Department for Communities and Local Government

Ms Emily Greaves
Manchester City Council
PO Box 532
Town Hall
Manchester
M60 2LA

Please ask for: Rachael Woodbridge
Tel: 0303 44 48073
Email: Rachael.woodbridge@communities.gsi.gov.uk

Your ref: 100119/LO/2012/C1

Our ref: NPCU/LBC/B4215/71404

Date: 3 December 2012

Dear Ms Greaves

Planning (Listed Buildings and Conservation Areas) Act 1990
Application for Listed Building Consent
Address The Cenotaph, St Peter's Square, Manchester

I am directed by the Secretary of State for Communities and Local Government to refer to your letter of 23 November with enclosures, concerning your Council's application for Listed Building Consent to dismantle and reinstate in new location The Cenotaph at the above address. The application was made in accordance with the provisions of Regulation 13 of the Planning (Listed Buildings and Conservation Area) Regulations 1990.

The Secretary of State has considered the information submitted by your Council in support of their application, and has considered all relevant consultation responses and third party representations. This information has been considered against the Secretary of State's policies, as set out in the National Planning Policy Framework.

Therefore the Secretary of State hereby grants Listed Building Consent for the above works subject to the following conditions:

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

The site location plan stamped as received by the City Council as local planning authority on 3rd August 2012

The drawings by SLHA referenced:

1257-SLHA-DR-05-A101 rev C, 1257-SLHA-DR-05-A102, 1257-SLHA-DR-06-A201 rev D, 1257-SLHA-DR-06-A202 rev D, 1257-SLHA-DR-06-A203 rev D, 1257-SLHA-DR-07-A301 rev D, 1257-SLHA-DR-07-A302 rev C, 1257-SLHA-DR-40-A401 rev B stamped as received by the City Council as local planning authority on 3rd August 2012
1257-SLHA-DR-72-A402 rev D stamped as received by the City Council as local planning authority on 31st August 2012

The information within Sections 4, 5.3, 5.4, 5.5, 5.7, 5.8 and 6 and Appendices 7.1.1, 7.1.2 and 7.1.16 of the Design and Access Statement prepared by Stephen Levrant Heritage Architecture and stamped as received by the City Council as local planning authority on 31st August 2012

The information within Sections 7.3, 8.2 and 8.3 of Part Two of the Heritage Statement prepared by Stephen Levrant Heritage Architecture and stamped as received by the City Council as local planning authority on 3rd August 2012.

The email from Nathan Matta dated 15th August 2012.

3) Prior to the dismantling of the Cenotaph, or the commencement of any groundworks within the area of St. Peter's Church and the new location of the Cenotaph hereby approved the applicant or their agents or their successors in title shall secure the implementation of a programme of archaeological works to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the local planning authority. The WSI shall cover the following:

1. A phased programme and methodology of site investigation and recording to include:
    - a watching brief on the dismantling of the Cenotaph and on any groundworks carried out in the vicinity of the former footprint of St. Peter's Church;
    - (informed by the above) targeted area excavation and recording.
2. A programme for post investigation assessment to include:
    - analysis of the site investigation records and finds;
    - production of a final report on the significance of the archaeological and historical interest represented.
3. Provision for publication and dissemination of the analysis and report on the site investigation to include:
    - a bound hardcopy and digital copy of the final assessment report with the Historic Environment Record
    - (dependent upon the investigation results) a volume in the series 'Greater Manchester's Past Revealed'.
4. Provision for archive deposition of the report, finds and records of the site investigation.

5. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

4) Before the development that is hereby approved commences samples and specifications of all materials to be used in the development and full details of the construction, including jointing shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials and in accordance with the approved details.

5) A full method statement and specification for all proposed works, including dismantling, protection, transportation, storage, installation, reconstruction and repair shall be submitted to and approved in writing by the City Council as local planning authority, before the development that is hereby approved commences. The works shall then be carried out only in accordance with the agreed method statement and to the approved specification.

6) Full details of the detailed structural design information for the all work to dismantle, relocate and reassemble the Cenotaph War Memorial and for all works to the fabric beneath the Cenotaph and surrounding existing land affected by the works shall be submitted to and approved in writing by the City Council as local planning authority before the development hereby approved commences. The development shall be carried out only using the approved materials and in accordance with the approved details.

7) Full details of the proposed external lighting scheme shall be submitted to and approved in writing by the City Council as local planning authority before any associated external lighting is installed. The submitted details shall include full scaled drawn information to demonstrate the location and appearance, a product specification, details of any associated ancillary equipment and details regarding lighting splay and glare and the lighting scheme shall be implemented only in accordance with the approved details.

8) Before the removal of the Cenotaph War Memorial from its current location in St Peters Square as hereby approved commences a detailed development programme shall be submitted to and approved in writing by the City Council as local planning authority. This programme shall confirm the timescale for the dismantling, transportation, storage and re-construction of the memorial and completion of all works along with full details of all storage locations and security measures prior to the commencement of the dismantling of the memorial. The works shall be carried out only in line with the timescales within the agreed programme.

9) A strategy for the maintenance of the fabric of the Cenotaph after relocation shall be submitted to and approved in writing by the City Council as local planning authority before the works hereby approved are completed. The approved strategy shall be implemented on completion of the works and remain in operation for as long as the structure remains in the approved location.

10) In the event that human remains are disturbed or revealed in the course of the development, all works shall cease until a scheme for the removal and re-interment of the remains which complies with all statutory requirements has been submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the scheme.

11) Full details of the proposed foundations and detailed structural design information for all new structures within the proposed new location of the Cenotaph shall be submitted to and approved in writing by the City Council as local planning authority before any development within the proposed new location of the Cenotaph hereby approved commences. The development shall be constructed only using the approved materials and in accordance with the approved details.

This letter does not convey any consent or approval required under any enactment, byelaw, order, or regulation, other than Section 8 and 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

A separate Note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged in the High Court.

Attention is also drawn to the enclosed Note relating to the provisions of the Chronically Sick and Disabled Persons Act 1970.

Yours sincerely

Gerry Carpenter
Senior Planning Manager

Encs