MANCHESTER CITY COUNCIL

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

MANCHESTER CITY COUNCIL

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

Listed Building Consent

Applicant

Birchpark Investments Ltd
C/o Agent

Agent (if used)

Mr Matthew Hard
Indigo Planning
St James Tower
7 Charlotte Street
Manchester
M1 4DZ

Part 1 – Particulars of the application/development

Proposal: LISTED BUILDING CONSENT for external and internal works, including removal of light-box on principal entrance; reinstatement of fenestration to the third-floor attic window to the right-hand gable; replacement of existing non-original stepped entrance with a ramp access to the principal entrance; removal of fans and reinstatement of glazing to the bay to the left of the left-hand gable; reinstatement of missing glazed bars to first-floor windows; removal of fire escape; repairs to stone, brick and cladding to the rear elevation; removal of existing plant and ventilation above eaves level; extension at second-floor level to enclose space currently occupied by plant; replacement of render at third-floor level; replace wired-glazing on rear elevation with clear glazing and removal of security bars; removal of betting shop fittings and replacement with bar and restaurant facilities; alteration to dividing wall between lobby and betting shop; removal of partition wall between basement spaces; relocation of metal storage enclosures; subdivision of open office areas; removal of false ceilings; reparation of ceiling moulds; insertion of artificial floor; and, replacement of secondary glazing, in association with proposals for change of use of ground floor from betting shop (sui generis) to restaurant and bar (A3 / A4); change of use of basement to restaurant, bar, kitchen and toillets; change of use of first, second and third floors to eight apartments (C3) and associated works.

Location: 86 Cross Street, Manchester, M2 4LA

Date of application: 31 January 2018

Application number: 117967/LO/2017

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 pro-active manner to seek solutions to problems arising in relation to dealing with the planning application.

Officers held pre-application discussions with the applicant to establish the in-principle acceptability of the proposed development. Also, officers worked with the applicant during the planning application process to deal with comments raised by consultees.

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:

Location Plan (Ref: 394-EX.1.01), including site edged red
Existing Basement Floor Plan (Ref: 394-EX.1.02 Rev B)
Existing Ground Floor Plan (Ref: 394-EX.1.03 Rev B)
Existing First Floor Plan (Ref: 394-EX.1.04 Rev B)
Existing Second Floor Plan (Ref: 394-EX.1.05 Rev B)
Existing Third Floor Plan (Ref: 394-EX.1.06 Rev B)
Existing Elevations (Ref: 394-EX.2.01 Rev B)
Existing Sections (Ref: 394-EX.3.01)
Proposed Basement Floor Plan General Arrangement (Ref: 394-PL.1.01)
Proposed Ground Floor Plan General Arrangement (Ref: 394-PL.1.02)
Proposed First Floor Plan General Arrangement (Ref: 394-PL.1.03 Rev A)
Proposed Second Floor Plan General Arrangement (Ref: 394-PL.1.04 Rev B)
Proposed Third Floor Plan General Arrangement (Ref: 394-PL.1.05 Rev A)
Proposed Elevations (Ref: 394-PL.2.01)
Proposed Sections (Ref: 394-PL.3.01)
Proposed Basement Floor Plan Enabling Layout (Ref: 394-PL.4.01)
Proposed Ground Floor Plan Enabling Layout (Ref: 394-PL.4.02)
Proposed First Floor Plan Enabling Layout (Ref: 394-PL.4.03)
Proposed Second Floor Plan Enabling Layout (Ref: 394-PL.4.04)
Proposed Third Floor Plan Enabling Layout (Ref: 394-PL.4.05)

Operating Statement
Design and Access Statement
Air Quality Assessment
Vibration Assessment
Planning Statement
Access Statement
Transport Statement
Consultee response letter dated 8 May 2018

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, as specified in policies SP1 and DM1 of the Core Strategy.

3)) Notwithstanding the plans and documents approved in Condition 2, above, no development shall take place unless and until the following revisions and further details have been submitted to, and approved by, the City Council, as local planning authority:

An amendment to the partition between the lounge and bedroom of apartment S03 which shows the partition straightened to align it with the existing pier.

A detailed design of the proposed flue at the rear.

A detailed room by room survey identifying all original features, including doors, skirtings, cornices, architraves, etc and how they will be retained and restored.

Details of secondary glazing

Details of new entrance and ramp

Details of the extension and its interface with the existing building and new flat roof structure to the rear as the eaves detailing and roof finish are a little vague.

Detailed design of any new windows or changes to existing windows

Details / method statement of how the skirtings and architraves to the Oval Room will be removed and repositioned and how the fireplace will be carefully removed and re positioned.

Details of M and E and services

Raised floor details and impact on existing floor and walls

Detailed design of new partitions and doors to the corridors.

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, and in the interests of securing an acceptable scheme for the historic fabric of the building, as specified in policies SP1 and DM1 of the Core Strategy, and the provisions of the NPPF

4) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development, along with jointing and fixing details, have been submitted to, and approved in writing by, the City Council as local planning authority. Thereafter, all materials to be implemented in the external elevations of the development shall be fully in accordance with those which have been approved.

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, as specified in policies SP1 and DM1 of the Core Strategy.

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: 7 September 2018

Signed: 

Julie Roscoe
Head 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/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.