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 Kyle Harris
RYDE (Manchester) Limited
16A East Parade
Leeds
LS1 2BH

**Agent (if used)**

Marc Zablotny
Ruth Jackson Planning Ltd
24 Mount Street
Manchester
M2 3NX

## Part 1 – Particulars of the application/development

**Proposal**: Listed Building Consent for physical alterations, including signage, for the creation of a new spin cycle, fitness and yoga studio.

**Location**: Unit 15, Barton Arcade, Manchester, M3 2BH

**Date of application**: 6 September 2023

**Application number**: 137585/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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. All such issues have been resolved due to the extensive discussions within the applicant and the conditions attached to the decision.

## 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 have been carried out in accordance with the following drawings and documents:

The location plan referenced BAA-SEV-XX-00-DR-A-01100 Rev A received by the City Council as local planning authority on 8 December 2023

The drawings referenced:

BAA-SEV-XX-00-DR-A-02006 Rev B
BAA-SEV-XX-00-DR-A-02008 Rev B
BAA-SEV-XX-00-DR-A-02010 Rev B
BAA-SEV-XX-00-DR-A-03001 Rev C
BAA-SEV-XX-00-DR-A-03002 Rev C
BAA-SEV-XX-00-DR-A-03003 Rev D

received by the City Council as local planning authority on 8 December 2023

BAA-SEV-XX-00-DR-A-02005 Rev G
BAA-SEV-XX-00-DR-A-02007 Rev D
BAA-SEV-XX-00-DR-A-02004 Rev G
BAA-SEV-XX-00-DR-A-04001 Rev C

received by the City Council as local planning authority on 24 January 2024

E01 Rev P2
M01 Rev P2
M02 Rev P2
24-01-24-E02 Rev P2
24-01-24-E03 Rev P2

received by the City Council as local planning authority on 1 February 2024

FP23-2789-02

received by the City Council as local planning authority on 14 February 2024

The Restoration Specification prepared by Seven received by the City Council as local planning authority on 24 January 2024

The emails from RJP Town Planners dated 13 October 2023, 8 December 2023, 24 January 2024, 1 February 2024, 14 February 2024, 21 February 2024 and 28 February 2024

The letter from RJP Town Planners dated 9 August 2023 and 19 January 2024

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN1, EN3, SP1 CC9 and DM1 of the Core Strategy, saved policies DC19.1 of the Unitary Development Plan.

3) Notwithstanding the information detailed within Condition 2 of this application a full and final schedule of works, including finishes, to original/historic features, including but not limited to columns and joinery (doors and surrounds) shall be submitted to and approved in writing by the City Council as local planning authority prior to the installation of any new fabric at the premises including new finishes or treatments.

The finishes shall then be implemented and completed fully and only in accordance with the approved details.

Reason - In the interests of visual amenity and because the proposed works affect a building that is within the curtilage of 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, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

4) Notwithstanding the information detailed within Condition 2 of this application full and final M&E and drainage details, including details of internal and external manifestation, exposed equipment and new penetrations to existing fabric shall be submitted to and approved in writing by the City Council as local planning authority prior to any works to install this equipment commencing including any associated removal of the existing fabric. This information shall accord with the principles agreed within the drawing referenced FP23-2789-02, the emails from RJP Town Planners dated 1 February 2024, 21 February 2024 and 28 February 2024 and the Restoration Specification prepared by Seven.

The M&E shall then be installed fully and only in accordance with the approved details.

Reason - In the interests of visual amenity and because the proposed works affect a building that is within the curtilage of 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, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

5) Notwithstanding the information detailed within Condition 2 of this application the full and final details, including fixing details, of the proposed modern partitions between room 01/02 and to room 06 (historic doorway) as shown on the drawing referenced BAA-SEV-XX-00-DR-A-02004 Rev G shall be submitted to and approved in writing by the City Council as local planning authority prior to the installation of either partition.

The partitions between room 01/02 and to room 06 shall then be installed fully and only in accordance with the approved details.

Reason - In the interests of visual amenity and because the proposed works affect a building that is within the curtilage of 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, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

6) Notwithstanding the information detailed within Condition 2 of this application the full and final scope of works to remediate damage and repair the original wall and associated features to the proposed room 06 (male changing room) as shown on the drawing referenced BAA-SEV-XX-00-DR-A-02004 Rev G shall be submitted to and approved in writing by the City Council as local planning authority The remediation and

repair works approved shall then be fully implemented within 2 months of the completion of the development hereby approved.

Reason - In the interests of visual amenity and because the proposed works affect a building that is within the curtilage of 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, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

7) The glazing at ground level, fronting onto Barton Square; shall be retained as a clear glazed window openings and shopfront at all times and views into the premises shall not be screened or obscured in any way other than as shown on BAA-SEV-XX-00-DR-A-03003 Rev D.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

## 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.

For the avoidance of doubt, this grant of listed building consent does not grant or imply grant of advertisement consent for the external signage shown on the drawings hereby approved.

Date: 4 March 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.