MANCHESTER CITY COUNCIL

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

Refusal of details reserved by condition

Applicant

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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of condition numbers: 13 (Method statement of clearance/ repair work); 14 (Method Statement for the retention, repair and/or refurbishment of cornicing, skirting boards, ceilings, architraves, cills within the building); 15 (Method Statement for the installation of all proposed building services) from listed building consent reference 124312/LO/2019

Location: Westwood Cottages, Raby Street, Manchester, M14 4SU

Date of application: 23 September 2020

Application number: CDN/20/0611

Part 2 – Particulars of decision

Manchester City Council gives notice that the detail(s) referred to in Part 1 are **Refused** in accordance with the information set out below.

Condition 13 - Method statement of clear
The condition relates to windows as well as various building services but the submitted information:

(a) Makes no reference to windows.
(b) Explicitly deals only with external redundant services whereas the condition makes no such distinction and relates to the identified features both internally and externally.

Consideration of this condition should include rainwater goods and soil pipes

The submitted information should identify any original/historic building service features (whether or not redundant), confirm their heritage significance and the approach being

taken towards them. In certain instances it may be sufficient to record them prior to removal but in other instances they should be retained in situ.

The careful removal of non-original/non-historic windows and redundant non-original/non-historic building services is accepted subject to understanding how associated damage would be appropriately repaired and ensuring an appropriate location and detailed design of replacements. The proposers should confirm what non-original/non-historic building services (including any associated external equipment) would be retained to ensure the proposed retention of any existing unsympathetic features can be considered.

The proposed installation of new building services should identify existing, internal service runs that can be used to carry the new services to avoid unnecessary intervention on the existing built fabric to create new runs.

The existing building service runs that remain redundant and other damage caused by the previous installation of services and windows and their removal would need to be covered by detailed specifications/methodologies dealing with the variety of built fabric types affected. These would include, for example, brickwork, stonework, internal plasterwork and timber. Guidance regarding brickwork repair has been given previously under conditions addressed under CDN/20/0591 and gives an indication of the type of information now required to demonstrate a conservation-led approach for providing like-for-like 'invisible' repairs to all affected built fabric types. For example:

(a) Redundant holes through timber (such as joists and floorboards) should be infilled with timber plugs in matching timber
(b) Small scale redundant holes (such as those for individual pipes) through individual bricks should be appropriately filled and larger holes (such as those created for heating flues) may require the replacement/reinstatement of whole bricks (refer to CDN/20/0591 advice).
(c) Chasing created in brick walls should be repaired in matching brick and mortar (refer to CDN/20/0591 advice).
(d) Affected internal wall plaster would need to be made good on a like-for-like basis to match original plasterwork including the composition (by chemical analysis), colour, texture and finished appearance/application of the plaster.
(e) Ceilings would need to be repaired and this is dealt with under Condition 14 of the approval.

Condition 14 - Method statement for ret
Condition 14 - The submitted information is not sufficient to discharge this condition. The following information is required.

Regard has been had to the submitted 'Internal Retention/Restoration of Existing Features Method Statement'. This advises that no such existing features as identified in the condition are present in the proposal building. This is of concern as site inspections (and associated photographs) - including from November 2018 - show that various features remained in the property that should still be in place including, for example:

(a) Plasterwork cornices.
(b) Skirting boards including many that appeared original including, for example, in downstairs rooms and along either side of the staircases).
(c) Lath and plaster ceilings.
(d) Architraves to doors and internal windows/hatches (such as on several staircases).
(e) Fitted shelves with cupboards under either side of living room fire places.

(f) Hearth stones in principal ground and first floor rooms set flush within the timber floors.
(g) Wall plaster.
(h) Timber bannisters and associated fixings to stairs.

Other than a limited number of door architraves and skirting boards these are all original or historic features. The opportunity could be taken to replace the non-original/non-historic elements so as to match the original/historic features but otherwise all such features should be retained in situ and repaired/refurbished to an appropriate detailed specification/methodology specific to the materials involved. In this regard the information contained in the submitted method statement is insufficiently detailed.

A survey of each cottage in the listed building should be provided. This should confirm those original/historic features that remain and, with reference to their own records and those who have acted for the proposers (such as the structural engineers), should identify those that have been removed. Those features that have been removed without consent and that were not expressly identified for removal in the approved listed building consent application should now be reinstated on an exact like- for-like basis. This should be achieved in the first instance using those remaining examples as templates. Where no examples remain photographic records should be used.

Condition 15 - services
Condition 15 - The submitted information is not sufficient to discharge this condition. The following is required.

Regard has been had to the various elements of submitted information that refer to building services and taken together they fail to provide the type and level of information sought by the condition.

Condition 13 establishes how existing services should be treated and that existing service runs need to be identified for re-use during the installation of proposed new services in order to minimise the level of intervention on the original/historic built fabric that would be required such as, for example, chasing out brickwork or forming holes through masonry or timber. Where such intervention is required it needs to be understood and demonstrably minimised including by avoiding harm to features such as those identified above regarding Condition 14. For example, any new runs between walls and ceilings must travel behind cornices and not over or through them. The routing of services must avoid the need for any boxed-in features within rooms including stairways.

Having established the routing of services, details would be required of how;

(a) The building services would manifest themselves on the building both internally and externally. This would require details of the location of equipment and typical details of the equipment including means of affixing.
(b) The built fabric would be repaired to address damage caused by the installation by way of a detailed specification/methodology.

The visible elements of the building services must be sensitively designed and located so as to minimise the physical and visual impact on the listed building including by, for example, not damaging or concealing original architectural features and, as previously noted, the routing of services must avoid the need for any boxed-in features within rooms including stairways

With regard to the submitted 'Method Statement for WBM Mechanical Ltd' the previous comments apply and in addition:
(a) It is of concern that the submitted information refers (under 'Drainage' (p.3)) to the possible requirement of venting through the roof. This is questioned given that there are existing external soil pipes that should be being retained for continued use other than to reinstate them in cast iron where this is not the case.
(b) It is of concern that the submitted information refers (under 'Ventilation'(p.3)) to the installation of kitchen and bathroom extracts. The works required and the location and manifestation internally and externally needs to be understood.

Date: 11 November 2020

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

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

Notes

1. This decision relates only to that required under the Town and Country Planning Act 1990 (as amended) or Planning (Listed Building & Conservation Area) Act 1990 (as amended) 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, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 or sections 20 and 21 of the Planning (Listed Building & Conservation Area) Act 1990 within six months of the date of the notice of the decision. However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

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/appeal-planning-inspectorate. The Inspectorate will publish details of your appeal on the internet.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

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.

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.