repair, or in the case of the rear window and door, are degraded and thermally inefficient.

The proposed works would see the replacement of a non-original timber window and rear window on an elevation of the listed building that is screened from public view, with like for like replacements. On this basis, it is considered the development would assist in protecting the long term use of the property by virtue of upgrading its thermal efficiency, and would also have a neutral impact on the significance of the listed building.

Repairs to the property's front fanlight are considered to be critical, with openings in the cracked glass being present, thereby drastically reducing the thermal efficiency of the building and opening the property's hallway to the elements. In the event of an approval, it is required that a repair methodology be conditioned so that exact details of the repair and preservation of the fanlight can be confirmed. Subject to this condition, the proposal would have a minor positive impact on the significance of the listed building.

In light of the above, the proposal would meet the statutory test to preserve as put forward under Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 and as such is in accordance with policies SP1, EC2, EC3, CC1, CC9, EN3 and DM1 of the Manchester Core Strategy (2012), saved policy DC19.1 of the Unitary Development Plan for the City of Manchester (1995), Places for Everyone Plan Policies JP-Strat2 and JP-P2 and the National Planning Policy Framework.

Conclusion

In light of the above and subject to appropriate planning condition, the proposal has been found to be acceptable and have a minimal impact on the historical significance of the Grade II listed building in accordance with policies SP1, EC2, EC3, CC1, CC9, EN3 and DM1 of the Manchester Core Strategy (2012), saved policy DC19.1 of the Unitary Development Plan for the City of Manchester (1995), Places for Everyone Plan Policies JP-Strat2 and JP-P2, the National Planning Policy Framework and Planning (Listed Buildings and Conservation Areas) Act 1990. On this basis permission is recommended for approval.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty

involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner in determining this application by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern with the proposal and discussing those with the applicant/agent. In this instance negotiation has been able to successfully resolve the identified concerns and issues.

Condition(s) to be attached to decision for approval

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

- o 0206-01: Location Plan
- o 0206-P10A: Proposed - Ground Floor Plan (Received 24/01/2025)
- o 0206-P20A: Proposed - Elevations (1) (Received 24/01/2025)
- o DE02: Proposed Ground Floor Window Detail
- o DE03: Proposed Ground Floor Window Section A and Section D
- o DE04: Proposed Ground Floor Window Section B and Section C
- o DE05 Rev B: Proposed Ground Floor Window Section E (Received 23/01/2025)
- o DE06: Rear Door - Proposed Elevation Detail
- o DE07 Rev B: Proposed Ground Floor Door - Section A (Received 23/01/2025)
- o DE08 Rev B: Proposed Ground Floor Window Section B (Received 23/01/2025)
- o DE09: Proposed Ground Floor Window Section C

Stamped as received by the City Council as Local Planning Authority on 02/12/2024, unless specified otherwise.

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 the commencement of any works in relation to the repair of no18 St John Street's front door fanlight, a repair methodology for the works hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the approved details.

Reason - In the interests of preserving and protecting the historic character and appearance of the listed building in accordance with policies CC9 and EN3 of the Core Strategy, saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and the National Planning Policy Framework

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

Healthworks, 14 - 16 St John Street, Manchester, M3 4DZ

13 St John Street, Manchester, M3 4DQ

Offices, 18 - 20 St John Street, Manchester, M3 4EA

21 St John Street, Manchester, M3 4DT

17 St John Street, Manchester, M3 4DR

15 St John Street, Manchester, M3 4DG

11 St John Street, Manchester, M3 4DW

24 St John Street, Manchester, M3 4DF

19 St John Street, Manchester, M3 4DS

22 St John Street, Manchester, M3 4EB

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

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Conservation Area - St John Street Conservation Area 1970

Area Team Boundary - Name: CENTRAL