

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

Manchester City Council
Town Hall
Manchester
M60 2LA

Agent (if used)

Mr John Cooper
Deloitte LLP
The Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: LISTED BUILDING CONSENT for interface and abutment works to the Ashton Canal Lock (No. 3) to facilitate the construction of a new walking and cycling bridge

Location: Lock Number 3 Along The Ashton Canal Towpath, Manchester, M4 6DH

Date of application: 13 August 2021

Application number: 131346/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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the siting/layout, scale, design and appearance of the development and impact on the listed building. Further work and discussion have taken place with the applicant through the course of the application. The proposal is considered to be acceptable and therefore determined within a timely manner

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 alterations to Lock Number 3 Ashton Canal shall not be undertaken before a contract for the carrying out of the building works have been made, and planning permission has been granted for the redevelopment for which the contract provides, and evidence of that contract has been supplied to the City Council as Local Planning Authority.

Reason - In the interests of visual amenity and for the avoidance of doubt, and to ensure that redevelopment of the site takes place following external alterations to the existing building pursuant to policy EN3 of the Manchester Core Strategy and saved DC19 of the Unitary Development Plan for the City of Manchester, and the National Planning Policy Framework.

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

Drawings

ICB-HBA-ZZ-XX-DR-A-PL20 0101 REV P1, ICB-HBA-ZZ-XX-DR-A-PL20_0001 REV P1, ICB-HBA-ZZ-XX-DR-A-PL20 0102 REV P1, ICB-HBA-ZZ-XX-DR-A-PL20 0203 REV P1 and ICB-HBA-ZZ-XX-DR-A-PL20 0303 REV P1 stamped as received by the City Council, as Local Planning Authority, on the 13 August 2021

ICB-HBA-ZZ-XX-DR-A-PL20 0202 REV P1, ICB-HBA-ZZ-XX-DR-A-PL20 0302 REV P1, ICB-HBA-ZZ-XX-DR-A-PL20 0400 REV P1 and ICB-HBA-ZZ-XX-DR-A-PL20_0103 P1 stamped as received by the City Council, as Local Planning Authority, on the 11 October 2021

Design and access statement stamped as received by the City Council, as Local Planning Authority, on the 11 October 2021

Heritage Statement and planning statement stamped as received by the City Council, as Local Planning Authority, on the 13 August 2021

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.

4) Prior to the commencement of the development, detailed plans and cross sections showing the relationship/interface between the proposed development and Lock number 3 steps together with details of the proposed planters, have been submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall be implemented and be in place prior to the first use of the development hereby approved.

Reason - To ensure that a satisfactory interventions into the Listed structure pursuant to policy EN3 of the Manchester Core Strategy (2012) and extant policy DC19 of the Unitary Development Plan for the City of Manchester (1995) and the NPPF/NPPG.

5) Prior to the commencement of the development, detailed plans showing the interface between the existing lock tail bridge and the proposed bridge, including the junctions and relationship between balustrades and railings, have been submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall be implemented and be in place prior to the first use of the development hereby approved.

Reason - To ensure that a satisfactory interventions into the Listed structure pursuant to policy EN3 of the Manchester Core Strategy (2012) and extant policy DC19 of the Unitary Development Plan for the City of Manchester (1995) and the NPPF/NPPG.

6) Prior to the commencement of the development, specification and details of the material finish of the ramp elevation along the canal, have been submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall be implemented and be in place prior to the first use of the development hereby approved.

Reason - To ensure that a satisfactory interventions into the Listed structure pursuant to policy EN3 of the Manchester Core Strategy (2012) and extant policy DC19 of the Unitary Development Plan for the City of Manchester (1995) and the NPPF/NPPG.

7) Prior to the commencement of the development, details of the extent of proposed balustrades parallel to the lock, alongside the lock and lock quadrants and the relationship between these and the balustrades on the ramp and proposed bridge, have been submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall be implemented and be in place prior to the first use of the development hereby approved.

Reason - To ensure that a satisfactory interventions into the Listed structure pursuant to policy EN3 of the Manchester Core Strategy (2012) and extant policy DC19 of the Unitary Development Plan for the City of Manchester (1995) and the NPPF/NPPG.

8) Prior to the commencement of the development, detailed plans and cross sections of the interface, levels and relationship between the regraded ramp adjacent to the lock and the listed lock side and any associated boundary treatment and landscaping, have been submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall be implemented and be in place prior to the first use of the development hereby approved.

Reason - To ensure that a satisfactory interventions into the Listed structure pursuant to policy EN3 of the Manchester Core Strategy (2012) and extant policy DC19 of the Unitary Development Plan for the City of Manchester (1995) and the NPPF/NPPG.

9) Prior to the commencement of the development, detailed plans and cross sections clearly showing the dimensions of the lock landing area to be provided and the available space for boaters to disembark boats safely and the position of the mooring rings to be retained/provided, have been submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall be implemented and be in place prior to the first use of the development hereby approved.

Reason - To ensure that a satisfactory interventions into the Listed structure pursuant to policy EN3 of the Manchester Core Strategy (2012) and extant policy DC19 of the Unitary Development Plan for the City of Manchester (1995) and the NPPF/NPPG.

10) Prior to the commencement of the development, plans and details showing the means to prevent users of the ramp accidental entering the water next to Bascule Bridge and to prevent access along the coping stones between the ramp and waters edge of the canal, have been submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall be implemented and be in place prior to the first use of the development hereby approved.

Reason - To ensure that a satisfactory interventions into the Listed structure pursuant to policy EN3 of the Manchester Core Strategy (2012) and extant policy DC19 of the Unitary Development Plan for the City of Manchester (1995) and the NPPF/NPPG.

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: 5 November 2021

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.