

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

### **Refusal of Listed Building Consent**

#### **Applicant**

Mr Rob Lake  
Zambrero UK  
198 Kentish Road  
London  
NW5 2AE

#### **Agent (if used)**

Mr Joshua Phillips  
Ampersand Associates Ltd.  
3 The Old Stables  
Cannons Mill Lane  
Bishops Stortford  
CM23 2BN

### **Part 1 – Particulars of the application/development**

---

**Proposal:** Listed Building Consent for internal and external restaurant fit out works including signage.

**Location:** Ground Floor, 59 Cross Street, Manchester, M2 4JW

**Date of application:** 8 October 2024

**Application number:** 139748/LO/2024

### **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 35 Declaration**

---

### **Reason(s) for decision**

---

1) Insufficient information has been submitted to determine if the extraction and ventilation system required for the change of use would be acceptable in terms of dealing adequately with fumes, vapours and odours. In the absence of a final scheme for extraction and ventilation, it is also not possible to determine the resulting impact of the extraction system on the Listed Building. The development would therefore be contrary to policies DM1, EN1, EN3 and SP1 of the Manchester Core Strategy (2012) and saved policy DC19 of the Unitary Development Plan for the City of Manchester (1995).

Date: 17 December 2024

Signed: 

Julie Roscoe  
Director of Planning, Building Control & Licensing

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, they 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/planning-inspectorate](http://www.gov.uk/planning-inspectorate). The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council ([planning@manchester.gov.uk](mailto:planning@manchester.gov.uk)) and the Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on [GOV.UK](http://GOV.UK).

3. If consent is refused or granted subject to conditions, whether by the local planning authority or by the 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, they 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 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 27 of the Act..