Dated 5th June 2009

THE COUNCIL OF THE CITY OF MANCHESTER

- and -

P J LIVESEY LIVING SPACE (NORTH) LIMITED

- and -

NATIONAL WESTMINSTER BANK PLC

- and -

MANCHESTER PRIMARY CARE TRUST

AGREEMENT

pursuant to Section 106 Town and Country Planning Act 1990
relating to land at Withington Hospital
in the City of Manchester

City Solicitor
Manchester City Council
P O Box 532
Town Hall
Albert Square
Manchester M60 2LA

L/BH/EVD3001/2547

THIS AGREEMENT is made the Fifth day of June 2009 BETWEEN THE COUNCIL OF THE CITY OF MANCHESTER of Town Hall, Albert Square, Manchester ("the Council") of the first part and P J LIVESEY LIVING SPACE (NORTH) LIMITED (company registration number 05217031) whose registered office is at Ashburton Park, Ashburton Road West, Trafford Park, Manchester, M17 1AF ("the Owner" which expression shall include the successors in title and assigns of the Owner) of the second part and NATIONAL WESTMINSTER BANK PLC (company registration number 00929027) of Real Estate Finance Team, 6th floor, 1 Spinningfields Square, Manchester, M3 3AP ("the Mortgagee" which expression shall include the successors in title and assigns of the Mortgagee) of the third part and MANCHESTER PRIMARY CARE TRUST of Trust Headquarters, Mauldeth House, Mauldeth Road West, Manchester, M21 7RL ("the Trust" which expression shall include the successors in title and assigns of the Trust) of the fourth part

WHEREAS

(1) In this Agreement unless the context otherwise requires the following words and expressions and phrases shall have the meanings hereby ascribed to them

"Act"	shall mean the Town and Country Planning Act 1990
"Administrative Boundaries of Manchester"	shall mean all the wards that together comprise the City of Manchester
"Application"	shall mean the application for planning permission received by the Council under reference number 089218/FO/2009/S1
"Commencement Date"	shall mean the date upon which the Development is commenced by the carrying out of a material operation as defined in section 56 of the Act (other than demolition site clearance and remediation works) and "Commence Development" shall have the corresponding meaning

"Development"	shall mean the development of the Land pursuant to the Planning Permissions and substantially comprising the conversion of the existing building into 95 (ninety five) self-contained flats with associated car parking and landscaping
"Land"	shall mean the land against which this Agreement by Deed may be enforced and being all that land at Withington Hospital, Manchester as shown edged red on the attached plan
"Listed Building Application"	shall mean the application for listed building consent received by the Council under reference 089219/LO/2009/S1
"Local Businesses"	shall mean businesses whose established place of business is within the Administrative Boundaries of Manchester
"Local Job Centres"	shall mean job centres located within the Wards or the Administrative Boundaries of Manchester
"Local People"	shall mean persons whose principal or only home is within the Wards or the Administrative Boundaries of Manchester
"Planning Agreement"	shall mean a planning agreement dated 20 September 2007 relating to the Land and other land and made between the Council (1), The Trust (2), the Owner (3), Barratt Homes Limited (4) and George Wimpey Manchester Limited (5)
"Planning Obligations"	shall mean the obligations of the Owner specified in the Schedule to this Agreement

Land Registry
Current title plan

Title number MAN108432
Ordnance Survey map reference SJ8392SE
Scale 1:1250
Administrative area GREATER MANCHESTER: MANCHESTER

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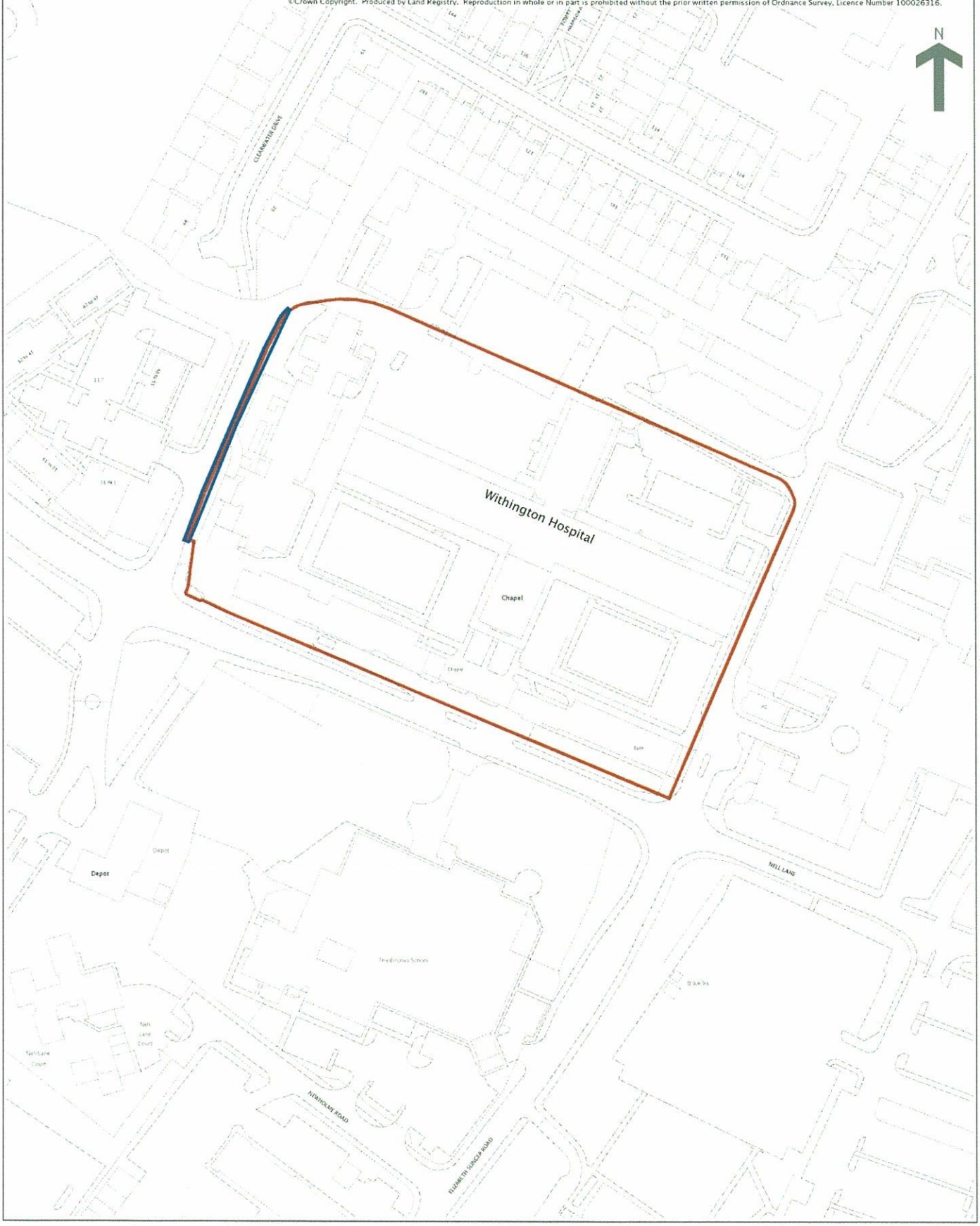

This is a print of the view of the title plan obtained from Land Registry showing the state of the title plan on 17 April 2009 at 09:19:39. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title Plans and Boundaries.
This title is dealt with by Land Registry, Fylde Office.

"Planning Permissions"	shall mean planning permission and listed building consent under the Act for the Development to be granted pursuant to the Application and Listed Building Application in the form of the drafts annexed hereto and respectively marked Appendix A and Appendix B
"Wards"	shall mean the Chorlton Park (in particular the Mersey Bank and Nell Lane Estates), Old Moat and Didsbury West wards of the Council and any such other ward or wards as may substantially replace any of them

(2) A reference in this Agreement to an act of Parliament or to any order, regulation, statutory instrument or the like shall include a reference to any amendment or re-enactment of the same.

(3) Words importing the masculine gender include the feminine gender and vice versa and words in the singular include the plural and vice versa and words importing individuals shall be treated as importing corporations and vice versa.

(4) Any headings or side notes are for ease of reference only and shall not affect the construction of this Agreement.

(5) If any party to this Agreement comprises more than one party then that party shall be jointly and severally liable under this Agreement.

(6) Words denoting an obligation on a party to this Agreement to do any act matter or thing include an obligation to procure that it be done and words placing a party

to this Agreement under a restriction include an obligation not to permit or allow infringement of that restriction

(7) The Council is the local planning authority for the purposes of the Act for the area in which the Land is situate and is minded to grant the Planning Permission subject to the completion of this Agreement.

(8) The Owner is the registered proprietor with title absolute of the freehold of the Land registered under title number MAN108432 at the Land Registry, subject to registered charges in favour of the Mortgagee and the Trust.

(9) The planning purpose of this Agreement is to provide employment opportunities for Local People and Local Businesses and to mitigate the adverse impacts of the Development in accordance with the development plan for the area and other material considerations.

NOW THIS DEED WITNESSETH as follows:

1. This Agreement is made in pursuance of Section 106 and 106A of the Act and Section 111 of the Local Government Act 1972 and all other powers and enactments which may give validity hereto and facilitate the enforcement of the obligations and provisions herein contained.

2. The Owner consents to its interest in the Land being bound by this Agreement and covenants with the Council in the terms set out in the Schedule to this Agreement, those covenants being planning obligations under section 106 of the Act and enforceable by the Council.

3. The Mortgagee and the Trust consent to their interests in the Land being bound by this Agreement and covenant with the Council to be jointly and severally liable

with the Owner for the performance and observance of the Planning Obligations as soon as they may become a mortgagee in possession of any part of the Land.

4. The Owner covenants with the Council to pay to the Council on the date hereof such sum as notified in respect of the Council's costs in connection with this Agreement.

5. The Council covenants with the Owner to issue the Planning Permissions on the date hereof.

6. Nothing herein contained or implied shall prejudice or affect the rights, powers, duties and obligations of the Council in exercise of its functions as a local authority and the rights, powers, duties and obligations of the Council under all public and private statutes, byelaws, orders and regulations may be fully and effectually exercised in relation to the Land or any part thereof and any works executed thereon as if this Agreement had not been executed by the Council and in particular nothing in this Agreement shall restrict the Council and any other authority from exercising powers of compulsory purchase in respect of any part of the Land.

7. No failure or delay by the Council to exercise any right, power or remedy will operate as a waiver of it nor will any partial exercise preclude any further exercise of the same, or of some other right, power or remedy.

8. In consideration of the Owner agreeing to enter into the obligations contained in the Schedule to this Agreement the Council hereby releases the Owner from the obligations contained in the Planning Agreement.

9. The Contracts (Rights of Third Parties) Act 1999 does not apply to this Agreement.

10. If any provision of this Agreement shall be prohibited by or adjudged by a court to be unlawful, void or unenforceable such provision shall to the extent required be severed from this Agreement and rendered ineffective as far as possible without modifying the remaining provisions of this Agreement and shall not in any way affect any other circumstances or the validity or enforcement of this Agreement.

11. Any approval given by the Council under this Agreement or for the purposes of this Agreement shall not be deemed to be approval for any other purpose whatsoever.

12. Nothing in this Agreement prohibits or limits the right to develop any part of the Land in accordance with a planning permission, other than one relating to the Development as specified in the Application and Listed Building Application, granted after the date of this Agreement, whether or not pursuant to an appeal.

13. This Agreement shall be registered in the Council's Register of Local Land Charges immediately on completion thereof.

14. The Owner agrees with the Council to give the Council as soon as reasonably practicable thereafter written notice of any change in ownership, other than in respect of the transfers of individual dwellings being constructed on the Land pursuant to the Planning Permission, of any of its interests in the Land occurring before all the Planning Obligations under this Agreement have been discharged such notice to give details of the transferee's full name and registered office (if a company or usual address if not) together with the area of the Land or unit of occupation purchased by reference to a plan.

15. The provisions of this Agreement (other than this clause which shall be of immediate effect) shall be of no effect until this Agreement has been dated.

16. No person shall be liable for breach of a covenant contained in this Agreement after he shall have parted with his interest in the Land or the part in respect of which such breach occurs but without prejudice to liability for any subsisting breach of covenant prior to parting with such interest.

17. If the Planning Permission shall expire before the Commencement of Development or shall at any time be revoked or for any reason cease to remain extant this Agreement shall forthwith determine and cease to have an effect in which case the registration of this Agreement on the Register of Local Land Charges will forthwith be cancelled.

18. The Council will upon the written request of the Owner at any time after the Planning Obligations under this Agreement have been fulfilled or determined issue written confirmation thereof and thereafter cancel all related entries in the Register of Local Land Charges.

19. All acts required to be undertaken by the Owner under this Agreement or as incidental to this Agreement shall in all respects be at the cost of the Owner.

20. All correspondence in connection with this Agreement shall be sent to the Council at the following address or such other address as may be notified from time to time: Planning Department, Ref. 089218/FO/2009/S1, Manchester City Council, PO Box 463, Town Hall, Manchester, M60 3NY.

IN WITNESS whereof this Agreement has been executed as a deed in the manner hereinafter appearing and delivered the day and year first before written.

SCHEDULE

THE PLANNING OBLIGATIONS

The Owner covenants with the Council as follows:

1. Not to Commence Development and to cease construction of the Development unless reasonable endeavours are used to recruit Local People and to ensure Local People are recruited to work in the construction of the Development with the intention that a minimum of 10% of the workforce used for the construction of the Development are Local People PROVIDED THAT the endeavours shall include but not be limited to:

   (a) advertising vacancies in the local press not less than 7 (seven) days before advertising those vacancies elsewhere

   (b) advertising vacancies at all Local Job Centres in the Wards not less than 7 (seven) days before advertising those vacancies at all Local Job Centres within the Administrative Boundaries of Manchester and not less than 14 (fourteen) days before advertising those vacancies at Job Centres elsewhere.

2. Not to Commence Development and to cease construction of the Development unless reasonable endeavours are used to use Local Businesses and to ensure Local Businesses are used as contractors and sub-contractors for the construction of the Development with the intention that a minimum of 10% of the contractors and sub-contracts used for the construction of the Development are Local Businesses PROVIDED THAT the endeavours shall include but not be limited to:

   (a) advertising vacancies in the local press not less than 7 (seven) days before advertising those vacancies elsewhere

   (b) advertising vacancies at all Local Job Centres in the Wards not less than 7 (seven) days before advertising those vacancies at all Local Job Centres

within the Administrative Boundaries of Manchester and not less than 14 (fourteen) days before advertising those vacancies at Job Centres elsewhere

(c) obliging contractors and sub-contractors through contractual arrangements to comply with (a) and (b), and

(d) advertising tenders in the local press not less than 7 days before advertising those tenders elsewhere

3. The Owner covenants that no later than 1 (one) month from the Commencement Date it will notify the Council in writing of the Commencement Date.

MANCHESTER CITY COUNCIL

Chief Executives Department
Regeneration Division
Planning

APPLICATION RECOMMENDATION CHECKSHEET

Case Officer: Dave Morris

Application Reference: 089218/FO/2009/S1

Date Accepted: 6 March 2009

Applicant's Name and Address:

Mr Andrew McMurtrie
P.J.Livesey Living Space (North) Ltd
Ashburton Park, Beacon Road, Trafford Park, Manchester, M17 1AF,

Agent's Name and Address:

Proposal:

Revised Application for the conversion of the existing building into 95 self-contained flats with associated car parking and landscaping

Location:

Former Withington Hospital, Nell Lane, Didsbury, Manchester, M20 2LR,

Ward:

Chorlton Park Ward

Recommendation: APP

Date of Recommendation: 3 April 2009

Conditions and Reasons:

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 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: 63/0001, 0010, 0011, 0012, 0013,

0310, 0311, 1000A, 1001E, 1010D, 1011F, 1012D, 1013D, 1014D, 1015D, 1310D,1311B, 1312C and 1314

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy DB1, H1.2, H2.2, H2.7, E2.3, E2.7 E 3.5, T3.1,T3.7, DC16,; of the Manchester Unitary Development Plan.

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. The development shall be constructed only using the approved materials unless otherwise agreed 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 policy DB1, H1.2, H2.2, H2.7, E2.3, E2.7 E 3.5, DC16, DC19 of the Unitary Development Plan for the City of Manchester.

4) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawing ref 063/1001/D, shall be implemented not later than 12 months from the date of commencement of works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policy DB1, H1.2, H2.2, H2.7, E2.3, E2.7 E 3.5, DC16 and DC19 of the Unitary Development Plan for the City of Manchester.

5) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and

surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with Policies 2.4 and 2.6 of the Unitary Development Plan for the City of Manchester.

6) An annual programme of ongoing protected species surveys shall be submitted to, and approved in writing by the City Council as the local planning authority. The programme, approved annually, shall identify the protected species to be surveyed in the following twelve months, the objectives of the surveys and shall set out the methodologies to be used and the procedures for reporting to the planning authority the survey results. The results of all surveys shall be utilised as baseline information in relation to specific mitigation works.

Reason - The ecological survey submitted with the application has identified the existance of bats and house martins on the site. The implementation of ongoing protection surveys would ensure that there would be adequate protection measures in place during construction and to comply with policy E2.3 of the Manchester UDP.

7) No part of the development of the areas hereby permitted (such works to include the demolition of built structures) shall commence until details of a permanent bat roost, as part of the approved development and associated lighting scheme have been submitted and agreed with the Local Planning Authority. The permanent bat roost and lighting scheme should then be installed in accordance with the agreed design, unless otherwise agreed in writing with the Local Planning Authority.

Reason; To provide a replacement roost for bats a European Protected Species (Habitats Regulations 1994) and to comply with policy E2.3 of the Manchester UDP.

8) Before the development of any of the areas hereby approved commences a scheme for new nesting provision for house martins shall be submitted to and approved by the City Council and the approved scheme shall be implemented in full.

reason

To ensure that new nesting provision is provided to replace existing nests/nesting sites that are lost to the development pursuant to policy E2.3 of the Unirtary Development Plan for the City of Manchester

9) Facilities for the storage and disposal of refuse and recycling as shown in plans numbered 063/1010C, 1011E, 1012D and 1013D shall be provided to the satisfaction of the City Council as local planning authority prior to occupation of any of the accommodation within the areas hereby approved and shall remain in situ whilst the site is in use.

Reason

In the interests of amenity and public health, pursuant to policy H2.2 of the adopted Unitary Development Plan of the City of Manchester.

10) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.

Reason - To reduce the risk of crime pursuant to Policy E3.5 of the Unitary Development Plan of the City of Manchester and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development".

11) All vehicles entering and leaving the areas hereby approved during the construction period are to pass through a wheel wash. Details of the wheel wash shall be submitted to and approved in writing by the City Council as local planning authority prior to the development commencing.

Reason

To ensure that the proposed development does not cause unacceptable amounts of dust in the vicinity and to ensure that local roads are kept clear of mud pursuant to policy H2.2 of the Unitary Development Plan for the City of MAnchester.

12) The car parking for the areas hereby approved shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason

To ensure that there is adequate car parking for the development proposed when the building is occupied pursuant to policies DB1 and H2.2 of the unitary Development Plan for the City of Manchester.

13) Before development of area 1 commences, a full photographic record of the site and the listed buildings (internally and externally) including all areas where physical changes are proposed, shall be submitted to and approved in writing by the City Council as local planning authority.

Reason

To provide a record of any archaeological remains and of the listed building's appearance and condition before works commence pursuant to policy Dc19 of the Unitary Development Plan for the City of Manchester..

14) The enclosure of the private areas within the areas shown on the approved plan, specifically the gates and locking devices, shall be installed prior to the occupation of any of the dwellings in that phase and maintained to the satisfaction of the City Council as local planning authority.

Reason - To ensure that the appearance and security 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 pursuant to policy H2.2 of the Unitary Development Plan of the City of Manchester.

15) Before the development commences, an external lighting scheme (including the roads, landscaped areas, pedestrian routes, carparking areas, security gates) during the period between dusk and dawn to be installed as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with a timetable to be agreed in writing with the City Council as Local Planning Authority before the development is fully occupied unless otherwise agreed in writing by the local planning authority.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development pursuant to policies H2.2, E3.3 and E3.5 of the Unitary Development Plan of the City of Manchester.

16) No building hereby approved shall be occupied until that part of the road network which provides access to it has been constructed in accordance with drawing 5026 (PL) 400 N and all public highways shall be constructed to the satisfaction of the City Council as local planning authority and adopted by the City Council within 12 months of the first occupation of the building. BH CJT

Reason - To ensure the uses on the site are accessible via an adequate road network within the site pursuant to policy T2.2 of the Unitary Development Plan of the City of Manchester.

17) The development shall not be occupied until the traffic calming in respect of the development shown on drawing 5026 (PL) 400 N attached to planning permission 080297/FO/2006/S1have been implemented.

Reason -

To provide a safe traffic environment for residents and visitors within the site pursuant to policies H2.2, T2.1 and T2.2 of the Unitary Development Plan of the City of Manchester.

18) The residential apartments in the converted former hospital building, hereby approved, shall not be occupied until an appropriate, site specific, Building Research Establishment Environmental Assessment Methodology (BREEAM) rating, has been awarded, by an assessor licensed by the Building Research Establishment, unless otherwise agreed in writing with the City Council as Local Planning Authority.

Reason

In the interests of minimising the environmental impact of the development, 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 pursuant to policies E1.5 , E1.6 and Dc19 of the Unitary Development Plan for the City of Manchester.

19) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out,before development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council with the Revised Remediation Strategy which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, an Expert has prepared a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy Site Investigation Report) which shall be is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy Site Investigation Report, which shall take precedence over any Remediation Strategy Site Investigation Report or earlier Revised Remediation Strategy Investigation Report.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to H2.2; of the Unitary Development Plan for the City of Manchester.

Appendix B

MANCHESTER CITY COUNCIL

Chief Executives Department
Regeneration Division
Planning

APPLICATION RECOMMENDATION CHECKSHEET

Case Officer: Dave Morris

Application Reference: **Date Accepted:**

089219/LO/2009/S1 6 March 2009

Applicant's Name and Address:

Mr Andrew McMurtrie
P.J.Livesey Living Space (North) Ltd
Ashburton Park, Beacon Road, Trafford Park, Manchester, M17 1AF,

Agent's Name and Address:

Proposal:

LISTED BUILDING CONSENT Revised Application for the conversion of the existing building into 95 self-contained flats with associated car parking and landscaping

Location:

Former Withington Hospital, Nell Lane, Didsbury, Manchester, M20 2LR,

Ward:

Chorlton Park Ward

Recommendation: **Date of Recommendation:**

APP 3 April 2009

Conditions and Reasons:

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 unless otherwise agreed in writing by the City Council as Local Planning Authority: 63/0001, 0010, 0011, 0012, 0013,

0310,0311, 1000A, 1001E, 63/0001, 0010, 0011, 0012, 0013, 0310,0311, 1000A, 1001E and 1314

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy DC19; of the Manchester Unitary Development Plan.

3) Construction of the external works hereby approved by this permission shall not take place until samples and specifications of the 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. The development shall be constructed only using the approved materials unless otherwise agreed 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 pursuant to policy DC19 of the Unitary Development Plan for the City of Manchester .

4) Before the works hereby granted listed buildings consent are commenced on site and having regard to the details given in the approved drawings, accurate annotated drawings detailing the soft stripout of any parts of any of the listed buildings which are currently obscured by suspended ceilings, partitions, etc. and detailing how such detail is to be affected by the proposals, 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 pursuant to policy DC19 of the Unitary Development Plan for the City of Manchester.

5) Prior to commencement of the roof repairs a schedule of works to facilitate any refurbishment/repair of the existing roof, shall be submitted to and approved in writing by the City Council as local planning authority. The existing natural roof slates shall be re-used wherever possible. Any replacement roof covering shall be of natural slate which shall match the existing slates in terms of size, shape, texture and colour.

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 pursuant to policy Dc19 of the Unitary Development Plan for the City of Manchester.

6) Before the following specific internal (with the exception of the soft strip) works hereby granted listed building consent are commenced on site and having regard to the details given in the approved drawings, accurate annotated

drawings detailing the internal works required to implement any service compartmentation, acoustic insulation, thermal insulation, fire protection and fume extraction measures associated with the listed building, shall be submitted to and approved in writing by the City Council as local planning authority. Drawings shall include details of:

a) the location and design of such works, including external finishing materials, their finishes and colours;

b) the relationship between these proposed works and the existing listed structure, including the means of affixing the proposed works to the existing structure, where those works affect the external appearance of the buildings or the main internal structural components.

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 pursuant to policy Dc19 of the Unitary Development Plan for the City of Manchester..

7) Before the commencement of any brick or masonry repairs the applicants shall provide a specification outlining the methodology and extent of repairs, for the approval by the City Council as local planning authority. The method proposed shall not include mechanical means, such as the use of cutting or grinding discs, to rake out mortar joints unless agreed in writing by the Council as local planning authority.

Reason

In the interests of visual amenity and the because proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building pursuant to policy Dc19 of the Unitary Development Plan for the City of Manchester..

8) Before the relevant works to the roof lights commence, full details of the proposed rooflights to be used shall be submitted to and approved in writing by the City Council as local planning authority. The rooflights shall be 'conservation' style rooflights which lie close to the plane of the roof.

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 and careful attention to building work is required to protect the character and appearance of this building pursuant to policy Dc19 of the Unitary Development Plan for the City of Manchester..

9) All new rainwater goods and pipes shall be in keeping with the existing and coloured black and shall kept so coloured unless agreed otherwise 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 and careful attention to building work is required to protect the character and appearance of this building pursuant to policy Dc19 of the Unitary Development Plan for the City of Manchester..

10) Before commencement of any works to repair/refurbish the exiting windows, the developer shall provide a specification outlining the methodology and extent of repairs/refurbishment to be approved in writing by the City Council as local planning authority. Such works should not include for the removal or replacement of any original windows unless otherwise approved in writing by the City Council as local planning authority and any such proposal shall be accompanied by a full justification for such works, including a structural survey, details of why repair and refurbishment of such windows is not viable and details, including materials and cross sections, of any proposed replacement windows.

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 and careful attention to building work is required to protect the character and appearance of this building pursuant to policy Dc19 of the Unitary Development Plan for the City of Manchester..

11) Before development commences, a full photographic record of the site and the building (internally and externally) including all areas where physical changes are proposed, shall be submitted to and approved in writing by the City Council as local planning authority.

Reason

To provide a record of any archaeological remains and of the listed building's appearance and condition before works commence pursuant to policy Dc19 of the Unitary Development Plan for the City of Manchester..



0105893

THE COMMON SEAL of THE COUNCIL OF THE CITY OF MANCHESTER was hereunto affixed in pursuance of an Order of the Council of the said City:

Authorised Signatory

SIGNED AS A DEED by P J LIVESEY LIVING SPACE (NORTH) LIMITED acting by a director and its secretary/ two directors

Director

Director/Secretary

THE COMMON SEAL of MANCHESTER PRIMARY CARE TRUST was hereunto affixed in the presence of:

Authorised Signatory
Authorised Signatory

Signed and Delivered as a deed)
For and on behalf of)
The National Westminster Bank PLC)
by a duly authorised Attorney)

In the presence of:

_____

Witness Signature – Bank employee