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**

Mr Philip King
The Midland (Manchester) Ltd
Wellington House
Cliffe Park
Bruntcliffe Road
Morley
LS27 0RY

**Agent (if used)**

Mr Daniel Peacock
Kitson Architecture
Carlton Place
28-32 Greenwood Street
Altrincham
WA14 1RZ

## Part 1 – Particulars of the application/development

**Proposal**: Listed Building Consent for acoustic upgrade works including replacement or upgrade of existing secondary glazing, installation of new secondary glazing, installation of temporary window reveal liner, installation of louvres and installation of ductwork.

**Location**: The Midland , 16 Peter Street, Manchester, M60 2DS

**Date of application**: 25 June 2014

**Application number**: 105783/LO/2014/C1

## 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 31 Declaration

In assessing the merits of an application for listed building consent officers will seek to work with the applicant in a positive and pro-active manner in seeking solutions to problems arising in relation to dealing with the application. The City Council officers worked with the applicant during the application process to achieve an acceptable impact on visual amenity and on the character and appearance of the listed building.

## 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:

Drawing numbers: 113-103, 113-104, 113-105, 113-106, 113-111, 113-112, 113-113, 113-116, 113-117, 113-118, 113-119, 113-120, 113-121, 113-122, 113-123, 113-124, 113-126, 113-127, 113-129, 113-130, 113-131, 113-132, 113-133, 113-134, 113-135, 113-136, 113-137, 113-141, 113-145 and 113-146.

The Heritage Asset, Design & Access Statements, File Ref. 113DOC005 Rev A by Kitson Architecture.

Specification: Listed Building Consent Works, File Ref. 113-DOC007 by Kitson Architecture.

Window Schedule: Scope of Listed Building Consent, File Ref. 113-SCH003 by Kitson Architecture.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy.

3) 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 have been submitted to and approved in writing by the City Council as local planning authority.

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.

4) Before the works hereby granted listed building consent are commenced on site, full details, which shall include accurate, annotated, scaled plan, elevation and cross section drawings of any proposed ductwork, the ductwork fixing points and a standard fixing detail with confirmation that any existing original/decorative features (such as plasterwork) would not be directly affected even where already hidden by the existing bulkheads, shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - In the interests of visual amenity, and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with Policies SP1 (Spatial Principles), EN3 (Heritage), CC9 (Design and Heritage), and DM1 (Development Management) of the Core Strategy, and saved Policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

5) Before the works hereby granted listed building consent are commenced on site and notwithstanding the details shown in the approved drawings, the design of the proposed doors and bulkhead shown in Drawing No. 113-116 (Window Type A-06) shall be reviewed and fully justified, and full details, which shall include accurate, annotated, scaled plan, elevation and cross section showing a revised design shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - In the interests of visual amenity, and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with Policies SP1 (Spatial Principles), EN3 (Heritage), CC9 (Design and Heritage), and DM1 (Development Management) of the Core Strategy, and saved Policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

6) Before the works hereby granted listed building consent are commenced on site and notwithstanding the details shown in the approved drawings, the proposed external window louvres to the Lower Mosley Street elevation shall be fully justified and reviewed, and, where considered necessary by the City Council as local planning authority, full details, which shall include accurate, annotated, scaled plan, elevation and cross section showing a revised location for the louvres shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - In the interests of visual amenity, and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with Policies SP1 (Spatial Principles), EN3 (Heritage), CC9 (Design and Heritage), and DM1 (Development Management) of the Core Strategy, and saved Policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

7) Before the works hereby granted listed building consent are commenced on site, full details, which shall include accurate, annotated, scaled cross section drawings of any window louvres to understand the relationship of the louvres within the existing frames, shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - In the interests of visual amenity, and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with Policies SP1 (Spatial Principles), EN3 (Heritage), CC9 (Design and Heritage), and DM1 (Development Management) of the Core Strategy, and saved Policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

8) Before the works hereby granted listed building consent are commenced on site, full details, which shall include accurate, annotated, scaled internal elevation drawings to show where internal louvres are proposed and their design and relationship to existing architectural features, shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - In the interests of visual amenity, and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with Policies SP1 (Spatial Principles), EN3 (Heritage), CC9 (Design and Heritage), and DM1 (Development Management) of the Core Strategy, and saved Policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

9) The temporary absorbent acoustic material referred to in the approved drawings shall be removed within three years of the date of this consent.

Reason - In the interests of visual amenity, and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with Policies SP1 (Spatial Principles), EN3 (Heritage), CC9 (Design and Heritage), and DM1 (Development Management) of the Core Strategy, and saved Policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

## Informatives

This permission does not grant approval under Building Regulations.

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: 13 August 2014

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 First Secretary of State in accordance with Section 78(1) of the Town and Country Planning 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 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. 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 of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he 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 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 114 of the Town and Country Planning Act 1990.

## Appendix A – Standing Advice Regarding Coalfield Area

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.
Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com