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

Mrs Jo Wavish
The University of Manchester
Directorate Of Estates & Facilities
4.001b Beyer Building
Manchester
M13 9PL

Agent (if used)

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University of Manchester
Directorate Of Estates & Facilities
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Manchester
M13 9PL

Part 1 – Particulars of the application/development

Proposal: Listed Building Consent for rebuilding of retaining wall including erection of three brick support piers to west wall section and the rebuilding of the remaining wall section.

Location: Whitworth Institute, Oxford Road, Manchester, M15 6ER

Date of application: 6 November 2023

Application number: 138496/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 an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance this has included advice about the information required to be submitted to support the application and to address issues. This has led to an acceptable proposal.

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 031AA-8529-A100 Rev - received by the City Council as local planning authority on 6 November 2023

The drawings referenced:

031AA-8529-A102 Rev -
031AA-8529-A202 Rev -

received by the City Council as local planning authority on 6 November 2023

031AA-8529-A301 Rev -

received by the City Council as local planning authority on 14 December 2023

The Design & Access Statement prepared by The University of Manchester received by the City Council as local planning authority on 12 December 2023.

Basement retaining wall Condition Report prepared by Curtins received by the City Council as local planning authority on 12 December 2023

The email from The University of Manchester dated 12 December 2023.

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) Prior to the commencement of the development including any dismantling of any part of the wall a detailed method statement for the full recording and careful dismantling, storage and reinstatement of the wall and the identification of any defects including cracks and fissures in the blocks. The detailed recording of each brickwork block including where the wall steps in shall be documented through drawings, schedules and photographs. The works to dismantle the wall shall then be carried out only in accordance with the approved method and the wall shall be rebuilt and completed in accordance with the details recorded and approved.

Reason - In the interests of ensuring the correct rebuilding of the wall 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) Prior to the commencement of development including any dismantling works the following information shall be submitted to and approved in writing by the City Council as local planning authority:

a) A detailed specification for all elements of the works to take down, reconstruct and support the wall.
b) A schedule of works detailing the order of works,
c) A contractors method statement for the works including sequencing of works, protection of the existing building fabric, methods for the dismantling of the wall, the

reconstruction of the wall and the construction of the new elements and the equipment to be used in the works.

The works shall then be carried out only in accordance with the approved information for the duration of the works.

Reason - In the interests of ensuring the correct rebuilding of the wall 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 policy DC19.1 of the Unitary Development Plan for the City of Manchester.

5) a)Prior to the removal of the railings a method statement for carefully removing the railings and a detailed specification for their refurbishment, repair and reinstallation including the final colour of the paintwork shall be submitted to and approved in writing by the City Council as local planning authority.

b) Should the paint be removed in its entirety a paint analysis and the resulting colour choice shall be submitted to and approved in writing by the City Council as local planning authority prior to any repainting works.

The works to all railings of the wall shall be completed in accordance with the above prior to the completion of the development hereby approved.

Reason - In the interests of ensuring the correct rebuilding of the wall 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 policy DC19.1 of the Unitary Development Plan for the City of Manchester.

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: 27 December 2023

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.