MANCHESTER CITY COUNCIL

# Planning (Listed Buildings & Conservation Areas) Act 1990 (as amended)

## Refusal of Conservation Area Consent

**Applicant**

Harrington House Estates Ltd
145 Worsley Road
Worsley
Salford
M28 2SJ

**Agent (if used)**

Suzanne Pike
Street Design Partnership
16 Brewery Yard
Deva Centre
Trinity Way
Salford
M3 7BB

## Part 1 Particulars of the application/development

**Proposal**: CONSERVATION AREA CONSENT for demolition of properties No.s 28 and 30 Wellington Road including front boundary wall and gate posts and proposed erection of 7 No. dwellings with new boundary wall, gate posts and associated car parking.

**Location**: No. 28 and 30 , Wellington Road, Whalley Range, Manchester, M16 8EX

**Date of application**: 19 December 2012

**Application number**: 101219/CC/2012/S1

## Part 2 Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **refused** in accordance with the application and plans submitted for the reason(s) listed below.

## Article 31 Declaration

Officers have worked with the applicant in a positive and proactive manner to based on seeking solutions to problems arising in relation to the planning application. The applicant has been advised that conservation area consent will not be granted for a site upon which a suitable redevelopment proposal has not yet been approved.

## Reason(s) for decision

1) The loss of the dwellings, without a suitable replacement development, would fail to preserve or enhance the character and setting of the area which would therefore be substantially harmful to the Whalley Range Conservation Area. The demolition of the building would be contrary to saved Unitary Development Plan policy DC18.1d.

Date: 4 July 2013

Signed: 

Julie Roscoe
Head of Planning
Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

## Notes

1. This decision refers only to that required under the Planning (Listed Buildings & 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 consent or approval for the proposed development, or to grant consent or approval subject to conditions, he may appeal to the First 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 Appeals area of the Planning Portal  www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

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 First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

3. If consent is refused or granted subject to conditions, whether by the local planning authority or by the First Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of section 27 of the Act.

4. In certain circumstances, a claim may be made against the local planning authority for compensation, where consent is refused or granted subject to conditions by the First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Act..