

Heritage Statement / Design and Access.

Nos. 18 & 20 St John Street, Manchester.

On behalf of 18 St John Street Chambers, M3 4EA.

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Author: Simon Britt IHBC MRTPI





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Contents.

1. Introduction.....	5
2. Methodology.....	7
Sources.....	7
Site Visit	7
Assessment Methodology.....	7
3. Site Development and Planning History	9
Site Development / Map Regression.....	9
Planning History.....	16
4. Policy Framework	17
Legislation.....	17
National Planning Policy Guidance.....	17
The Development Plan.....	17
5. The Historic Environment & Statement of Significance	18
St John Street Conservation Area	20
6. Assessment of Impacts.....	23
7. Conclusions	31

Appendices contents.

Appendix 1: Assessment Methodology	32
Assessment of significance.....	32
Setting and significance.....	33
Assessing change through alteration to setting.....	33
Levels of significance	34
Grading significance.....	35
Assessment of harm	36
Benefits.....	37
Appendix 2: Legislative Framework.....	39
Appendix 3: National Policy Guidance	40
The National Planning Policy Framework (December 2023).....	40
National Planning Practice Guidance.....	44
Appendix 4: Relevant Development Plan Policies.....	46
Appendix 5: List Entry Nos. 18 & 20 St John Street.....	48

Plates:

Plate 1: Site Location Plan.....	5
Plate 2: Tinker's 1772 Plan, with Site location shown.....	9
Plate 3: Swire's 1824 Plan, with Site location shown.....	9
Plate 4: Pigot's 1836 Map, with Site location shown.....	10
Plate 5: The 1851 Ordnance Survey Map, with Site location shown.....	10
Plate 6: Ordnance Survey map, 1891, with site location shown.....	11
Plate 7: Aerial Image of the Site taken in 1932 (Manchester Libraries).....	11
Plate 8: The 1949 National Grid Map, with Site location shown.....	12
Plate 9: Undated image of St Johns Street, but likely c.1940s with site outlined.	12
Plate 10: Undated image, but likely c.1940s of the doors and doorcases to Nos. 18 & 20 St Johns Street.	13
Plate 11: Historic photograph of St John Street, 1981 (Historic England).....	13
Plate 12: The Grade II Listed Nos. 18 & 20 St John Street.....	19
Plate 13: The rear elevation but obscured by scaffolding.....	20
Plate 14: The St John Street Conservation Area (blue), the Site location shown (red).	20
Plate 15: The fanlight from the front.	25
Plate 16: The fanlight from inside.....	25
Plate 17: The exterior of the ground-floor window to yard.....	27
Plate 18: The interior of the ground-floor window to yard.....	27
Plate 19: The inside view of the door.	29
Plate 20: The external view of the door and over-light.	29

1. Introduction

- 1.1. Pegasus Group have been commissioned by 18 St John Street Chambers to prepare a Built Heritage Statement / Design and Access to consider the proposed Listed Building Consent for the replacement of 1no. fanlight to the front entrance door of No. 18 only, and 1no. windows to the ground floor; and 1no rear entrance door and over-light to No. 20 at Nos. 18 & 20 St John Street, Manchester, as shown on the Site Location Plan provided at Plate 1.



Plate 1: Site Location Plan.

- 1.2. The Site comprises the Grade II Listed Nos. 18 & 20 St John Street (NHLE 1254598) and is located within the St John Street Conservation Area, as well as being within the setting of several other Listed Buildings.
- 1.3. This Assessment provides information with regards to the significance of the historic environment to fulfil the requirement given in paragraph 200 of the Government's *National Planning Policy Framework* (the NPPF) which requires:

"...an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting".¹

- 1.4. In order to inform an assessment of the acceptability of the scheme in relation to impacts on the historic environment, following paragraphs 205 to 209 of the *NPPF*, any harm to the historic environment resulting from the proposed development is also described, including impacts on significance through changes to setting.
- 1.5. As required by paragraph 200 of the *NPPF*, the detail and assessment in this Report is considered to be *"proportionate to the assets' importance"*.²
- 1.6. **Section 6** of this Report presents an analysis of the impact of the proposed development on identified heritage assets discussed in **Section 5**.

Pre-Application Advice

- 1.7. Pegasus Group understands that advice has been sought from the Council Officer and that the proposals comprising the replacement of a windows, door and fanlight have been agreed in principle with the Conservation Officer.³

¹ Department for Levelling Up, Housing and Communities (DLUHC), *National Planning Policy Framework (NPPF)* (London, December 2023), para. 200.

² DLUHC, *NPPF*, para. 200.

³ Pegasus Group has not been party to any conversation with the Council relating to the proposals, which were discussed directly with the applicant.

2. Methodology

- 2.1. The aims of this Report are to assess the significance of the Listed Building and to identify any harm or benefit to it which may result from the implementation of the development proposals, along with the level of any harm caused, if relevant.

Sources

- 2.2. The following key sources have been consulted as part of this assessment:
- The National Heritage List for England for information on designated heritage assets;
 - Historic maps available online;
 - Aerial photographs available online via Historic England's Aerial Photo Explorer and Britain from Above;
 - Manchester City Council Library and Local Image Collection;
 - Old photographs accessible via the Historic England Architectural Red Box Collection, and
 - Google Earth satellite imagery.

Site Visit

- 2.3. A Site visit was undertaken by a Heritage Consultant from Pegasus Group on 3rd September 2024 during which the building, fabric and its significance were assessed.

Assessment Methodology

- 2.4. Full details of the assessment methodology used in the preparation of this Report are provided within **Appendix 1**. However, for clarity, this methodology has been informed by the following:
- *Historic Environment Good Practice Advice in Planning: 2 – Managing Significance in Decision-Taking in the Historic Environment* (hereafter GPA:2);⁴
 - *Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) – The Setting of Heritage Assets*, the key guidance of assessing setting (hereafter GPA:3);⁵

⁴ Historic England, *Historic Environment Good Practice Advice in Planning: 2 – Managing Significance in Decision-Taking in the Historic Environment* (GPA:2) (2nd edition, Swindon, July 2015).

⁵ Historic England, *Historic Environment Good Practice Advice in Planning Note 3 – The Setting of Heritage Assets* (GPA:3) (2nd edition, Swindon, December 2017).

- *Historic England Advice Note 12 – Statements of Heritage Significance: Analysing Significance in Heritage Assets* (hereafter *HEAN:12*);⁶ and
- *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment*.⁷

⁶ Historic England, *Historic England Advice Note 12 – Statements of Heritage Significance: Analysing Significance in Heritage Assets (HEAN:12)* (Swindon, October 2019).

⁷ English Heritage, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008).

3. Site Development and Planning History

Site Development / Map Regression

- 3.1. The land between Deansgate and the River Irwell began to be developed after the Irwell was made navigable up to as far as Quay Street in 1736. It is unknown exactly when St John Street was laid out, but it was most likely constructed to provide access to St John's Church which was built in 1769 (now demolished), from which it takes its name. The street, and buildings at the corner of St John's Street with Byron Street, adjacent to the Site are clearly shown on Tinker's plan of 1772 (Plate 2). The Site was shown as undeveloped at this time.



Plate 2: Tinker's 1772 Plan, with Site location shown.

- 3.2. The List Entry for Nos. 18 & 20 St John Street states that the building originated in the late 18th century as a townhouse. However, the building is not present on Swire's Plan of 1824 (Plate 3). This Plan does however show that by the early 19th century, the north side of St John Street had been developed further, as well as many of the surrounding streets with warehouses and houses. Whilst the Grade II Listed No. 22 to the west (NHLE 1270767) and the Grade II Listed Nos. 12-16 to the east (NHLE 1254466) had been present, the Site is shown as undeveloped at this time. A rectangular building is shown to the north of the Site, off the newly laid Artillery Street.



Plate 3: Swire's 1824 Plan, with Site location shown.

3.3. The historic maps and appearance of the buildings suggest that St John Street was not a 'planned' development i.e., laid out by one builder or developer to strict design rules, instead it appears that the plots were taken up piecemeal and built speculatively, which was a common approach in the 18th and early 19th century.

3.4. The first available cartographic source to show the buildings on Site is Pigot's 1836 Map (Plate 4). This provides a rough depiction of the Site's built form, shown as forming part of the wider terrace of buildings fronting St John Street, and bounded by a rectangular structure off Artillery Street to the north. This mapping indicates that Nos. 18 & 20 was built between 1824 and 1836.



Plate 4: Pigot's 1836 Map, with Site location shown.

3.5. The 1851 Ordnance Survey Map provides a clearer depiction of the buildings on Site (Plate 5). This shows Nos. 18 & 20 as two distinct buildings fronting onto St John Street. These each have rear northern outriggers, with the rear northern side of the buildings bounding houses on Span Court to the west and Swan Court to the east.



Plate 5: The 1851 Ordnance Survey Map, with Site location shown.

- 3.6. The 1891 Ordnance Survey Map shows no clear changes to the Site, with the Royal Eye Hospital present to the west on John Street by this date (Plate 6).



Plate 6: Ordnance Survey map, 1891, with site location shown.

- 3.7. There had been no clear changes to the Site by the 1922 Ordnance Survey Map (not shown).

- 3.8. An aerial image from 1932 shows St John's Street and the Site. The 1932 Image shows the principal elevation of the building comprising part of a long row of buildings fronting St John's Street. The elevation is shown with two ground floor central doorways, with a range of ground, first and second floor windows. The principal roof structure is shown with end chimneystacks. To the northern rear is a single-storey projection, with gabled roof.

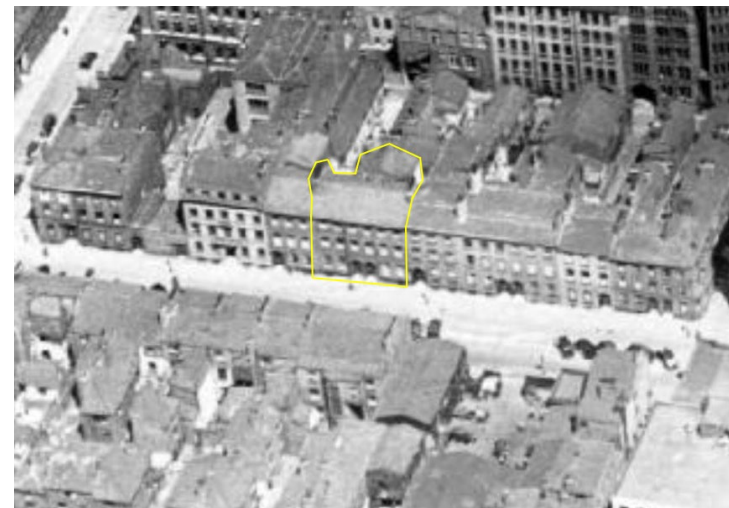


Plate 7: Aerial Image of the Site taken in 1932 (Manchester Libraries).

- 3.9. The 1949 National Grid Map shows that a small square structure within the rear northern yard of No. 20 had been removed by this date. The houses to the north of the Site appear to have been modified or rebuilt, with the Eye Hospital to the west also noted as now in use as a warehouse.



Plate 8: The 1949 National Grid Map, with Site location shown.

- 3.10. Undated photographs (likely c.1940s) show the front of Nos.18 & 20 St John Street with dark painted entrance doors and door cases and the fanlights as seen today.

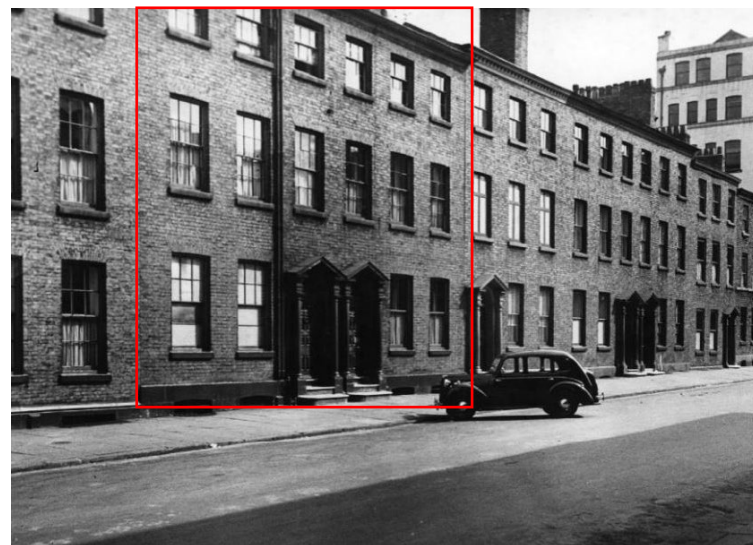


Plate 9: Undated image of St Johns Street, but likely c.1940s with site outlined.⁸

⁸ <https://images.manchester.gov.uk/> image ref no. m04499.



Plate 10: Undated image, but likely c.1940s of the doors and doorcases to Nos. 18 & 20 St Johns Street.⁹

⁹ <https://images.manchester.gov.uk/> image ref no. m04498.

- 3.11. A photograph from 1981 shows the northern side of St John Street, with Nos. 18 & 20 visible. This shows the six-bay symmetrical frontage of the building, with two central open-pedimented doorcases. The view highlights the matching Georgian architectural style of the various town houses along St John Street, each built from brick and designed with a range of sash windows and elaborate doorcases.



Plate 11: Historic photograph of St John Street, 1981 (Historic England).¹⁰

- 3.12. There had been no other clear changes to the Site or its immediate vicinity on St John Street up to present day.

¹⁰ <https://historicengland.org.uk/images-books/photos/englands-places/> image ref no.

Occupation and Use

- 3.13. A review of the census returns identifies some of the occupiers of Nos 18 & 20 St John Street (see tables below). Several occupants were medical professionals in the middle of the 19th century through to the early 20th century, but this was not unusual for the street where a number of other properties on St John Street were also occupied by medical professionals in these decades. No. 18, provided the street numbering was accurate, was also in use as a hospital in 1881.

Table 1: Summary of census data

Census Year	Occupier (Head) at No.18	Occupation of the Head at A
1851	–	–
1871	James Arthur	Draper
1881	James McKee (Part of the Hospital for Consumption and Diseases of the Heart)	Secretary and Collector
1891	Alexander Hodgkinson	Doctor of medicine
1901	Jane Cocksure	No details given.
1911	Jane Cocksure	No occupation – private means.

Census Year	Occupier (Head) at No.20	Occupation of the Head at No.20
1851	Ashton W Heath (Head)	General Practitioner
1871	No return	n/a
1881	William Walter (Head)	Physician
1891	Elizabeth Payne Hyde (Head)	Surgical Nurse
1901	Jane Stubbs (Head)	Matron
1911	William Kitcher Shaw (Head)	Gyneacologist.

Planning History

- 3.14. A search of the online records held at Manchester City Council identifies the following relevant planning or Listed Building Consent applications.

Table 2: The relevant planning history of the Site.

Property No.	Planning Reference	Description	Decision	Date of Decision
Nos. 18 & 20	072482/LO/2004/C1	LISTED BUILDING CONSENT for installation of steel handrails to front entrances	Granted	21 st March 2005
No. 18	FO6189/LB	Alterations and extensions to former dental surgery to form offices.	Granted	27 th May 1977
	O19936	LISTED BUILDING CONSENT Alterations to rear of offices including formation of a new rear entrance	Granted	15 th August 1983
	O53875/LO/CITY1/98	LISTED BUILDING CONSENT Internal alterations	Withdrawn	6 th October 1998
	O56053/LO/CITY1/99	LISTED BUILDING CONSENT Alterations to existing office areas including removal of dividing wall to form larger office	Granted	26 th March 1999
	108407/LO/2015/C1	Listed Building Consent for the reconfiguration of the ground and second floor office space.	Granted	3 rd June 2015

4. Policy Framework

Legislation

- 4.1. Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990*, which provides statutory protection for Listed Buildings and their settings and Conservation Areas.¹¹
- 4.2. In addition to the statutory obligations set out within the aforementioned Act, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that all planning applications, including those for Listed Building Consent, are determined in accordance with the Development Plan unless material considerations indicate otherwise.¹²
- 4.3. Full details of the relevant legislation are provided in **Appendix 2**.

National Planning Policy Guidance

- 4.4. National Planning Policy guidance relating to the historic environment is provided within Section 16 of the Government's *National Planning Policy Framework (NPPF)*,

an updated version of which was published in December 2023. The *NPPF* is also supplemented by the national *Planning Policy Guidance (PPG)* which comprises a full and consolidated review of planning practice guidance documents to be read alongside the *NPPF* and which contains a section related to the Historic Environment.¹³

- 4.5. Full details of the relevant national policy guidance is provided within **Appendix 3**.

The Development Plan

- 4.6. Applications for Listed Building Consent within Manchester City Centre are currently considered against the policy and guidance set out within the Core Strategy, which was adopted 11th July 2012, as well as the Places for Everyone Joint Development Plan Document, adopted 21st March 2024.
- 4.7. Details of the policy specific relevant to the application proposals are provided within **Appendix 4**.

¹¹ UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990.

¹² UK Public General Acts, Planning and Compulsory Purchase Act 2004, Section 38(6).

¹³ Department for Levelling Up, Housing and Communities (DLUHC), *Planning Practice Guidance: Historic Environment (PPG)* (revised edition, 23rd July 2019), <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>.

5. The Historic Environment & Statement of Significance

- | | |
|---|---|
| <p>5.1. The following Section provides an assessment of elements of the built historic environment that have the potential to be impacted upon by the proposed development.</p> <p>5.2. As set out in Section 1, the Site comprises the Grade II Listed Nos. 18 & 20 St John Street and is located within the St John Street Conservation Area.</p> <p>5.3. With regards to other heritage assets within the surrounds of the Site, Step 1 of the methodology recommended by <i>GPA3</i> (see methodology), is to identify which heritage assets might be affected by a proposed development.¹⁴</p> <p>5.4. Development proposals may adversely impact heritage assets where they remove a feature which contributes to the significance of a heritage asset, or where they interfere with an element of a heritage asset's setting which contributes to its significance, such as interrupting a key relationship or a designed view.</p> <p>5.5. It is however widely accepted (paragraph 213 of the <i>NPPF</i>) that not all parts of a heritage asset will necessarily be of equal significance.¹⁵ In some cases, certain elements of a heritage asset can accommodate substantial changes whilst preserving the significance of the asset.</p> | <p>5.6. Significance can be derived from many elements, including the historic fabric of a building or elements of its surrounds.</p> <p>5.7. The Site is within the setting of the following designated heritage assets:</p> <ul style="list-style-type: none"> • 28 St John Street – Grade II Listed Building • 24a and 26 St John Street – Grade II Listed Building • 24 St John Street – Grade II Listed Building • 22 St John Street – Grade II Listed Building • 12-16 St John Street – Grade II Listed Building • 11-17 St John Street – Grade II Listed Building • 19 St John Street – Grade II Listed Building • 21-25 St John Street – Grade II Listed Building <p>5.8. Whilst the Site contributes to these Listed Buildings via group value, especially from its front elevation, it is considered that the proposed alterations are minor and would not affect any of the Listed Buildings within the Site's setting, and as such no further heritage assets are taken for further assessment below.</p> |
|---|---|

¹⁴ Historic England, *GPA3*, p. 4.

¹⁵ DLUHC, *NPPF*, para. 213.

Nos. 18 & 20 St John Street

- 5.9. Nos. 18 & 20 St John Street was added to the National List at Grade II on 25th February 1952, with an amendment to the List Entry on 6th June 1994 (NHLE 1254598).



Plate 12: The Grade II Listed Nos. 18 & 20 St John Street.

- 5.10. The List Entry describes the building as follows:

“GV II

Pair of town houses, now consulting rooms. Late C18; altered. Red brick in Flemish bond (roof not visible). Double-depth plan, each house single-fronted, with coupled back extensions. Three storeys over cellars, 6 bays, symmetrical, (each house with 3 windows), with plinth, and altered cornice. Round-headed doorways adjoining in the centre, with open-pedimented Tuscan

doorcases, panelled doors and semi-circular fanlights; all windows have raised sills and flat-arched heads, but the glazing differs: No.18 has sashes with 4 panes at ground floor, 12 panes at 1st floor and 9 panes above, but No.20 has altered glazing at ground floor, 12-pane sashes at 1st floor and 9-pane top-hung casements at 2nd floor. Interior not inspected. Forms part of terrace on north side of street.”

- 5.11. A full copy of the List Entry is provided at **Appendix 5**.
- 5.12. As demonstrated through cartographic sources, Nos. 18 & 20 St John Street date to the early-mid 19th century, comprising a pair of townhouses, albeit now in office use.
- 5.13. The principal, southern elevation of the building faces onto St John Street, comprised of two distinct sets of single-fronted houses, albeit with a consistent frontage with no vertical breaks in the brickwork to distinguish between the two units. The elevation is symmetrical, and over six bays to three-storeys with a cellar. The central two bays of the elevation have an eight panelled door with semi-circular arched fanlights above, and set within open-pedimented Tuscan doorcases. These doors are flanked on each side by two sets of four-light sash windows of the mid to late 19th-century style.
- 5.14. The first floor has six sets of six-over-six sash windows, with the second floor featuring six sets of short three-over-six sash windows of 18th and early 19th-century style. All the windows across this elevation have flat gauged lintels with brick voussoirs, as well as pronounced sills painted white. The cellar level is delineated by a black painted plinth, with two short windows to each townhouse providing light to the basement level, though two of these have been blocked over.

- 5.15. The rear of both buildings comprises brick elevations with three storey outriggers overlooking yards. Windows comprise several styles, including timber vertical hung sash, side hung casements and horizontal (Yorkshire) sliders of several periods.
- 5.16. Internally Nos 18 & 20 are connected, enabling circulation between the offices within each building and some walls have been removed, especially at the ground floor between the former reception rooms to allow for larger office spaces. Nonetheless, overall, the original layout is still legible with each building retaining their entrance halls, landings and staircases allowing for the original circulation through the buildings to still be experienced.



Plate 13: The rear elevation but obscured by scaffolding.

- 5.17. Within the buildings there are varying degrees of survival of historic fabric, including joinery and fire surrounds and grates to some rooms.

St John Street Conservation Area

- 5.18. The St John Street Conservation Area was first designated on 4th November 1970, and comprises St John Street, Artillery Street, Longworth Street, Camp Street, Culvercliffe Walk, Lower Byrom Street, Quay Street, and Byrom Street. There is no appraisal document for the Conservation Area.



Plate 14: The St John Street Conservation Area (blue), the Site location shown (red).

- 5.19. The character and appearance of the St John Street Conservation Area is predominantly derived from the late 18th and early 19th-century residential terraces, and the open space of St John's Gardens, which was the site of the former Church. The houses originated as middle-class residences, prior to their mainly commercial uses today, although some are now back in residential use,

many were in commercial uses during the 19th century, often with medical practitioners.

- 5.20. St John Street is formed of Georgian red brick townhouses, which collectively contribute a seamless terrace. These have elaborately designed neo-Classical doorcases and are lit by a range of sash windows. St John Street represents a wide and spacious street, which has retained a strong degree of its 19th century residential character.
- 5.21. Some of the properties within the Conservation Area were occupied by notable individuals, including the politician and reformer Richard Cobden (1804-1865), and John Owens, who founded the Victoria University of Manchester.
- 5.22. St John's Gardens is also the former burial ground to the Church and contains the graves of several notable people associated with the rise of Manchester as an industrial city.

Statement of Significance

- 5.23. The Grade II Listing of the building highlights it is a heritage asset of the less than the highest significance as defined by the NPPF.¹⁶
- 5.24. The heritage significance of Nos. 18 & 20 St John Street is principally embodied in its physical fabric. **Architectural interest** is derived from its general form, materials and appearance representing an early to mid-19th century town house that followed the standard form and appearance of town houses of the period and whilst also reflecting details that were common in 18th-century townhouses too, especially the symmetrical appearance of the pair, rhythm and proportion of the sash windows to the front elevation and the pairing of identical doors, doorcases, and near identical fanlights. Whilst the layout of the houses with the outriggers is still clearly discernible their rear elevations are much less prominent and were not designed with the same degree of architectural prowess, as was common with townhouses of the period.
- 5.25. It is evident that the architectural significance of Nos. 18 & 20 St John Street was always linked to their frontage. Their rear elevations historically faced onto what was probably poor-quality working-class yards and houses and were never highly visible elements.
- 5.26. Architectural interest also extends to the interior of the buildings with regards to their internal layout and original features, where surviving.

¹⁶ DLUHC, NPPF, para. 206.

5.27. **Historic interest** is derived from how the buildings, along with other similar buildings in the street, represent the aspirations of the city in the early to mid-19th century and aspiring middle classes, predominantly medical professionals, with their development and occupation, emulating that established in other cities and towns where the 'Georgian' style townhouse was a desired house type of the middle and upper echelons of society. Nos 18 & 20 are a physical representation of the growth and confidence of Manchester at that time.

5.28. The **setting** of Nos. 18 & 20 St John Street also contributes to the significance of the asset, although the significance derived from the setting is less than that derived from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its "setting") which are considered to contribute to its heritage significance are summarised below:

- The site of the former Church of St John. The street, buildings and site of the church provide the historical context of the building and contribute to its historic interest.
- The houses of similar architectural style on St John's Street and within the Conservation Area, which also represent the preferred style of the period which attracted the aspiring middle classes and medical professionals of Manchester. It is these buildings that contribute to the 'group value' which forms part of its reason for listing.

5.29. Group value is the "extent to which the exterior of the building contributes to the architectural or historic interest of any group of buildings of which it forms part, generally known as group value. The Secretary of State will take this into account particularly where buildings comprise an important architectural or historic unity or a fine example of planning (e.g., squares, terraces or model villages) or where there is a historical functional relationship between the buildings. Sometimes group value will be achieved through a co-location of diverse buildings of different types and dates."¹⁷

5.30. The significance of the Conservation Area is also derived from the **architectural interest** of terraced houses built from the early 19th century and the site of the former Church of St John and whilst not designed as an architectural 'set-piece' has a high degree of architectural uniformity and cohesion in layout and design. The area also illustrates its **historic interest**, that being the aspirations of the city in the early 19th century and its association with aspiring middle classes and the medical professionals at that time and into the 20th century also.

5.31. Nos. 18 & 20 St John Street are one pair of several townhouses from the early 19th century that contribute to the street scene and townscape of the Conservation Area, reflecting its predominant architectural form and thereby **positively contribute** to the character and appearance of the Conservation Area.

¹⁷ Department For Digital, Culture, Media and Sport; 2019. *Principles of Selection for Listed Buildings*

6. Assessment of Impacts

- 6.1. This Section addresses the heritage planning issues that warrant consideration in the determination of the application for Listed Building Consent in line with the proposals set out within **Section 3** of this Report.

Statutory requirements

- 6.2. As detailed above, the *Planning and Compulsory Purchase Act (2004)* requires that applications for Listed Building Consent are determined in accordance with the Development Plan, unless material considerations indicate otherwise. The policy guidance set out within the *NPPF* is considered to be a material consideration which attracts significant weight in the decision-making process.
- 6.3. The statutory requirement set out in Section 16 (2) of the Act relates to the consideration of applications for Listed Building Consent and states that:

“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 its setting or any features of special architectural or historic interest which it possesses.”¹⁸

NPPF and guidance considerations

- 6.4. The policy guidance set out within the *NPPF* is considered to be a material consideration which attracts significant weight in the decision-making process. In addition, the *NPPF* states that the impact of development proposals should be considered against the particular significance of heritage assets, such as Listed Buildings.
- 6.5. It is also important to consider whether the proposals cause harm. If they do, then one must consider whether the harm represents “*substantial harm*” or “*less than substantial harm*” to the identified designated heritage assets, in the context of paragraphs 207 and 208 of the *NPPF*.¹⁹ With regard to non-designated heritage assets, potential harm should be considered within the context of paragraph 209 of the *NPPF*.²⁰
- 6.6. The *PPG* clarifies that within each category of harm (“*less than substantial*” or “*substantial*”), the extent of the harm may vary and should be clearly articulated.²¹
- 6.7. The guidance set out within the *PPG* also clarifies that “*substantial harm*” is a high test, and that it may not arise in many cases. It makes it clear that it is the degree of harm to the significance of the asset, rather than the scale of development, which is to be assessed.²² In

¹⁸ UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16(2).

¹⁹ DLUHC, *NPPF*, paras. 207 and 208.

²⁰ DLUHC, *NPPF*, para. 209.

²¹ DLUHC, *PPG*, Paragraph: 018 (ID: 18a-018-20190723 Revision date: 23.07.2019).

²² DLUHC, *PPG*, Paragraph: 018 (ID: 18a-018-20190723 Revision date: 23.07.2019).

addition, it has been clarified in a High Court Judgement of 2013 that substantial harm would be harm that would:

"...have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced."²³

- 6.8. In addition to Historic England's Advice Note 2 – *Making Changes to Heritage Assets*²⁴ Historic England Advice Note 18 – *Adapting Historic Buildings for Energy and Carbon Efficiency (HEAN 18)*²⁵ is particularly relevant when considering window replacement and to these proposals.

²³ EWHC 2847, R DCLG and Nuon UK Ltd v. Bedford Borough Council.

²⁴ Making Changes to Heritage Assets, 2016. *Making Changes to Heritage Assets*. Historic England Advice Note 2

²⁵ Historic England, 2024. *Adapting Historic Buildings for Energy and Carbon Efficiency*. Historic England Advice Note 18

Assessment – Replacement of fanlight to front door of No.20

- 6.9. The existing fanlight comprises a timber frame with 1no. semi-circular pane and 6no. panes in a sunburst arrangement held in place by glazing bars. A semi-circular bar is applied to the glass and glazing bars externally, creating the appearance of margin lights to its periphery. Attached at the junction of the glazing bars and the externally applied bar are 4no. flower motifs but originally there were 5no. The frame is painted white, and it is glazed with single glazing. The frame has split in places and the glass is cracked and partially missing to some panes.
- 6.10. The proposal is to replace the fanlight on a like-for-like basis but include the currently missing 5th flower motif. However, as part of improving the thermal efficiency of the building Landvac Enhance 9mm glass is proposed. The minimal thickness, ensure that any vacuum gap and spacer bar and butyl seal are also minimal, and less than most slim line 'heritage' double-glazing units.



Plate 15: The fanlight from the front.



Plate 16: The fanlight from inside.

- 6.11. The fanlight is likely to be original, from the early to mid-19th century and thereby its replacement will result in the loss of some historic fabric from the building. However, the replacement fanlight will be like-for-like in appearance and restored with the inclusion of the missing flower motif, and with unbroken glass. Where practicable the existing flower motifs will be carefully removed and installed on the new fanlight.
- 6.12. The use of double-glazed units will be a modern intervention to the design of the fanlight, but the proposed glass is exceptionally thin. The move to slim profile double-glazing is generally now supported in HEAN 18²⁶, where its installation in existing historic windows that can accommodate it is generally accepted, meaning that in newly constructed windows it should also be considered acceptable.
- 6.13. Any harm arising from the loss of historic fabric is minimal and the architectural interest of the building will be preserved by the replication of the original style, and enhanced by the replacement of the broken glass and missing rose motif. Whilst the introduction of extremely slim double glazing is an alteration to the original design, its ultra slim depth will ensure it is not a prominent alteration and delivers the benefit of increased thermal efficiency too.

²⁶ Historic England, 2024. Adapting Historic Buildings for Energy and Carbon Efficiency. Historic England Advice Note 18

Assessment – Replacement of ground floor window to yard at No.20

- 6.14. The ground floor window to the yard comprises a multi-paned timber frame with a combination of single glazed fixed lights and a horizontal (Yorkshire) slider. The opening (sliding) lights have vertical security bars set within the external cill and rail. The precise age of the window is difficult to ascertain as its general style was common in the early 19th century and the early 20th century too. The use of historic glass in some panes indicate that it might date from the 19th century, unless some panes have been replaced with 'greenhouse' glass as was often commonly undertaken with previous restoration projects. The window is generally in poor condition.
- 6.15. Historically, the window is likely to have originally served the kitchen/scullery when the building was in use as a townhouse.
- 6.16. The proposal is to replace the window with a new multi-paned timber window with ovolo profile glazing bars ensuring an appearance that is similar to the existing window. Changes from the original design include the change from horizontal sliding opening lights to flush fitting (i.e. not storm proofed) side hung opening lights and the use of 12mm heritage style double glazing.



Plate 17: The exterior of the ground-floor window to yard.



Plate 18: The interior of the ground-floor window to yard.

- 6.17. The replacement of the window will result in the loss of some historic fabric from the building; however, the replacement window will still be of a traditional 19th-century style. The use of double-glazing will be a modern intervention to the design of the window, but the proposed glass will be of a slim profile heritage style. The move to slim profile double-glazing is generally now supported in HEAN 18, where its acceptance in existing historic windows that can accommodate it is generally accepted, meaning that in newly constructed windows it should also be considered acceptable.
- 6.18. The window is not within an elevation which contributes highly to the overall significance and architectural interest of the building and any harm arising from the loss of historic fabric is minimal. The architectural interest of the building will largely be preserved by the replication of a window of 19th-century style. Whilst the introduction of slim double glazing is an alteration to the original design, its ultra slim depth will ensure it is not a prominent alteration and delivers the benefit of increased thermal efficiency too.

Assessment – Replacement of rear door and over-light

- 6.19. The rear door and over-light comprise a pair of timber doors of six-single glazed panes over a solid panel to each door and a glazed over-light of four single glazed panes divided by glazing bars. Whilst of a traditional 19th-century appearance, the doors, frame and over-light are modern, likely to date from the mid to late 20th century.
- 6.20. It is proposed to replace the door and over-light with like-for-like replacements but utilising standard size double-glazed units with ovolo glazing bars.
- 6.21. The door is not within an elevation which contributes highly to the overall significance and architectural interest of the building and any harm arising from the loss of historic fabric is minimal. The proposal will not result in the loss of any historic fabric and the general appearance of part glazed doors with over-light of an 19th century appearance will be retained in the elevation. Overall, no harm will arise from the proposed replacement.

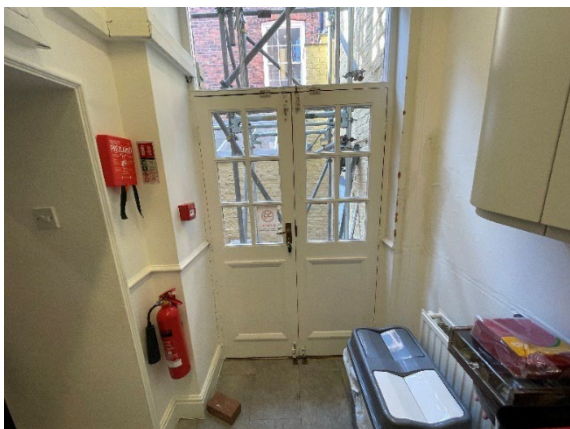


Plate 19: The inside view of the door.



Plate 20: The external view of the door and over-light.

Thermal Efficiency as a Public Benefit

- 6.22. Where replacement windows are deemed acceptable the use of double-glazing is now more favourably considered in Listed Buildings, due to the benefits it can deliver as part of tackling climate change. Historic England's guidance – *Adapting Historic Buildings for Energy and Carbon Efficiency*²⁷ highlights this clearly, stating:

"[2]. The UK government is committed under the Climate Change Act 2008 to reduce net greenhouse gas emissions by 100%, compared to 1990 levels, by 2050. This target is commonly referred to as Net Zero by 2050. The government must also establish legally-binding 'carbon budgets' to act as stepping stones towards the 2050 target. A carbon budget caps the amount of greenhouse gases emitted in the UK over a five-year period.

[3]. The Climate Change Committee reports¹ that buildings remain the UK's second highest carbon emitting sector, accounting for 76 MtCO₂e or 17% of total UK operational emissions in 2022. Buildings are expected to play a significant role in delivering the carbon budgets already set out in law up to 2037, with just over half of the required reductions expected to be delivered by the end of the Sixth Carbon Budget period (2032–37).

***[4]. Around one quarter of the UK's building stock is at least 100 years old. These buildings can and must adapt, not only to support the transition to a Net Zero society, but also to improve energy/cost-efficiency and thermal comfort for occupants, and to ensure they remain safe, desirable and viable assets for future generations to enjoy."* (our emphasis)**

- 6.23. They further state that:

"Our historic buildings must continue to change and evolve if they are to both contribute to a greener future and be fit for purpose for the people who live in, experience and care for them. If done thoughtfully and carefully, these changes can achieve the complementary goals of protecting our heritage and adapting to a changing climate."²⁸

- 6.24. The scale and balance of proposals should also be a consideration, here Historic England state that ***"the balance is likely to favour proposals which offer meaningful, long term environmental benefits (such as improving energy efficiency, thus reducing carbon emissions and helping to achieve Net Zero) whilst having a minimal impact on significance."***²⁹

- 6.25. In this regard the impact on heritage significance if minimal, but the proposals will have long term environmental benefits..

²⁷ Historic England, 2024. *Adapting Historic Buildings for Energy and Carbon Efficiency*. Historic England Advice Note 18. Pg. 1.

²⁸ Historic England, 2024. *Adapting Historic Buildings for Energy and Carbon Efficiency*. Historic England Advice Note 18. Pg. ii.

²⁹ Historic England, 2024. *Adapting Historic Buildings for Energy and Carbon Efficiency*. Historic England Advice Note 18. Pg. 17.

7. Conclusions

- 7.1. This assessment has identified that the most significant elevations of Nos. 18 & 20 St John Street as a Grade II Listed Building are their front elevation. The architectural interest of the building as being a pair of early to mid-19th century townhouses is predominantly derived from this elevation and its component parts. It is also predominantly the front elevation that contributes positively to the character and appearance and thus significance of the Conservation Area.
- 7.2. The proposals include a minor alteration to the front elevation with the replacement of the damaged fanlight. However, its replacement is proposed on a like-for-like basis and with the restoration of the missing flower motif. Although the proposed glass is not single glazing, the proposed glass is a high performance and extremely thin double-glazed unit that will deliver the benefits of greater thermal performance and without a significant visual change to appearance.
- 7.3. The rear elevations comprise windows and doors of several periods with the existing ground floor and over-light being modern, and the existing ground floor window likely dating from the 19th or early 20th century. The window and door are within an elevation that does not contribute highly to the architectural interest of the building and only the replacement of the ground floor-window will result in some loss of historic fabric, but the overall appearance of the replacement window will maintain a 19th-century character, and thus preserve the architectural interest of the building, albeit double-glazed.
- 7.4. Overall, the proposals result in a minor degree of harm from the loss of historic fabric, that could only be considered to be at the lowest end of less than substantial due to the replacements still being of 19th-century appearance. The use of appropriately detailed double-glazing is accepted in Listed Buildings and its use in these proposals would not detrimentally affect the special interest of the building and provides greater thermal efficiency, as part of the benefit of tackling climate change. As such the low degree of harm should be weighed against the benefits of the proposals of improving the thermal efficiency of the building. It is considered that the benefits do weigh in favour of the proposals and as such are compliant with the duty of the Planning (Listed Buildings and Conservation Areas) Act 1990 and accord with Local Plan policy and policies contained in the NPPF.

Appendix 1: Assessment Methodology

Assessment of significance

In the *NPPF*, heritage significance is defined as:

“The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.”³⁰

Historic England's *GPA:2* gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset.³¹

In order to do this, *GPA 2* also advocates considering the four types of heritage value an asset may hold, as identified in English Heritage's *Conservation Principles*.³² These essentially cover the heritage ‘interests’ given in the glossaries of the *NPPF* and the *PPG* which are archaeological, architectural and artistic, and historic.³³

The *PPG* provides further information on the interests it identifies:

- **Archaeological interest:** As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
- **Architectural and artistic interest:** These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skills, like sculpture.
- **Historic interest:** An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation’s history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.³⁴

³⁰ DLUHC, *NPPF*, Annex 2.

³¹ Historic England, *GPA:2*.

³² Historic England, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008). These heritage values

are identified as being ‘aesthetic’, ‘communal’, ‘historical’ and ‘evidential’, see *idem* pp. 28–32.

³³ DLUHC, *NPPF*, Annex 2; DLUHC, *PPG*, paragraph 006, reference ID: 18a-006-20190723.

³⁴ DLUHC, *PPG*, paragraph 006, reference ID: 18a-006-20190723.

Significance results from a combination of any, some, or all of the interests described above.

Historic England guidance on assessing heritage significance, *HEAN:12*, advises using the terminology of the *NPPF* and *PPG*, and thus it is that terminology which is used in this Report.³⁵

Listed Buildings and Conservation Areas are generally designated for their special architectural and historic interest. Scheduling is predominantly, although not exclusively, associated with archaeological interest.

Setting and significance

As defined in the *NPPF*:

“Significance derives not only from a heritage asset’s physical presence, but also from its setting.”³⁶

Setting is defined as:

“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”³⁷

Therefore, setting can contribute to, affect an appreciation of significance, or be neutral with regards to heritage values.

Assessing change through alteration to setting

How setting might contribute to these values has been assessed within this Report with reference to *GPA:3*, particularly the checklist given on page 11. This advocates the clear articulation of “*what matters and why*”.³⁸

In *GPA:3*, a stepped approach is recommended, of which Step 1 is to identify which heritage assets and their settings are affected. Step 2 is to assess whether, how and to what degree settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated. The guidance includes a (non-exhaustive) checklist of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things: topography, other heritage assets, green space, functional relationships and degree of change over time. It also lists aspects associated with the experience of the asset which might be considered, including: views, intentional intervisibility, tranquillity, sense of enclosure, accessibility, rarity and land use.

Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is to explore ways to maximise enhancement and minimise harm. Step 5 is to make and document the decision and monitor outcomes.

A Court of Appeal judgement has confirmed that whilst issues of visibility are important when assessing setting, visibility does not necessarily confer a contribution to significance and factors other than visibility should also be considered, with Lindblom LJ stating at

³⁵ Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets*, Historic England Advice Note 12 (Swindon, October 2019).

³⁶ DLUHC, *NPPF*, Annex 2.

³⁷ DLUHC, *NPPF*, Annex 2.

³⁸ Historic England, *GPA:3*, pp. 8, 11.

paragraphs 25 and 26 of the judgement (referring to an earlier Court of Appeal judgement):

Paragraph 25 – “But – again in the particular context of visual effects – I said that if “a proposed development is to affect the setting of a listed building there must be a distinct visual relationship of some kind between the two – a visual relationship which is more than remote or ephemeral, and which in some way bears on one’s experience of the listed building in its surrounding landscape or townscape” (paragraph 56)”.

Paragraph 26 – “This does not mean, however, that factors other than the visual and physical must be ignored when a decision-maker is considering the extent of a listed building’s setting. Generally, of course, the decision-maker will be concentrating on visual and physical considerations, as in Williams (see also, for example, the first instance judgment in R. (on the application of Miller) v North Yorkshire County Council [2009] EWHC 2172 (Admin), at paragraph 89). But it is clear from the relevant national policy and guidance to which I have referred, in particular the guidance in paragraph 18a-013-20140306 of the PPG, that the Government recognizes the potential relevance of other considerations – economic, social and historical. These other considerations may include, for example, “the historic relationship between places”. Historic England’s advice in GPA3 was broadly to the same effect.”³⁹

Levels of significance

Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Conservation Areas will make reference to their special interest and character and appearance, and the significance of Listed Buildings will be discussed with reference to the building, its setting and any features of special architectural or historic interest which it possesses.

In accordance with the levels of significance articulated in the *NPPF* and the *PPG*, three levels of significance are identified:

- **Designated heritage assets of the highest significance**, as identified in paragraph 206 of the *NPPF*, comprising Grade I and II* Listed Buildings, Grade I and II* Registered Parks and Gardens, Scheduled Monuments, Protected Wreck Sites, World Heritage Sites and Registered Battlefields (and also including some Conservation Areas) and non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments, as identified in footnote 72 of the *NPPF*;⁴⁰
- **Designated heritage assets of less than the highest significance**, as identified in paragraph 206 of the *NPPF*, comprising Grade II Listed Buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas);⁴¹ and

³⁹ *Catesby Estates Ltd. V. Steer* [2018] EWCA Civ 1697, paras. 25 and 26.

⁴⁰ *DLUHC, NPPF*, para. 206 and fn. 72.

⁴¹ *DLUHC, NPPF*, para. 206.

- **Non-designated heritage assets.** Non-designated heritage assets are defined within the PPG as *"buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets"*.⁴²

Additionally, it is of course possible that sites, buildings or areas have no heritage significance.

Grading significance

There is no definitive grading system for assessing or categorising significance outside of the categories of Designated Heritage Assets and Non-Designated Heritage Assets, specifically with regards to the relative significance of different parts of an asset.

ICOMOS guidance recognises that a degree of professional judgement is required when defining significance:

"...the value of heritage attributes is assessed in relation to statutory designations, international or national, and priorities or recommendations set out in national research agendas, and ascribed values. Professional judgement is then used to determine the importance of the resource. Whilst this method should be used as objectively as possible, qualitative

*assessment using professional judgement is inevitably involved."*⁴³

This assessment of significance adopts the following grading system:

- **Highest significance:** Parts or elements of a heritage asset, or its setting, that are of particular interest and are fundamental components of its archaeological, architectural, aesthetic or historic interest, and form a significant part of the reason for designation or its identification as a heritage asset. These are the areas or elements of the asset that are most likely to warrant retention, preservation or restoration.
- **Moderate significance:** Parts or elements of the heritage asset, or its setting, that are of some interest but make only a modest contribution to the archaeological, architectural, aesthetic or historic interest of the heritage asset. These are likely to be areas or elements of the asset that might warrant retention but are capable of greater adaption and alteration due to their lesser relative significance.
- **Low or no significance:** Parts or elements of the heritage asset, or its setting, that make an insignificant, or relatively insignificant contribution to the archaeological, architectural, aesthetic or historic interest of the heritage asset. These are likely to be

⁴² DLUHC, PPG, paragraph 039, reference ID: 18a-039-20190723.

⁴³ International Council on Monuments and Sites (ICOMOS), *Guidance on Heritage Impact Assessment for Cultural World Heritage Properties* (Paris, January 2011), paras. 4-10.

- areas or elements of the asset that can be removed, replaced or altered due to their minimal or lack of significance and are areas and elements that have potential for restoration or enhancement through new work.

Assessment of harm

Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against, such as whether a proposed development preserves or enhances the character or appearance of a Conservation Area, and articulating the scale of any harm in order to inform a balanced judgement/weighting exercise as required by the NPPF.

In accordance with key policy, the following levels of harm may potentially be identified for designated heritage assets:

- **Substantial harm or total loss.** It has been clarified in a High Court Judgement of 2013 that this would be harm that would *"have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced"*,⁴⁴ and
- **Less than substantial harm.** Harm of a lesser level than that defined above.

With regards to these two categories, the PPG states:

"Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated."⁴⁵

Hence, for example, harm that is less than substantial would be further described with reference to where it lies on that spectrum or scale of harm, for example low end, middle, and upper end of the less than substantial harm spectrum/scale.

With regards to non-designated heritage assets, there is no basis in policy for describing harm to them as substantial or less than substantial, rather the NPPF requires that the scale of any harm or loss is articulated whilst having regard to the significance of the asset. Harm to such assets is therefore articulated as a level of harm to their overall significance, using descriptors such as minor, moderate and major harm.

It is also possible that development proposals will cause no harm or preserve the significance of heritage assets. Here, a High Court Judgement of 2014 is relevant. This concluded that with regard to preserving the setting of a Listed building or preserving the character and appearance of a Conservation Area, *"preserving"* means doing *"no harm"*.⁴⁶

Preservation does not mean no change, it specifically means no harm. GPA:2 states that *"Change to heritage assets is inevitable but it is only harmful when significance is damaged"*.⁴⁷ Thus, change is accepted in Historic England's guidance as part of the evolution of

⁴⁴ Bedford Borough Council v Secretary of State for Communities and Local Government [2013] EWHC 2847 (Admin), para. 25.

⁴⁵ DLUHC, PPG, paragraph 018, reference ID: 18a-018-20190723.

⁴⁶ R (Forge Field Society) v Sevenoaks District Council [2014] EWHC 1895 (Admin).

⁴⁷ Historic England, GPA:2, p. 9.

the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.

As part of this, setting may be a key consideration. When evaluating any harm to significance through changes to setting, this Report follows the methodology given in *GPA:3*, described above.

Fundamental to this methodology is a consideration of “*what matters and why*”.⁴⁸ Of particular relevance is the checklist given on page 13 of *GPA:3*.⁴⁹

It should be noted that this key document also states:

“Setting is not itself a heritage asset, nor a heritage designation...”⁵⁰

Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage interests that contribute to this significance, through changes to setting.

With regards to changes in setting, *GPA:3* states that:

“Conserving or enhancing heritage assets by taking their settings into account need not prevent change”.⁵¹

Additionally, whilst the statutory duty requires that special regard should be paid to the desirability of not harming the setting of a Listed Building, that cannot mean that any harm, however minor, would necessarily require Planning Permission to be refused. This point has been clarified in the Court of Appeal.⁵²

⁴⁸ Historic England, *GPA:3*, p. 8.

⁴⁹ Historic England, *GPA:3*, p. 13.

⁵⁰ Historic England, *GPA:3*, p. 4.

⁵¹ Historic England, *GPA 3*, p. 8.

⁵² *Palmer v Herefordshire Council & Anor* [2016] EWCA Civ 1061.

Benefits

Proposed development may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage interests, and hence the significance, of the assets concerned.

As detailed further in **Appendix 3** the *NPPF* (at Paragraphs 207 and 208) requires harm to a designated heritage asset to be weighed against the public benefits of the development proposals.⁵³

Recent High Court Decisions have confirmed that enhancement to the historic environment should be considered as a public benefit under the provisions of Paragraphs 207 to 209.⁵⁴

The *PPG* provides further clarity on what is meant by the term ‘public benefit’, including how these may be derived from enhancement to the historic environment (‘heritage benefits’), as follows:

“Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed

⁵³ *DLUHC, NPPF*, paras. 207 and 208.

⁵⁴ Including – *Kay, R (on the application of) v Secretary of State for Housing Communities and Local Government & Anor* [2020] EWHC 2292 (Admin); *DLUHC, NPPF*, paras. 207 and 209.

private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

- ***sustaining or enhancing the significance of a heritage asset and the contribution of its setting***
- ***reducing or removing risks to a heritage asset***
- ***securing the optimum viable use of a heritage asset in support of its long term conservation.***⁵⁵

Any "heritage benefits" arising from the proposed development, in line with the narrative above, will be clearly articulated in order for them to be taken into account by the decision maker.

⁵⁵ DLUHC, PPG, paragraph 020, reference ID: 18a-020-20190723.

Appendix 2: Legislative Framework

Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990*, which provides statutory protection for Listed Buildings and Conservation Areas.⁵⁶ It does not provide statutory protection for non-designated or Locally Listed heritage assets.

Section 16 (2) of the Act relates to the consideration of applications for Listed Building Consent and states that:

“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 its setting or any features of special architectural or historic interest which it possesses.”⁵⁷

⁵⁶ UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990.

⁵⁷ UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16(2).

Appendix 3: National Policy Guidance

The National Planning Policy Framework (December 2023)

National policy and guidance is set out in the Government's *National Planning Policy Framework (NPPF)* published in December 2023. This replaced and updated the previous *NPPF* (September 2023). The *NPPF* needs to be read as a whole and is intended to promote the concept of delivering sustainable development.

The *NPPF* sets out the Government's economic, environmental and social planning policies for England. Taken together, these policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations. The *NPPF* continues to recognise that the planning system is plan-led and that therefore Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application, including those which relate to the historic environment.

The overarching policy change applicable to the proposed development is the presumption in favour of sustainable development. This presumption in favour of sustainable development (the 'presumption') sets out the tone of the Government's overall stance and operates with and through the other policies of the *NPPF*. Its purpose is to send a strong signal to all those involved in the planning process about the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than barriers. Conserving historic assets in a manner appropriate to their significance forms part of this drive towards sustainable development.

The purpose of the planning system is to contribute to the achievement of sustainable development and the *NPPF* sets out three 'objectives' to facilitate sustainable development: an economic objective, a social objective, and an environmental objective. The presumption is key to delivering these objectives, by creating a positive pro-development framework which is underpinned by the wider economic, environmental and social provisions of the *NPPF*. The presumption is set out in full at paragraph 11 of the *NPPF* and reads as follows:

"Plans and decisions should apply a presumption in favour of sustainable development."

For plan-making this means that:

- a. all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;***
- b. strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:***
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting***

the overall scale, type or distribution of development in the plan area; or

- ii. 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.***

For decision-taking this means:

- a. approving development proposals that accord with an up-to-date development plan without delay; or***
- b. 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:***
 - i. the application policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or***
 - ii. 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.”⁵⁸***

However, it is important to note that footnote 7 of the NPPF applies in relation to the final bullet of paragraph 11. This provides a context for paragraph 11 and reads as follows:

“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 187) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 72); and areas at risk of flooding or coastal change.”⁵⁹ (our emphasis)

The NPPF continues to recognise that the planning system is planned and that therefore, Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application.

Heritage Assets are defined in the NPPF as:

“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).”⁶⁰

⁵⁸ DLUHC, NPPF, para. 11.

⁵⁹ DLUHC, NPPF, para. 11, fn. 7.

⁶⁰ DLUHC, NPPF, Annex 2.

The NPPF goes on to define a Designated Heritage Asset as a:

“World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under relevant legislation.”⁶¹

As set out above, significance is also defined as:

“The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.”⁶²

Section 16 of the NPPF relates to ‘Conserving and enhancing the historic environment’ and states at paragraph 201 that:

“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”⁶³

Paragraph 203 goes on to state that:

“In determining planning applications, local planning authorities should take account of:

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;***
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and***
- c. the desirability of new development making a positive contribution to local character and distinctiveness.”⁶⁴***

With regard to the impact of proposals on the significance of a heritage asset, paragraphs 205 and 206 are relevant and read as follows:

“When 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to

⁶¹ DLUHC, NPPF, Annex 2.

⁶² DLUHC, NPPF, Annex 2.

⁶³ DLUHC, NPPF, para. 201.

⁶⁴ DLUHC, NPPF, para. 203.

substantial harm, total loss or less than substantial harm to its significance.”⁶⁵

“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a. grade II listed buildings, or grade II registered parks or gardens, should be exceptional;***
- b. assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”⁶⁶***

Section b) of paragraph 206, which describes assets of the highest significance, also includes footnote 72 of the NPPF, which states that non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments should be considered subject to the policies for designated heritage assets.

In the context of the above, it should be noted that paragraph 207 reads as follows:

“Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities

should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site; and***
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and***
- c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and***
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.”⁶⁷***

Paragraph 208 goes on to state:

“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, where appropriate, securing its optimum viable use.”⁶⁸

The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 212 that:

⁶⁵ DLUHC, NPPF, para. 205.

⁶⁶ DLUHC, NPPF, para. 206.

⁶⁷ DLUHC, NPPF, para. 207.

⁶⁸ DLUHC, NPPF, para. 208.

“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”⁶⁹

Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Planning Authorities should approach development management decisions positively, looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. Additionally, securing the optimum viable use of sites and achieving public benefits are also key material considerations for application proposals.

National Planning Practice Guidance

The then Department for Communities and Local Government (now the Department for Levelling Up, Housing and Communities (DLUHC)) launched the planning practice guidance web-based resource in March 2014, accompanied by a ministerial statement which confirmed that a number of previous planning practice guidance documents were cancelled.

This also introduced the national Planning Practice Guidance (PPG) which comprised a full and consolidated review of planning practice guidance documents to be read alongside the NPPF.

The PPG has a discrete section on the subject of the Historic Environment, which confirms that the consideration of ‘significance’ in decision taking is important and states:

“Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.”⁷⁰

In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the NPPF. It goes on to state:

“In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may

⁶⁹ DLUHC, NPPF, para 212.

⁷⁰ DLUHC, PPG, paragraph 007, reference ID: 18a-007-20190723.

still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.”⁷¹ (our emphasis)

⁷¹ DLUHC, PPG, paragraph 018, reference ID: 18a-018-20190723.

Appendix 4: Relevant Development Plan Policies

Planning applications within Manchester City Centre are currently considered against the policy and guidance set out within the Core Strategy, which was adopted 11th July 2012, as well as the Places for Everyone Joint Development Plan Document, adopted 21st March 2024.

The following policy from the Core Strategy is relevant to the historic environment:

Policy EN3 – Heritage

Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

*New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains. **(This paragraph has now been superseded by Policy JP-P2 of the Development Plan).***

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

The following policy from the Development Plan is relevant to the historic environment:

Policy JP-P2: Heritage

“We will proactively manage and work with partners to positively conserve, sustain and enhance our historic environment and heritage assets and their settings. Opportunities will be pursued to aid the promotion, enjoyment, understanding and interpretation of heritage assets, as a means of maximising wider public benefits and reinforcing Greater Manchester's distinct character, identity and sense of place. Local Plans will set out the key elements which contribute to the district's identity, character and distinctiveness and which should be the priority for conserving and enhancing in the future and demonstrate a clear understanding of the historic environment and the heritage values of sites, buildings or areas and their relationship with their surroundings. This knowledge should be used to inform the positive management and integration of our heritage by:

- 1. Setting out a clear vision that recognises and embeds the role of heritage in place-making;*
- 2. Ensuring that the heritage significance of a site or area is considered in accordance with national planning policy in the planning and design process and opportunities for interpretation and local engagement are optimised;*
- 3. Integrating the conservation and enhancement of heritage assets and their settings, with creative contextual architectural responses that contribute to their significance and sense of place;*

4. Delivering positive benefits that sustain and enhance the historic environment, as well as contributing to the economic viability, accessibility and environmental quality of a place, and to social wellbeing; and

5. Exploring opportunities to reduce greenhouse gas emissions that restoration of historic buildings offer.

Particular consideration will be given to ensure that the significance of key elements of the historic environment which contribute to Greater Manchester's distinctive identity and sense of place are protected from harm. These include historic town centres, places of worship, historic transport routes including the canal network, industrial buildings and structures including textile mills, farmsteads and other sites, buildings, and areas of identified archaeological, architectural, artistic and/or historic value.

Development proposals affecting designated and non-designated heritage assets and/or their settings will be considered having regard to national planning policy. Where heritage assets have been identified as being at risk, Local Plans should identify specific opportunities for them to contribute to regeneration and placemaking, and they should set out strategies for their repair and re-use. Development proposals which will help safeguard the significance of and secure a sustainable future for Greater Manchester's heritage at risk will be supported in principle, provided they are not contrary to national policy or other policies in the development plan.

Proposals should be informed, as necessary, by the findings and recommendations of the appropriate heritage assessment(s) in the development plan evidence base and/or any updated heritage assessment submitted as part of the planning application process."



Appendix 5: List Entry Nos. 18 & 20 St John Street.

Nos. 18 and 20, ST JOHN STREET

Listed on the National Heritage List for England.

[Search over 400,000 listed places](https://historicengland.org.uk/listing/the-list/) (<https://historicengland.org.uk/listing/the-list/>)

Official list entry

Heritage Category:**Listed Building**

Grade:**II**

List Entry Number:**1254598**

Date first listed:**25-Feb-1952**

Date of most recent amendment:**06-Jun-1994**

List Entry Name:**Nos. 18 and 20, ST JOHN STREET**

Statutory Address 1:**18 and 20, ST JOHN STREET, M3 4EA**

This List entry helps identify the building designated at this address for its special architectural or historic interest.

Unless the List entry states otherwise, it includes both the structure itself and any object or structure fixed to it (whether inside or outside) as well as any object or structure within the curtilage of the building.

For these purposes, to be included within the curtilage of the building, the object or structure must have formed part of the land since before 1st July 1948.

[Understanding list entries](https://historicengland.org.uk/listing/the-list/understanding-list-entries/) (<https://historicengland.org.uk/listing/the-list/understanding-list-entries/>)

[Corrections and minor amendments](https://historicengland.org.uk/listing/the-list/minor-amendments/) (<https://historicengland.org.uk/listing/the-list/minor-amendments/>)

Location

Statutory Address:**18 and 20, ST JOHN STREET, M3 4EA**

The building or site itself may lie within the boundary of more than one authority.

District:**Manchester (Metropolitan Authority)**

Parish:**Non Civil Parish**

National Grid Reference:**SJ 83420 97935**

Details

This list entry was subject to a Minor Amendment on 14/12/2016

SJ 8397 NW, 698-1/30/399

MANCHESTER ST JOHN STREET (north side), Nos.18 and 20

(Formerly Listed as: ST JOHN STREET (North side), Nos. 8A, 8 TO 22 (Even))

25.02.52

G.V.

II

Pair of town houses, now consulting rooms. Late C18; altered. Red brick in Flemish bond (roof not visible). Double-depth plan, each house single-fronted, with coupled back extensions. Three storeys over cellars, 6 bays, symmetrical, (each house with 3 windows), with plinth, and altered cornice. Round-headed doorways adjoining in the centre, with open-pedimented Tuscan doorcases, panelled doors and semi-circular fanlights; all windows

have raised sills and flat-arched heads, but the glazing differs: No.18 has sashes with 4 panes at ground floor, 12 panes at 1st floor and 9 panes above, but No.20 has altered glazing at ground floor,12-pane sashes at 1st floor and 9-pane top-hung casements at 2nd floor. Interior not inspected. Forms part of terrace on north side of street.

Listing NGR: SJ8342097935

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number:**457298**

Legacy System:**LBS**

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.



Map

This map is for quick reference purposes only and may not be to scale.
This copy shows the entry on 25-Nov-2024 at 11:03:47.

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End of official list entry

Planning (Listed Buildings and Conservation Areas) Act 1990
Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

Manchester

Queens House, Queen Street
T 0161 393 3399
Manchester@pegasusgroup.co.uk
Offices throughout the UK.

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