

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

Refusal of Listed Building Consent

Applicant

Mr Paul Jones
Cloudwater Brew Co
7-8 Piccadilly Trading Estate
Manchester
M1 2NP

Agent (if used)

Ms Katie Priest
Katie Priest Town Planning
8 The Rosary
Stoke Gifford
Bristol
BS34 8AH

Part 1 – Particulars of the application/development

Proposal: Listed Building Consent for amendment of existing doors to incorporate sliding serving hatch and half height bifold windows, internal fit out works, and erection of various illuminated signage.

Location: 49 Chorlton Street, Manchester, M1 3FY

Date of application: 16 January 2023

Application number: 135664/LO/2022

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

Officers have worked with the applicant in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with the planning application. Matters were raised with the applicant during the course of the application. This has included ongoing discussions about the information required to be submitted to support the application and the acceptability of the proposals. Unfortunately the issues with this application couldn't be resolved within the timescales allowed.

Reason(s) for decision

1) The proposed elevational alterations, namely the installation of the bifold and hatch together with the various signage, by virtue of the siting, design and appearance, would result in an alterations which are not appropriate and would fail to respond to the architectural language and character of the listed building. This would amount to less than substantial harm to the visual amenity of the listed building and the required public

benefits do not exist in this instance to outweigh the harm that would be caused. The proposal is therefore contrary to the provisions of policies SP1, EN1, EN3, CC9 and DM1 of the Manchester Core Strategy (2012), saved policy DC19 of the Unitary Development Plan for the City of Manchester (1995) and the NPPF.

Date: 13 March 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 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. 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. 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..