

Planning

Growth & Development

Delegated officer report for planning application

Application no.	137061/LO/2023	
Date registered valid:	29 August 2023	
Proposal:	Listed Building Consent for the installation of PV panels	
Address:	22 St John Street, Manchester, M3 4EB	
Ward(s):	Deansgate	Ward
Applicant:	RA Project 5X Limited	
Agent (if any):	Mr Tim Cropper Miallex	
Case officer:	Max Tel: 0161 219 Email: maximillian.gibson@manchester.gov.uk	Gibson 6359
Recommendation:	Approve	
Date of recommendation:	19/10/2023	

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 26/09/2023 & 17/10/2023

Standard consultations:

Printed: 26 September 2023 Expired: 17 October 2023

Neighbour notifications

Printed: 26 September 2023 Expired: 17 October 2023

Site notice

Posted: 26/09/2023 Expired: 17/10/2023

Press advert

Published: 3 October 2023 Expired: 17 October 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The site relates to a modern (1970's) 3-storey extension to the rear of 22 St John Street, a Grade II listed, late 18th century three storey townhouse constructed from red brick. Much of the building's significance is derived from the facade that faces on to St John Street. The rear extension is L-shaped in plan form with a pitched slate roof. The short edge is attached to an outrigger at no.22 with the bulk of the building addressing Artillery Street. Private car parks make up the intervening spaces.

Listed building: Not applicable

Conservation area: St John Street Conservation Area 1970

Tree Preservation Order: n/a

Description of area

The area relates to St John Street Conservation Area, which lies just west of Deansgate. The street takes its name from the Georgian Church which stood on the site of what is now St. John's Gardens. From the historic maps it appears that the houses in the street were built in phases between 1770 and 1850. The majority of the buildings on the street are Grade II listed, being some of the few remaining examples of Georgian architecture in Manchester's city centre. The surrounding area comprises mainly commercial uses as the properties in St. John Street are largely used for Class E office uses.

Description of development

The development relates to the installation of photovoltaic panels, in two separate arrays, to the roof of the rear modern extension.

Consultations & Notification Responses

Publicity - a notice was displayed on site advertising works affecting a listed building and conservation area. An notice was posted in the local press advertising works affecting a listed

building and conservation area. Letters were sent to surrounding occupiers informing them of the development. No representations have been received as a result of this publicity.

Issues

The main policies that relate to this application are SP1 (Spatial Principles), DM1 (Development Management), EN3 (Heritage) and CC9 (Design and Heritage) of the Manchester Core Strategy (2012), DC18 (Conservation Areas) and DC19 (Listed Buildings) of the Unitary Development Plan for Manchester (1995) and Section 16 (Conserving the historic environment) of the National Planning Policy Framework.

Places for Everyone (2023)

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8-week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

Policy JP-P2: Heritage

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.

Principle

The proposed development relates to the installation of 2no. photovoltaic panel arrays to the rear extension of no.22 St John Street. The proposal will help to minimise CO2 emissions in Manchester. The installation of low and zero carbon energy sources is supported by policy EN4 of the Manchester Core Strategy (2012), which encourages retrofit projects that would help improve energy efficiency and provide low and zero carbon energy supplies to existing buildings. Policy JP-P2: Heritage supports development that has opportunities to reduce

greenhouse gas emissions of historic buildings. However, as the installation would be on a listed building and within a conservation area, it is necessary to consider any harm that would be caused to the special character and appearance of these designated heritage assets by the proposal, an assessment of which is undertaken below.

Impact on the listed building

22 St John Street consists of two distinct elements. There is the original 18th Century building facing St John Street and a modern extension to the rear. The original building is of high significance and derives much of this significance from the historic, Georgian facade on St John Street. The rear extension, designed as a modern functional office block, has an entirely different aesthetic to the historic part of the building sharing greater physical, visual, and spatial characteristics with the more modern commercial buildings fronting onto Artillery Street.

The combined size, sleek glazed materials, profile, and framing detail of the arrays represents a modern intervention that would change the appearance of the extensions' roofs. However, the roofs in question cannot be seen from any public vantage point. The area of highest significance, including the setting of no.22 and wider views within the conservation area, would not be impacted by the proposal, ensuring they are conserved entirely in accordance with paragraphs 189, 197 and 199 of the NPPF.

There would be limited views of the PV arrays within the setting of the private rear car parks of no.22 and from windows at the rears of nos.18-22. The PV panels, by virtue of their siting on the modern section of the building, will be read as a modern intervention to a modern building of low to neutral significance and distinctly different from the building in terms of its heritage value. The impact would result in a low level of less than substantial harm but this outweighed by the public benefits of providing a renewable energy source, thus complying with paragraph 202 of the NPPF.

Impact on the conservation area

The roofs to which it is proposed to install the PV panels faces on to an internal courtyard. By virtue of this position and orientation, together with the height of the modern extension relative to the width of Artillery Street, the roofs under consideration are not visible from any public vantage point within or outside of the conservation area. Thus, it is considered that there would be no harm caused to the St John Street Conservation Area.

Conclusion

The proposed development would cause a degree of less than substantial harm as it would materially alter the appearance of a listed building, albeit of a modern extension. However, by virtue of their orientation and siting, the PV panels would not impact the appearance of any features of significance, impact historic fabric nor be publicly visible from the street. The degree of less than substantial harm would, therefore, be minor in nature. The siting also ensures there would be no harm caused to the conservation area, as the PV panels would not be visible from the street and hence they would not affect its special character and appearance.

The small instance of less than substantial harm created by the development is outweighed by the public benefit provided by retrofitting the building with a zero carbon energy source and thus the development is considered to be in accordance with the provisions of policies EN4, DM1, SP1, CC9 and EN3 of the Manchester Core Strategy, saved policies DC18 and DC19 of the Unitary Development Plan and Section 16 of the NPPF.

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 based on seeking solutions to problems arising in relation to dealing with the planning application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

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

Reason - Required to be imposed pursuant to Section 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:

-Drawing - Proposed 2215-110 ROOF PLAN received by the City Council, as Local Planning Authority, on 23/05/2023.

-Drawing - Proposed SECTIONS AA-BB received by the City Council, as Local Planning Authority, on 15/08/2023.

-Drawing - Proposed PHOTOVOLTAIC DETAILS

-Drawing - Proposed PHOTOVOLTAIC DETAILS

received by the City Council, as Local Planning Authority, on 29/08/2023.

-Design & Access Statement DESIGN AND ACCESS STATEMENT received by the City Council, as Local Planning Authority, on 23/05/2023.

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 the development hereby approved, a method statement for the installation of the PV arrays shall be submitted to and approved in writing by the City Council, as Local Planning Authority. This should include details of any new penetrations into listed building fabric for cabling, inverters, and any battery storage, and means of connecting to new or existing energy infrastructure within the building. Details of how historic fabric will be protected during installation works should also be included.

The approved details shall be implemented as part of the development and completed prior to the first use of the development.

Reason - To ensure that the development is acceptable in the interests conservation and heritage pursuant to policies SP1, DM1, CC9 and EN3 of the Manchester Core Strategy (2012) and saved policy DC19 of the Unitary Development Plan.

4) Prior to the removal of the PV panels hereby approved, a method statement for the removal and reinstatement of any elements of the roof removed as part of the development shall be submitted to and agreed in writing by the City Council, as Local Planning Authority.

The approved details shall be implemented within one month of the use ceasing and thereafter retained and maintained in accordance with this scheme.

Reason - In the interests of the protection of a designate heritage asset because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

Informatives

As far as practicable, at the end of their functional life, solar array material should be reused and recycled in the interests of sustainability.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

Sixth Floor, Overseas House, Quay Street, Manchester, M3 3HN
Fourth Floor, Overseas House, Quay Street, Manchester, M3 3HN
Third Floor, Overseas House, Quay Street, Manchester, M3 3HN
Second Floor, Overseas House, Quay Street, Manchester, M3 3HN
First Floor, Overseas House, Quay Street, Manchester, M3 3HN
Unit 1, Overseas House, Quay Street, Manchester, M3 3HN
Third Floor, 15 Quay Street, Manchester, M3 3HN
First Floor, 15 Quay Street, Manchester, M3 3HN
Second Floor, 15 Quay Street, Manchester, M3 3HN
Healthworks, 14 - 16 St John Street, Manchester, M3 4DZ
Fifth Floor, 15 Quay Street, Manchester, M3 3HN
Fourth Floor, 15 Quay Street, Manchester, M3 3HN
MANSON INSURANCE LTD, Ground Floor, 15 Quay Street, Manchester, M3 3HN
18 - 20 St John Street, Manchester, M3 4EA
13 St John Street, Manchester, M3 4DQ
Overseas House, Quay Street, Manchester, M3 3HN
The Blues Kitchen, 13 Quay Street, Manchester, M3 3HN
17 Quay Street, Manchester, M3 3HN
Unit 2, Overseas House, Quay Street, Manchester, M3 3HN
Offices, 18 - 20 St John Street, Manchester, M3 4EA
17 St John Street, Manchester, M3 4DR
15 St John Street, Manchester, M3 4DG
24 St John Street, Manchester, M3 4DF
15 Quay Street, Manchester, M3 3HN
19 St John Street, Manchester, M3 4DS

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - St John Street Conservation Area 1970
Area Team Boundary - Name: CENTRAL