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	Agent (if used)
Manchester City Council Town Hall Extension Albert Square Manchester M60 2LA	Mr Neal Charlton Buttress 41 Bengal Street Manchester M4 6AF

Part 1 – Particulars of the application/development

Proposal: Listed Building Consent for the installation of waterproofing system to perimeter walls within basement store areas, removal of coating to external walls, replacement of existing timber floor with concrete slab, drainage improvement worksneal to adjacent lightwells

Location: Manchester Art Gallery, Mosley Street, Manchester, M2 3JL

Date of application: 4 December 2023

Application number: 138717/LO/2023

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 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner in determining this application by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern with the proposal and discussing those with the applicant/agent. In this instance negotiation has been able to successfully resolve the identified concerns and issues.

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

o MAG-BUT-00-RL-DR-A-91-0002 Rev P01: Site Location Plan
o MAG-BKP-09-B1-DR-S-10-0210 Rev P01: Work Package 9 - Proposed Library Archives Basement GA
o MAG-BKP-10-B1-DR-S-10-0215 Rev P01: Work Package 10 - Proposed Archive Store Basement GA
o MAG-BKP-11-B1-DR-S-10-0220 Rev P01: Work Package 11 - Proposed Paint Store Basement GA
o MAG-BKP-11-B1-DR-S-40-0820 Rev P01: Work Package 11 - Pain Store Remedial Detail
o MAG-BUT-09-B2-DR-A-00-4001 Rev P02: Basement Level 2 Proposed Archive Store 028/029
o MAG-BUT-09-B2-DR-A-10-0001 Rev P02: Basement Level 2 Proposed Archive Store 028/029 Waterproofing Details
o MAG-BUT-10-B2-DR-A-00-4001 Rev P02: Basement Level 2 Proposed Archive Store 030
o MAG-BUT-10-B2-DR-A-10-001 Rev P02: Basement Level 2 Proposed Archive Store 030 Waterproofing Details
o MAG-BUT-11-B2-DR-A-00-4001 Rev P02: Basemen Level 2 Proposed Basement Stores
o MAG-BUT-18-ZZ-DR-A-52-5001 Rev P01: Proposed Moat Drainage Works Manchester Art Gallery
o MAG-BKP-18-ZZ-DR-C-90-0516 Rev P01: Work Package 18 Drainage GA Sheet 2
o Heritage Assessment (Prepared by Buttress, dated June 2024; Received 24/06/2024)

Stamped as received by the City Council as Local Planning Authority on 04/12/2023, unless specified otherwise.

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) Notwithstanding drawing nos. MAG-BUT-18-ZZ-DR-A-52-5001 Rev P01 and MAG-BKP-18-ZZ-DR-C-90-0516 Rev P01, prior to the removal of existing stone pavings and concrete channels along the property's drainage channels adjacent to Princess Street and Nicholas Street, the following shall be submitted to and approved in writing by the City Council as the Local Planning Authority:

a) A scheme identifying the areas of concrete to be replaced with natural stone, and, if applicable, stone paving slabs to be replaced. Material samples of proposed replacement stone, as well as a methodology for the removal of existing and subsequent installation of new and re-used stone shall accompany said scheme.
b) A scheme identifying the gully covers to be replaced and reinstated. Material samples and a methodology for the installation of new and re-used ironwork shall accompany said scheme.
c) A scheme confirming the material finish and general manifestation of the new cast iron inspection chamber.

The approved details shall then be carried out as part of the development.

Reason - In the interests of preserving and protecting the historic character and appearance of the listed building in accordance with policies CC9 and EN3 of the Core

Strategy, saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and the National Planning Policy Framework.

4) Prior the commencement of any works in relation to the following matters, final details concerning their extent, installation and general manifestation shall be submitted to and approved in writing by the City Council as the Local Planning Authority. Said details shall be supported by floor plans, method statements, internal elevations and sections.

a) Internal drainage sumps
b) Internal perimeter drainage channels
c) Internal cavity drain membranes

The approved details shall be implemented as part of the approved development.

Reason - In the interests of preserving and protecting the historic character and appearance of the listed building in accordance with policies CC9 and EN3 of the Core Strategy, saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and the National Planning Policy Framework.

5) The sodium silicate sealant shall be removed in accordance with the microstrip cleaning system, detailed within the sealant removal statement prepared by WJ Structures Ltd (Dated 30/01/2024), contained within section 9.4 of the submitted Heritage Statement prepared by Butress (Dated June 2024; Received 24/06/2024).

Reason - In the interests of preserving and protecting the historic character and appearance of the listed building in accordance with policies CC9 and EN3 of the Core Strategy, saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and the National Planning Policy Framework.

6) In the event existing bricks are found to be friable and damaged beyond repair upon the removal of the sodium silicate sealant, prior to said bricks' replacement, a scheme detailing the number and location of these bricks, along with material samples of and installation methodology for their replacements shall be submitted to and approved in writing by the City Council as Local Planning. The development shall then be completed in accordance with the approved details.

Reason - In the interests of preserving and protecting the historic character and appearance of the listed building in accordance with policies CC9 and EN3 of the Core Strategy, saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and the National Planning Policy Framework.

7) The steel beams present within the ceiling of the basement paint store, as shown on drawing no.MAG-BKP-11-B1-DR-S-40-0820 Revision P01, shall be remediated in accordance with the methodology contained on said drawing.

Reason - In the interests of preserving and protecting the historic character and appearance of the listed building in accordance with policies CC9 and EN3 of the Core Strategy, saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and the National Planning Policy Framework.

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements
Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:
www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Mining Information
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: 19 September 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 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 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. 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) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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 or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they 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 their 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 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 114 of the Town and Country Planning Act 1990.