

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

Approval of details reserved by condition

Applicant

BBRE (79 Mosley Street) Ltd
C/o Agent

Agent (if used)

Mrs Diane Ellis
Zerum
4 Jordan Street
Manchester
M15 4PY

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 6 (Construction Management Plan), 7 (Secure By Design - pre commencement), 16 (Archaeological Works), 18 (Scaffolding), 19 (Conservation Repairs) and 24 (Servicing (Temporary Construction) of consent 123700/JO/2019 as amended by 125562

Location: 79 Mosley Street, Manchester, M2 5PD

Date of application: 16 March 2020

Application number: CDN/20/0201

Part 2 – Particulars of decision

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

Condition 6 (Construction Management)

Condition 6 (Construction Management Plan): On the basis of compliance with the following:

Russells Construction, 79 Mosley Street, Construction Management Plan -Rev 06; and

Letter from Metrolink dated 06 February 2020

the condition is discharged

C7 (Secure By Design - pre commencement)

Condition 7 (Secure By Design - pre commencement): On the basis of the Letter from Greater Manchester Police Secure by Design dated 25th July 2019 and PRP's letter dated 13 June 2019 the pre-commencement requirements of the condition are satisfied

Condition 16 (Archaeological Works)

Condition 16 (Archaeological Works): The application to discharge condition 16 is supported by:

- (a) a WSI for the historic building survey and watching brief required under the condition;
- (b) Method Statement for Soft Strip Works- Prepared by Stephen Levrant Heritage Architecture;and
- (c) Level 3 Building Survey (BS) report produced Williams Conservation Surveying (WCS) Limited dated November 2018. The WSI sets-out the methodology to be employed and records that a preliminary site visit was undertaken in November 2018. The BS was produced in-line with the WSI.

The BS report as submitted meets the requirements in condition 16 for such a survey and report. On this basis the relevant building survey (first part of element 1) fieldwork element of condition 16 is discharged.

Condition 5 also requires that a watching brief is maintained during the stripping out works (second part of element 1). The BS states (1.10) that a separate watching brief report will be submitted. In support of this a series of photographs (1.8) taken during works are presented. On the basis that the watching brief has and will be maintained, and that the report should be submitted once the work on stripping-out has been completed. Subject to the maintenance of the watching brief and production of the watching brief report all stripping out work can be carried out.

Final discharge of the condition will required the watching brief report to be submitted to and approved in writing by the City Council as Local Planning Authority.

Condition 18 (Scaffolding)

Condition 18 (Scaffolding): On the basis of the following:

Zerum's e-mail dated 18 06 20 and Preliminary Test Tie Layout dwg BDS-5744-01 in accordance with The National Access and Scaffolding Confederation document TG4:19 Anchorage System for Scaffolding in paragraph 6.1 states that The approach to testing should be to test a series of samples to a load which demonstrates a satisfactory safety margin the further tests to finalise the details of the scaffolding can proceed.

Final agreement of the location, form and fixing of the scaffolding requires submission and agreement of the following in addition to the information submitted to date in support of this application:

- (a) Details of the method, number and final location of the fixings;
- (b) A Statement setting out how this has been informed by a considered conservation led approach; an
- (c) Agreement of sample repair holes and replacement of damaged bricks.

prior to any fixing of the full scaffolding to the building.

Condition 19 (Conservation Repairs)

Condition 19 (Conservation Repairs): On the basis of the following:

Conservation Strategy- Prepared by Stephen Levrant Heritage ;
Architecture External Facade Survey- Prepared by Quadriga Contracts;
Proposed Facade Monitoring Regime- Prepared by Tier Consult;

the Conservation Strategies and principle of the following as set in the above are agreed:

- (a) Details of how windows would be removed, repaired and reinstated;
- (b) Details of secondary glazing including its position within the retained window opening;
- (c) Details of the proposed method of external cleaning;
- (d) Details of the proposed method of external repair;
- (e) Final method statement for facade retention; and
- (f) Final details of the temporary opening up works on the Back George Street elevation

final sign off of the above will be on the basis of agreement of final details and sample repairs and cleaning prior to each item of work detailed above commencing.

For the avoidance of doubt this does not prevent the commencement of the wider works as set out within the approval and permitted by the discharge of other conditions attached to the consent.

C24 (Servicing (Temporary Construction))

Condition 24 (Servicing (Temporary Construction): On the basis of compliance with the following:

Russells Construction, 79 Mosley Street, Construction Management Plan -Rev 06 - the condition is partially discharged (temporary arrangements during construction)

Date: 6 July 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 permission refers 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.

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 his 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.