

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Planning (Listed Building & Conservation Area) Act 1990 (as amended)

Listed Building Consent

Applicant

Mr Sean O Garra
Robertson Construction Group Ltd
Robertson House
Castle Business Park
Stirling
FK9 4TZ
Scotland

Agent (if used)

Mr Colin Williams
The Planning Studio
111, Piccadilly Ducie Street
Manchester
M1 2HY

Part 1 – Particulars of the application/development

Proposal: LISTED BUILDING CONSENT Application for listed building consent for internal and external alterations to railway arches to facilitate the change of use of the structures

Location: Arches Within Part Of The Railway Viaduct Adjacent To Manchester Home, Whitworth Street West & Tony Wilson Place, Manchester, M15 4FN

Date of application: 4 November 2021

Application number: 131993/LO/2021

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **granted** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

In assessing the merits of the planning application, officers worked proactively with the applicant and planning agent in order to gather more information and plans, as well as agreeing to minor amendments and conditions where required.

Condition(s) attached to this decision

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: NC

- Location Plan (Drawing _B1_00_1001 dated 19/10/21) - Received 04/11/21
- Existing Site Plan (Drawing _B1_00_1002 dated 19/10/21) - Received 04/11/21
- Existing Ground Floor Plan (Drawing 022000 Revision P01 dated 19/10/21) - Received 04/11/21
- Existing Elevation 1 Whitworth Street (Drawing 042000 Revision P01 dated 19/10/21) - Rec 04/11/21
- Existing Elevation 2 HOME (Drawing 042001 Revision P01 dated 19/10/21) - Received 04/11/21
- Existing Section A-A (Drawing 052000 Revision P01 dated 19/10/21) - Received 04/11/21
- Existing Section B-B (Drawing 052001 Revision P01 dated 19/10/21) - Received 04/11/21
- Existing Cross Sections (Drawing 052002 Revision P01 dated 19/10/21) - Received 04/11/21
- Proposed GF Plan (Drawing 022200 Revision P01 dated 19/10/21) - Received 04/11/21
- Proposed Roof & Plant Plan (Drawing 022201 Rev P01 dated 19/21/21) - Received 04/11/21
- Proposed Elevation Whitworth Street (Drawing 042200 Rev P01 dated 19/10/21) - Rec. 04/11/21
- Proposed Elevation HOME (Drawing 042201 Rev P01 dated 19/10//21) - Received 04/11/21
- Proposed Whitworth Street Axonometric (Drawing 252200 Rev P01 dated 19/10/21) - Rec 04/11/21
- Proposed HOME 2 Axonometric (Drawing 252201 Rev P01 dated 19/10/21) - Rec 04/11/21
- Proposed HOME Axonometric (Drawing 252202 Rev P01 dated 19/10/21) - Received 04/11/21
- Arch 01 Cross Section (Drawing 052202 Revision P01 dated 19/10/21) - Received 04/11/21
- Arch 02 Cross Section (Drawing 052203 Revision P01 dated 19/10/21) - Received 04/11/21
- Arch 03 Cross Section (Drawing 052204 Revision P01 dated 19/10/21) - Received 04/11/21
- Section A-A Longitudinal (Drawing 052200 Revision P01 dated 19/10/21) - Received 04/11/21
- Section B-B Longitudinal (Drawing 052201 Revision P01 dated 19/10/21) - Received 04/11/21

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy Policies SP1, DM1 and EN3 and saved UDP policy DC19.1

3) Prior to construction of the development commencing, all materials to be used on all external elevations of the proposed development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples and specifications of all materials to be used on all external elevations of the proposed rear extensions along with jointing and fixing details, details of ventilation/air bricks and a strategy for quality control management.

The approved materials shall then be implemented as part of the development.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, pursuant to policies SP1, DM1 and END of the Core Strategy and saved policy DC19.1 of Manchester's Unitary Development Plan

4) Notwithstanding the details as set out in Condition 2 above, no construction shall commence with regards to the following individual points/parts of development unless and until final details (including where appropriate specification and method statement) of the following have been submitted to and approved in writing by the City Council as Local Planning Authority:

- a) Full and final details of the proposed glazing system including method statement of how this will be installed, including all connections and attachments to the listed fabric of the arches
- b) Full and final details, including cross section, of all proposed entrance and loading doors including proposed framing system
- c) Full and final details, including finishes, colours and trim detail to proposed extension parapets.
- d) Full and final details including methodology of brickwork repair and reinstatement (including use of sealant, paint or any other finishes)
- e) Full and final details including extent and method of attachment of any over-panelling to brickwork.
- f) Full details, location and extent of means of affixing any proposed fittings and fixtures (including but not limited to lighting rig/s, doors to internal arches between arches, fitted furniture etc.) to the listed structure, including where possible a programme of making good any interventions/fixings in the future.
- g) Full and final details of floor coverings to be used internally

Reason: To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of visual amenity of the area within which the site is located, as specified in policies SP1, DM1 and EN3 of the Core Strategy and saved Policy DC19.1 of the Manchester Unitary Development Plan.

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

Date: 8 March 2022

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers only to that required under the Planning (Listed Buildings and Conservation Areas) Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State in accordance with sections 20 and 21 of the Act within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/planning-inspectorate. The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.