
Application Number	Date of Appln	Committee Date	Ward
096729/LL/2011/N2	1st Jul 2011	28 June 2012	Bradford Ward

Proposal LISTED BUILDING CONSENT for demolition of existing building

Location Former Ancoats Dispensary, Old Mill Street, Ancoats, Manchester, M4 6EB

Applicant Urban Splash Ltd, Timber Wharf, 16-22 Worsley Street, Castlefield , Manchester, M15 4LD

Agent David Tye, Paul Butler Associates Ltd, 31 Blackfriars Road, Salford, Manchester, M3 7AQ

Description

At its meeting of 31st May 2012, the Planning and Highways Committee deferred from making a decision in respect of the above application and requested that the Head of Planning discuss with the applicant the retention of specific heritage elements of the Dispensary, including:

- i. Retaining the entire front facade of the (remaining) building on site;
- ii. The dismantling, storage and re-use of the entire front facade as part of a future redevelopment of the site.

Information has been submitted by the applicant in relation to the viability of this request and the details are considered within this report.

This application relates to the former Ancoats Dispensary, a Grade II listed building which fronts on to Old Mill Street at its south-east junction with Upper Kirby Street and is situated within the New Islington regeneration area. It is close to residential properties including those at the Chips Building, the Guts, Milliners Wharf and existing residential estate to the north and east of the site.

The building is the third dispensary premises to be operated by the Ardwick and Ancoats Dispensary, with the previous ones being at Great Ancoats Street and then at Ancoats Crescent. The Dispensary dealt with out-patients and home-patients and a substantial quantity of accident cases.

When the site at Ancoats Crescent was purchased for development by the Midland Rail Company, in 1869, the Dispensary began planning a purpose built premises on Mill Street (now Old Mill Street) and was constructed around 1872-1874, and remained operational until its closure by the NHS in 1989.

The Dispensary was the earliest building on what subsequently grew to become a much larger site. In 1875, Ancoats began a Provident Branch at the Hospital and the Dispensary later separated from the main hospital to be managed by the Provident Dispensary association and becoming a 50 bed hospital for in-patients. The hospital then became officially the Ancoats Hospital and Ardwick and Ancoats Dispensary, but was usually referred to as Ancoats Hospital.

Originally the building had 3 storeys above basement level and it is probable that the ground floor typically accommodated the physician's entrance, patient's entrance and waiting rooms, sitting rooms, dispensing room and consulting rooms, with the upper floors accommodating board room, offices, library, private rooms and wards. It was also formerly characterised by a central tower structure.

The Dispensary building has significance as the earliest and most architecturally notable building of the former hospital complex and largely comprises a red brick building with polychrome bands, and had steeply pitched hipped slate roofs, and is of an irregular plan, and of a gothic style. The Dispensary was listed 'Grade II' in 1974, with the listing updated in 1994.

Since the closure of Ancoats Hospital in 1989, the majority of the hospital complex has been demolished and Listed Building demolition approvals at the site have included the following:

067657/LO/NORTH2/03 demolition of extensions to the original dispensary building to allow construction of proposed buildings approved March 2004.

067653/LO/NORTH2/03 Demolition of the former ward block and nurses home Approved July 2003

064864/LO/NORTH2/02 Demolition of curtilage buildings to former Ancoats Hospital Approved May 2002

These demolitions have not affected the status of the Dispensary as a Grade II Listed Building.

The Dispensary is now the only former hospital building remaining on the Ancoats Hospital site. It is derelict and the upstanding remains comprise principally of the exterior walls, which are supported by scaffolding. The first and second floors have been removed and walls considered to be at risk of collapse have been reduced in height. All roof structures and coverings have been removed from the building. The remains of the building are therefore open to elements and the structure is therefore considered to be currently incapable of being actively used due to its condition. The previous use as part of hospital has been abandoned and any subsequent use will require consideration as part of a subsequent planning application.

The application site therefore comprises of the retained elevations of the Dispensary Buildings and covers an area of approximately 760 sq. metres. The site is not located within a Conservation Area and there are no other listed buildings in the immediate vicinity of the site. However, a number of locks along the Ashton Canal, which runs to the south-east of the site, are listed.

The perimeter of the site is currently secured by a solid hoarding, with the building itself enveloped by scaffolding to ensure its stability. The space vacated by the former buildings has been surfaced with compacted stone to form a car park accessed via Upper Kirby Street. The south-east boundary of the car park is bounded by a new arm of the Ashton Canal, which reinforces the demarcation of the

public realm to the adjacent predominantly residential 'Chips' development. There are also a number of residential properties to the north and north-east of the site, with the nearest properties being 40 metres away.

The applicants have indicated that in April 2009, close to the completion of Chips, Manchester City Council Building Control raised concerns over the deterioration of the brick gable on the Upper Kirby Street elevation of the Dispensary, given its proximity to the public highway which was used for access. As a result, three brick pikes were dismantled (and stored for rebuilding) in May 2009 and a temporary retention scaffold was erected by Urban Splash Ltd to secure the elevation in August 2009.

Further demolition works were undertaken in September 2011 as part of building notice issued under Section 77(2) of the Building Act 1984 and related to the removal of dangerous sections of the building, including the central tower feature fronting Old Mill Street. These parts of the building were considered to present a danger of failure or collapse on to Old Mill Street. In September 2011, was required to undertake the following steps with the above notice:

- i. Taking down of the central tower;
- ii. Making the three top floor arched window copings safe by removing the kneeling stones and any supported coping stones, which form each of the arches.

The applicants submitted heritage statement confirms that the Dispensary does not have a roof and is without floors. Scaffolding is currently in place, surrounding the building, which is providing structural support for the remaining walls. This proposal involves the demolition of the remaining walls on site.

The proposal has been advertised on site, and in the press, as demolition of a listed building.

Consultations

Local Residents, Councillors and Interest Groups - The following representations have been received.

Local residents and interested individuals - 31 letters and emails have been received, including 2 further emails prior to the committee meeting of 31 May 2012. These representations are summarised below:

- i. All of the emails and letters emphasise the importance of Ancoats Dispensary to the historic character of the area and strongly support its retention and re-use. The loss of the building is acutely felt due to the long deterioration of the building and its lack of prominence in the consideration of the phased redevelopment of the area. It is considered that the building should form part of a comprehensive redevelopment.
 - ii. Disbelief has been expressed that the demolition of the Ancoats Hospital has been recommended for approval. It is considered that the demolition will result in the loss of a historic Manchester landmark to the detriment of the character of the Ancoats area and the quality of the urban environment. The objector maintains that
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the 'purely financial motives for demolishing this building are insignificant when compared to huge loss of identity and history to the Ancoats residents and visitors;'

iii. It is considered that the demolition will result in the loss of a Grade II listed building of enormous historical, heritage and architectural importance; it represents a valuable part of the local Victorian heritage. It is argued that the 'building could be made safe relatively cheaply and in the medium term refurbished to form the centrepiece of a redevelopment of this area'. The building should not be 'demolished due to short term economic concerns'. It is considered that Urban Splash should be made to make the building safe and watertight, with the view, at some point in the future, 'bring forward a new planning application that retains this building as part of a wider redevelopment;'

iv. It has been argued that Urban Splash has overseen the deterioration of this listed building for 10 years, since 2001. The building should have been stabilised immediately following acquisition, yet the developer (Urban Splash) did not apply for NWDA funding until 2009/2010. Whilst appreciating that the developers were preparing proposals involving the building, it is considered that more should have been done to stabilise such a historically significant building. It is emphasised that failure to do so undermines the developers claim to a 'proven commitment to conservation and a track record of successfully saving and bringing listed and historic buildings back into use;'

v. Reference is made to UDP policy DC19 on Listed Buildings and its resistance to the granting of listed building consent other than in the most exceptional circumstances, and in any case, not unless it is satisfied that every possible effort has been made to continue the present use or to find a suitable alternative use;"

vi. Urban Splash's claims that 'every possible effort' has been made to retain the building and that any exceptional factors have led to the current situation are questioned. It is considered that Urban Splash have contributed to the building's poor by neglect and inaction. The submission of two planning applications in 10 years is not seen as a 'commitment to conservation' and current efforts at finding a buyer seem to be limited to a 'for sale' sign;

vii. Practically, the building is now in a most appalling state and is dangerous. It is suggested that a further reprieve be granted for the building, that Urban Splash market the sale of the dispensary with the skills that they demonstrate for the rest of their portfolio for a reasonable period of time. Any further support adjustments should be made to ensure the stability of the building whilst this goes on.

On-line petition - A petition objecting to the proposed demolition with 74 signatories has been received. The state grounds of objection are:

i. A derelict landmark symbolising Manchester's industrial history could be bulldozed after developers failed to find a use for it. Ancoats Dispensary, which dates from the 1870s, is the only building remaining from the iconic Ancoats Hospital site;

ii. Developer Urban Splash have asked Manchester council for permission to demolish the Grade II listed neo-Gothic building after a plan to save it failed. The building is in a poor state and would require up to £3m to improve to modern standards;

iii. The hospital started life in 1828 as the Ardwick and Ancoats Dispensary on Great Ancoats Street. It moved to Mill Street in 1869 and was built to serve the influx of people who came to Ancoats during the city's industrial hey-day. An interior scene

of the building was painted in 1952 by L S Lowry in his work Ancoats Hospital Outpatients' Hall;

iv. Its casualty department was closed in 1987, sparking protests from local residents who staged a waiting room sit-in. The hospital finally closed fully in 1996 and the dispensary is the only remaining building;

v. The signatories request that (a) permission to demolish this Grade II listed building is denied and (b) more effort be made to find alternative funding/partners to help to save the building after the grant from NWRDA for £200,000 was withdrawn when the NWRDA was abolished by the current Government.

Councillor Neil Swannick - Has submitted 2 emails which object to the proposed demolition on the basis that it would result in the loss of a building with a significant, historical and cultural importance. Councillor Swannick is also concerned that the application incorrectly states that demolition has not commenced despite part of the building being removed.

Councillor John Longsden - Objects to the proposed demolition as it would result in the loss of one of the few remaining landmarks in the Ancoats area and should be incorporated into the future redevelopment of the site as was originally proposed.

Ancoats Residents Forum – Has requested the deferral of the consideration of the application to allow further public consultation to take place.

Prior to the meeting of the 31 May 2012 the Ancoats Residents Forum submitted a further email, which states that: 'the Ancoats Residents Forum have been heartened by the goodwill given in trying to resolve this situation and wish to thank the Head of Planning Manchester City Council, Councillor Mike Carmody, Derek Jones of Development Control North Area Team and the representatives of Urban Splash in facilitating a way forward with regards to the future of the Ancoats Dispensary that is satisfactory to all parties. As one of the Top 10 listed buildings at risk for some time which surely indicates its importance. The Ancoats Residents Forum trust that the Committee will agree the recommendations presented to them at this meeting.'

Prior to the submission of the above, the Ancoats Forum submitted an email expressing its objections to the proposed demolition of the Dispensary Building and expresses concern regarding:

- i. The lack of public consultation relating to this application;
- ii. Approval of the application would result in the loss of an important building in Ancoats. Its importance is reflected in its Grade 2 listing;
- iii. Urban Splash has failed to secure the retention and active use for such a significant historic building.

The Ancoats Forum maintains that:

- i. A reprieve should be granted for the building;
 - ii. That Urban Splash pay for the scaffolding to hold the building up and continue to market the sale of the dispensary with the skills that they demonstrate for the rest of their portfolio for a reasonable period of time;
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- iii. That the City Council should step in with funding if necessary having also watched this grade II listed building deteriorate;
- iv. That the local community be consulted properly and given time to see if there is any community driven feasible proposition for the building future;
- v. New Islington will lack any historical context and fabric within the Ancoats historic area if it retains no listed buildings. It is argued that a developer should not be allowed to neglect then demolish a culturally valuable building as it is not 'economically viable';
- vi. The City Council should refuse this application to demolish a listed building.

A further letter has been received, which requests that the Planning and Highways Committee defer from making a decision in respect of the demolition of the Dispensary until the all the options outlined have been exhausted.

- i. The proposed demolition of the Dispensary is of greater concern to local people and there has been a campaign to secure its retention;
- ii. It is noted that at the present time the Manchester Grammar school are hoping to open a 'Free school' in the Ancoats area and have already held consultations with local residents outlining their proposals. There have been several inspections of various sites within the Ancoats / New Islington area by the Education Funding Agency on behalf of the Government, including the site on which stands the Ancoats Dispensary. The report of the Education Funding Agency regarding the suitability of the 'free school' proposals is to be potentially submitted to the Government in July or August 2012. The Forum maintains that the Dispensary building could be incorporated into a new school if government approval is forthcoming. The conservation of this building is considered to be 'inherently environmentally sustainable' and represents 'a way of using the existing resource of the Dispensary for an end product that is unique and irreplaceable';
- iii. The Forum believe that the Dispensary is vulnerable to demolition due to resources that were available to develop and conserve it, being diverted elsewhere in the belief that the finances would still be available at a later date;
- iv. It must be emphasised that the Forum have indicated that Manchester Grammar School are not in a position to decide upon a site should be selected. However, Manchester Grammar School has established a link with Ancoats Residents Forum and is aware of the strength of public feeling with regard to this matter. The value of public relations if the Dispensary site was chosen would be immense;
- v. The Forum maintains that the history of the building would help to inspire children attending the school;
- vi. It is also considered that the retained building could be an asset on an Ancoats Tourist Trail.

SAVE Britain's Heritage - An email has been received, which objects in the strongest terms to the proposal to demolish the Ancoats Dispensary.

The email relates to historic significance of the building and states the building has suffered from years of neglect and exposure to the elements resulting in its reduction of a derelict shell and supported by scaffolding. It is in urgent need of repair and was the subject of a dangerous structures notice in 2011.

It is a matter of great regret that a building of this status has been allowed to deteriorate to such an extent. The Dispensary has been in the ownership of Urban Splash since 2001 and it is clear that it has not been adequately protected since this time. SAVE was dismayed to read in the Heritage Statement that some of the material salvaged from the building has been stolen from a supposedly secure store. Planning policy guidance is clear that: 'Where there is evidence of deliberate neglect of or damage to a heritage asset in the hope of obtaining consent, the resultant deteriorated state of the heritage asset should not be a factor taken into account in any decision (PPS5 HE7.6).'

In our view, this application does not include evidence that these tests have been met. The arguments in the Heritage Statement to support the demolition of Dispensary - the lack of finances available to the applicant, the withdrawal of the Northwest Regional Development Agency (NWDA) grant, and the costs of repair and restoration of the building are not arguments that can be used to justify the loss of any listed structure.

SAVE believe the Dispensary is capable of reuse and could be incorporated in a redevelopment scheme. Urban Splash, a large, well-established developer, has a good track record of rejuvenating historic buildings at risk and has an opportunity here to do the same. The benefits of retaining the Dispensary are clear, the building, a local landmark, would serve to enhance the quality and status of any development. Also, importantly, the loss of the building would damage the integrity of the group of philanthropic buildings in Ancoats, which are in a unique and uniquely early industrial suburb.

Although the building has already been advertised for sale, it would be beneficial to extend the marketing campaign for a reasonable period at a price reflecting the buildings condition to potential restoring purchasers. Although Heritage Works could not take on the building, it should also be offered to other Building Preservation Trusts. We note that Heritage Works has recently ceased to operate.

Given the importance and the complexity of this case, mothballing could be a valid option here. This means securing the building and maintaining basic protection against the elements. The applicant has stated that 'mothballing' is not possible because of a lack of available finances. SAVE does not feel this option has been fully explored and believes it should be reconsidered as an alternative to demolition while new uses are sought.

We note that the result of the EIA Screening Opinion was negative. However, we submit that an EIA will need to be undertaken because the effects of the demolition of Ancoats Dispensary which would include loss of embodied energy; pollution and noise created by the demolition; loss of material assets and of cultural heritage.

SAVE urges that the City Council refuses this application.

The Victoria Society - Strongly object to the proposal to demolish this building, which fails to adequately justify the strong presumption against loss of listed buildings outlined in policy HE9.1 of PPS5.

The Options Appraisal Study that has been carried out is fundamentally flawed, for two reasons. It looks at the situation today, when the development climate is the weakest that it has been for many years, rather than taking a medium term view, as required by PPS5 policy HE9.2 (ii) (b).

It also considers the listed building in isolation, rather than as a relatively small part of a larger development site. Given that the rest of the site comprises the curtilage of the listed building, the whole site should be considered as one in any assessment of financial viability. Development on the rest of the site should be used to offset the conservation deficit of this part of the site.

Urban Splash (the applicant) has not adequately justified the demolition of this important building, a vital remaining fragment of Ancoats' heritage. The Victoria Society recommend that Manchester City Council refuses consent, and suggests that the applicants spend a relatively small sum on making the building safe and watertight and makes more positive plans for the future of this building. One day it could and should be the heart of a regenerated Ancoats.

Manchester Conservation Areas and Historic Buildings Panel - Strongly opposed to the demolition of former Ancoats Dispensary. As the building has architectural and historic value the Panel feel a more detailed justification report is needed from the applicant for the demolition. It was felt that the owners had not done sufficient to fully test the market and that other Building Preservation Trusts should be approached. If approved this will set a poor precedent and send the wrong message to other developers and owners of redundant historic buildings.

The Panel consider that the building is a significant heritage asset in the area and that it should not be demolished to make way for yet another temporary car park. The building owners should have invested in the building years ago and repaired and brought it back into reuse at the same time or before other investments and regeneration projects were taking place in the area.

The Panel believes that the building still retains significant architectural and historic merit and it is not past the point of no return, and that the owners should stabilise the building and make it watertight before mothballing for future development or regeneration in Ancoats. This will preserve what is left of the building until a viable new use can be found. If necessary then MCC should consider serving an Urgent Works Notice and possibly a CPO.

Head of Highways Services - No objection. However, the applicant should Liaise with Highways Authority regarding the proposed routing strategy.

English Heritage - Have provided highly detailed comments in respect of the proposed demolition works that has resulted in the submission of supplementary information and points of clarification.

In its most recent letter English Heritage confirmed that it considers that the additional material submitted in support of the proposed demolition of this building, responds appropriately to the tests and information requirements of PPS5 (now

superseded by NPPF policy 12). However, in determining this application the City Council will need to be convinced that every option to either 'mothball' or secure a viable use for the building has been fully explored.

English Heritage are not aware of the details of any alternative proposals to consolidate the exposed and deteriorating fabric of the building, or secure a sustainable use for the building. However, the implementation of a viable restoration initiative would be welcome should such a scheme be forthcoming.

It is recommended that this application is determined in accordance with national and local policy and on the basis of the City Council's expert conservation guidance.

Ancient Monument Society (AMS) - strongly object to this application, which would lead to the loss of Ancoats Hospitals earliest and only surviving building; a distinctive landmark which anchors new and existing local communities and provides a valued and meaningful historical dimension to the New Islington regeneration area.

As the applicants themselves have acknowledged, demolition would constitute 'total loss of significance', as described in Policy HE9 of PPS5: Planning for the Historic Environment. The conditions listed under HE9.2 have not been met, in particular ii. b), which refers to viable use in the medium term. Whilst AMS have sympathy for the applicant's predicament, resulting from the sudden loss of government funding, we are not convinced that current circumstances are permanent or irretrievable. AMS join the Victorian Society in their recommendation that all available resources be directed at 'mothballing' the building until a more permanent solution can be found.

AMS also agree with the Victorian Society that the viability of the New Islington site should be taken as a whole, and that any conservation deficit affecting the Dispensary should be offset against the wider development site. AMS urge the refusal of this application and for further discussions to be entered into with the applicant so that a less harmful solution can be found.

Issues

Appendix 1 Paragraph 214 of the National Planning Policy Framework (NPPF) states that for 12 months from the day of publication of the NPPF, decision takers may continue to give full weight to relevant policies adopted since 2004 even if there is a degrees of conflict with the Framework.

The RSS and UDP policies were saved by way of direction in 2007 under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory purchase Act 2004. In light of this, full weight may be given to the policies within the RSS and UDP.

In addition, Appendix 1 of the NPPF (paragraph 216) states that decision takers may also give weight to relevant policies in emerging plans according to the state of preparation and the degree of consistency to the policies in the NPPF. The closer the policies in the emerging plan to the policies in the NPPF the greater the weight that may be given.

The Council's proposed Core Strategy was examined in public in November 2011 and the Inspector's report recommends its adoption. It is likely to be considered by

the full Council in July 2012. The relevant policies of the proposed Core Strategy are consistent with the NPPF.

Unitary Development Plan

The following policies are considered to be relevant to the determination of this application:

Policy E2.4 – States that the impact of development on wildlife and ecological features needs to be fully considered. In this case, the potential for the site to be used a wildlife life habitat will need to be assessed prior to undertaking the proposed demolition. If such a survey reveals the presence of any protected species, a scheme for the protection of their habitat will need to be submitted and agreed before the demolition commences.

Policy E3.5 – States that the Council will promote measures, which will lead to a safer environment for all people living in and using the City. In this case reference is made to: ensuring that the layout of new development is designed with safety in mind and does not lead to the creation of isolated areas; designing landscaping schemes so as to minimise the risk of and improving road safety. In this case this relates to the safety of the structure of the existing building.

Policy H2.2 - Relates to ensure that development does not unduly affect residential amenity. Particular consideration has been given to the appearance of the retained building and the potential hazards presented by its further deterioration. The impact of the proposed demolition on residential amenity has been considered, in terms of: noise, vibration, traffic generation, road safety and air pollution. In this instance it is considered that any potential matters arising due to the proximity of the existing residential dwellings can be adequately dealt with by way of mitigation measures.

Policy DC19.1 - States that in determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. In giving effect to this policy, the Council will:

- Not grant Listed building consent for the demolition of a listed building other than in the most exceptional circumstances, and in any case, not unless it is satisfied that every possible effort has been made to continue the present use or to find a suitable alternative use;
- Permit demolition only where there are approved detailed plans for redevelopment and where there is evidence of a firm building contract.

Manchester's Local Development Framework:

The proposed Manchester Core Strategy: On the 18th July 2011 Manchester City Council submitted its Core Strategy Development Plan Document to the Secretary of State for independent examination, following its publication for the purposes of consultation during February and March 2011. A hearing to examine the Core

Strategy together with some changes as a result of consultation responses was held from the 22nd to 25th November 2011. The Inspector has now reported and the proposed Core Strategy has been found sound. It is likely to be considered for adoption by full Council in July 2012. It therefore may be given substantial weight.

The following policies are relevant to the proposed development:

Policy DM1 - States that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. Relevant considerations in this case are:

- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- Community safety and crime prevention.

Policy EN 3 Heritage - Is relevant given the listed status of the building and states that and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre. Parts of the structure would be retained as part of this proposal, which would be used in future development

Guide to Development in Manchester:

States that throughout the City, the Council will encourage development that complements Supplementary Planning Document and Planning Guidance - The Guide aims to support and enhance the on going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development we all want to see in Manchester.

National Planning Policy Framework :

This Framework came into effect on 27th March 2012 and sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system `only to the extent that it is relevant, proportionate and necessary to do so. It provides a mechanism through which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 14 states that `at the heart of the Framework is a presumption in favour of sustainable development'. There are three dimensions to sustainable development , economic , social and environmental. In this case the economic role of the building in terms of its function and use has been exhausted, and no future viable use can be found for it. With regard to the social role, the removal of the building will secure public safety, allowing a cleared safe site, and in respect of the environmental role, whilst the

historic buildings would be lost, recommended conditions will secure the retention of its key features, and allow their incorporation into any future development.

The following policies are considered to be particularly relevant to the proposed development:

Paragraph 128: states that, in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. A comprehensive heritage assessment forms part of the documentation supporting this proposal, which provides historic information and an assessment of the building, and its architectural and cultural merit.

Paragraph 129 provides that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal.

Paragraph 130 provides that where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision. It is considered that as a result of an unfortunate coincidence of the banking crisis, a collapse of the property market and the withdrawal of public funds the current state of the building has evolved. It is not clear that the owner has deliberately neglected or damaged the building.

Paragraph 131 of the NPPF states that, in determining planning applications, local planning authorities should take account of:

- a. The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b. The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and
- c. The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 provides that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Section 133 of the framework states that, where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. The nature of the heritage asset prevents all reasonable uses of the site and
- b. No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c. Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- d. The harm or loss is outweighed by the benefit of bringing the site back into use.

Principle - The applicant's submitted justification statement indicates that a detailed planning application for the former hospital site was approved March 2004 (referenced 067655/FO/NORTH2/03 and 067657/FO/NORTH2/03). A further redesigned scheme for the Dispensary was proposed, which included some commercial use at ground floor with apartments above was approved on 13 May 2005 (referenced 074453/FO/2005/N2 and 074454/LO/2005/N2). These applications indicated, at that time, there was a firm intention to redevelop the Dispensary as part of a wider scheme.

The applicants cite changes to market conditions and the impact on commercial viability as the reason for not implementing planning permissions in New Islington, including the Dispensary conversion. The applicants' maintain that financial conditions prevented the progression of any scheme for the Dispensary.

In response to the continuing deterioration of the building an approach was made to the North West Development Agency (NWDA) for grant funding assistance to safeguard the building. A grant was awarded by NWDA in January 2010 to allow an 'emergency works package' to be implemented, including along with some repair works to bring the building into a safe, weather tight condition to effectively 'mothball' the building for future redevelopment.

The NWDA grant funding was conditional to the building being converted for office use when market conditions made such scheme viable. The necessary works to the building were undertaken under a previous and extant listed building consent application (074454/LO/2005/N2), which had a 5 year implementation period. These works were intended to facilitate a subsequent full planning application.

Following the instigation of stabilisation works, NWDA was disestablished and only small proportion of the funding was received by the applicants. Evidence in support of the application indicates that the cost committed to the building was far in excess of the funding made available by the NWDA and that the applicant does not have the financial resource available to continue with the works. Furthermore all other avenues of funding have been exhausted. Although details are provided below, this included a media campaign involving advertising funded through Urban Splash, and the Architectural Heritage Fund, and articles in Place North West (which was received by over 8,000 property and regeneration professionals) and the Manchester Evening News. The applicant states that no credible interest was received as a result of these campaigns.

The applicant maintains that removal of the roof was part of the grant funded enveloping works, which were intended to arrest the deterioration of the building. These works would have been completed if the NWDA funding had remained available. The removal of funds has been directly related, by the applicant, to the deteriorating condition of the building.

In response to the loss of NWDA grant funding and in recognition that the building could become dangerous, and approach was made to Heritage Works Building Preservation Trust (HWBPT) to determine if they were interested in taking ownership of the Dispensary with view to securing its redevelopment.

The HWBPT undertook an options appraisal study but were unable to take on the Dispensary as a project due to the substantial conservation deficit and lack of grant availability.

A Dangerous Buildings Notice served on the applicant by Manchester City Council (MCC) in November 2010 made it clear that parts of the building now represented a danger to the public and that action to either demolish or repair was required.

In the absence of funding streams or an organisation willing to maintain or redevelop the building, the applicant maintains that demolition is the only viable option. The building is reliant upon scaffolding to prevent its collapse. The financial burden of the cost of hiring the surrounding scaffolding is significant and the funding to allow its retention is no longer available.

Where development would lead to the total loss of a heritage asset, the local planning authority should refuse consent unless all four factors set out in paragraph 133 of the National Planning Policy Framework apply.

a. The nature of the heritage asset prevents all reasonable uses of the site

The Dispensary is no longer required for its original purpose. It was closed along with the hospital by the NHS in 1989. The physical condition of the Dispensary building is now such the cost of repair and redevelopment is prohibitive.

b. No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation

The applicant has actively sought a responsible body that would be willing to acquire the building which has the financial capacity to undertake all necessary works to secure its retention prior to redevelopment. Similarly, the marketing of the site (which took place at the same time as the feasibility study (which was completed in May 2011) to find a potential developer has also proved to be fruitless.

English Heritage required information to show that all reasonable efforts to secure the retention of the building had been undertaken. English Heritage were provided with this information, and indicated that they did not wish to make any further comments.

With regard to the suggested redevelopment of the site into a 'free school', it should be noted that the Ancoats Forum itself recognises that no decision has been made

regarding the provision of such a school. The site has been considered and discarded due to the cost issues.

c. Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible

The building has been offered to public bodies none of whom are willing to incur the substantial costs associated with the retention of the building.

d. The harm or loss is outweighed by the benefit of bringing the site back into use.

It is recognised that this application is not accompanied by redevelopment proposals and that this represents a significant barrier to the grant of listed building, however it is clear that the cost of maintenance and/or conversion are a deterrent to the redevelopment of the site. Further current economic circumstances do not easily provide for appropriate redevelopment proposals in this area. Given the difficulties presented, both financial and in terms of public safety, it is considered that the benefits of removing the building to make it available for future development outweigh the harm presented by the proposed demolition.

Applicant's Response to the grounds for deferral – Have provided a detailed response to the concerns expressed by committee at its meeting of 31st May 2012. This response is summarised below:

i) The applicants maintain that the retention of the whole of the Old Mill Street facade in-situ for the following reasons:

- a. The upper section of the tower, arguably the most significant part of the façade, has already been taken down on safety grounds in response to an emergency dangerous buildings notice in September 2011;
 - b. The remaining external walls are entirely reliant on the temporary scaffold for support, without which they would collapse. However, the existing scaffold is not designed to be a long-term facade retention system. It was installed in 2010 as a temporary measure to facilitate the NWDA grant-funded repairs and was to be dismantled after a period of weeks once repairs were complete and the walls could support themselves;
 - c. Urban Splash cannot fund the continued hire of the scaffold and does not have the resources to fund the installation of what would be a complex alternative facade retention system to support only the front façade;
 - d. Even if it were possible to maintain some form of long-term facade retention system, the masonry must have sufficient integrity for this to be effective. However, the masonry is vulnerable as described in the structural report dated 22 September 2011, which was issued after completion of the emergency works to the tower;
 - e. The emergency repairs appear to have been successfully completed and the immediate concerns to public safety, which were highlighted previously, have been removed. However, it should be understood that the building still remains in a precarious condition and must not be assumed to be in a stable condition;
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f. In fact, the remaining fabric is in poor condition and unsuitable for retention in-situ, and this was highlighted in the structural report dated August 2010.

With regard to the condition of the Old Mill Street facade:

a. There is evidence of new cracking to the external walls, including vertical cracking to the brickwork above the ground and first floor arched window lintels along the front elevation. It is likely that this cracking can be attributed to a general loss of strength and integrity in the brickwork itself;

b. In general:

- The external walls of the building demonstrate evidence of significant deterioration and weakening. At some point previously the external walls were superficially pointed using cement mortar. This pointing mortar can be easily removed to reveal the original mortar and the original mortar can be easily scraped out using finger pressure. It is likely that the weakening of the mortar is consistent throughout the wall thickness since water has been able to enter the cavity for a number of years;
- There have been instances of failure of cavity ties to the external walls since the installation of the facade retention scaffold;

c. It is unlikely that simple conservation of the building structure could be obtained. The reduction in mortar strength and integrity due to exposure to weathering is so advanced well that some of the remaining walls would need to be taken down further and re-built. The new cracking to external walls is clear evidence of a reduction in masonry strength occurring;

d. It is maintained that the front elevation is unsuitable for retention in-situ without extensive repair and re-building for which, in any event, there is no funding available;

e. There is concerned that there is an on-going risk of uncontrolled collapse due to deterioration of the remaining building fabric which would render any retention of the facade ineffective. This is particularly problematic since the facade is located immediately adjacent to the public highway on Old Mill Street and any deterioration or collapse would pose a risk to public safety;

iii. As has been clearly demonstrated in the application submission, there is no prospect of third-party or grant funding to meet the costs of facade retention or 'mothballing'. Attempts to sell the building, including to various Buildings Preservation Trusts, for a nominal sum in order to secure its future have not been successful;

iv. The independent study carried out by Heritage Works (a Building Preservation Trust) and submitted with the application considered the option to retain the front and both gable elevations of the building, in addition to other potential schemes. The cost of this option was estimated to be £710, 000, including facade retention and essential structural repairs;

v. Heritage Works concluded that they could not take on the Dispensary due to the large capital cost, conservation deficit and lack of funding prospects and Urban Splash is not able to fund this level of expenditure;

vi. The viability of dismantling and storage of the entire Old Mill Street facade for later re-use. It is not feasible to dismantle and store the whole of the front facade for re-use in a future development for the following reasons:

- a. The whole of the front facade no longer exists. As outlined previously, the upper section of the tower was demolished on safety grounds;
 - b. It is inevitable that elements of the front facade would be lost during the dismantling process either due to localised collapse of failed masonry, or because the fabric is in poor condition or structurally compromised and deemed unsuitable for re-use once taken down. Even with careful deconstruction methods there is a risk of damage;
 - c. A re-constructed front facade would lack authenticity and would, for the reasons noted above, involve use of non-original materials to replace those which were lost or deemed unsuitable following the dismantling process, further diminishing its heritage value;
- v. It should also be noted that a re-build facade would not be capable of supporting itself so would be reliant on support from whatever new building were to be constructed on the site, which would impose constraints on any future development. The additional cost of recording, salvaging, storing and re-building the full front facade has been investigated and estimated to be £273,655. This assumes a 12-month period of off-site storage and does not include a detailed assessment of the cost of replacing any salvaged elements that are deemed unsuitable for re-use. Both costs are likely to increase in practice;
- vii. Urban Splash made the application for permission to demolish the whole of the building following the withdrawal of an NWDA grant for repairs which left it with no choice but to stop work due to a lack of resources, either to complete the works or fund an effective mothballing exercise. Urban Splash does not have the capacity to fund such an extensive scope of works in addition to the cost of demolition and the abortive costs already incurred following withdrawal of the NWDA grant. Even if funds were available, this additional cost would further widen the viability gap for any redevelopment and make it even more difficult to deliver a scheme on the site in the foreseeable future without substantial grant and / or gap-funding support. In effect, such an onerous obligation would effectively preclude future redevelopment of the site;
- viii. Having reached the above conclusions the applicants maintain that:
- a. As explained above, it is not possible to retain the whole of the front facade in-situ. Nor is it feasible to salvage the whole of the front facade for storage and re-building at a later date;
 - b. However, even with the stated constraints, it is agreed that it will be possible to salvage key elements of the front facade which could be sensibly incorporated into a future development on the site, acknowledging the historic significance of Dispensary;
 - c. It is therefore proposed that Urban Splash and Manchester City Council jointly agree, prior to commencement of any work, which elements of the front facade could be sensibly dismantled, salvaged and stored for re-use in any future development of the site comprising of:
 - The main arch entrance doorway on and inscription 'Ardwick and Ancoats Dispensary', 'Ancoats Hospital' and 'The Ancoats Dispensary' inscription on the south gable end;
 - A typical example of a decorative stone and brickwork window surround.
 - Selected examples of other features and artefacts, e.g., window reveals, decorative tiling or bricks , will, if required and providing they can be safely
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- dismantled, also be retained as a record of the former building, to be donated to an appropriate body for display or recording purposes;
- It is important to reiterate that it cannot be guaranteed that dismantled elements will be in suitable condition for re-use as the masonry is in poor condition and there is a risk of damage, even with careful deconstruction methods;
 - All other remains of the building will be demolished, leaving a cleared site protected by a hoarding for safety;
 - Urban Splash is happy to enter into a S106 agreement on the above basis.
- xi. The applicants have outlined what they believe will be the following consequences of refusing permission for demolition:
- a. It has been clearly demonstrated that Urban Splash does not have the resources needed to save the Dispensary and that demolition is, regrettably, the only available option in the circumstances;
 - b. The withdrawal of the NWDA grant happened at the worst possible time and leaves the building in a perilous condition; there is no realistic prospect of funding in an sensible timescale to ensure the safety or the proper mothballing of the building; attempts to secure the intervention of a Buildings Preservation Trust, or other party, with the capacity to take on and save Dispensary have been unsuccessful;
 - c. Urban Splash has also explored the viability of facade retention and of salvaging and re-building the whole front facade, but it is clear that neither is feasible;
 - d. If refused, Urban Splash has been very open in admitting that it does not have the resources to address its responsibilities. The consequences of this are difficult for all concerned, not least because Manchester City Council would have to assume responsibility for the dangerous building;
 - e. It is maintained that the remains of Dispensary have barely survived two winters while Urban Splash has tried to find ways to save the building and this deterioration will inevitably continue, uncontrolled, to the point where it becomes a further risk to public safety. Manchester City Council would have no choice but to take on the liability and exercise its statutory powers to deal with any immediate danger to public safety, carrying out the necessary demolition work and seeking to recover its costs from Urban Splash, or charging the site;
 - f. Any emergency demolition work of this nature would be unlikely to give regard to salvage of historic features and the resulting legal proceedings would essentially sterilize the site for future development, which would be a detrimental outcome for New Islington;
 - g. In the circumstances, the applicants hope the City Council can accept the proposed demolition and recommend its approval.

Applicant's Response to the on-line petition - The applicant's agent has submitted the following further comments in respect of the on-line petition that objects to the proposed demolition.

- i. The on-line petition refers to the withdrawal of the NWDA grant of £200,000. However, the sum, which was for the mothballing of the Dispensary. was
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£1 million. The mothballing works were to include repairs to the structure, masonry, roof and floors in order to make the building structurally stable and weatherproof until market conditions would support a refurbishment scheme.

- ii. NWDA committed £100,000 of grant prior to formal approval of the full £1 million grant to allow early stage work to commence, including the erection of a temporary scaffold needed to support the building during the works. Unfortunately, the remaining £900,000 of the grant was frozen during the government spending review and subsequently withdrawn with the abolition of the NWDA, leaving Urban Splash with no option but to stop work.
- iii. If the building were to be mothballed, the costs would still be of the order of £1 million.
- iv. The applicant wishes to emphasise that the various references to 'mothballing' need to be related to the substantial sums associated with the associated works.

Loss of a historic asset of high significance - It is recognised that the Dispensary is a highly significant and important heritage asset which should not be lost. The thrust of local and national policy is strongly in favour of preservation of this building. However, as shown above the owner is unable to fund redevelopment or mothballing of the building, no third party with funds to preserve or redevelop the building has been identified despite considerable efforts and the building is dangerous. In the circumstances it appears that demolition is the only option for this significant building and that steps should be taken to record its contribution to Manchester and to preserve such parts of the building as may be capable of reuse in any future redevelopment scheme for the site.

With reference to the concerns expressed by Councillor Swannick that demolition has already partly occurred, it is the case that parts of the building have been removed, but this is due to the dangerous state of the building, and does not constitute formal demolition of this building. Those parts already removed could be re-used as part of any future scheme to rebuild or reinstate the building .

Screening Opinion - The proposed demolition has been the subject of a screening opinion under the EIA regulations, which concluded that:

With reference to all the criteria mentioned in Schedule 3 of the EIA Regulations, it is considered that demolition of this building, will result in some impact on the surrounding area but this is not likely to be of more than local significance. The proposals do not relate to a particularly environmentally sensitive or vulnerable location and would not produce unusually complex and hazardous environmental effects. Therefore, the opinion of the City Council as Local Planning Authority is that an Environmental Impact Assessment is not required.

Demolition Strategy - The applicant proposes that demolition material is to be dispersed within the site. It will, after some sorting, be removed from the site and treated at a waste processing /transfer station in accordance with the draft objectives of the Greater Manchester Joint Waste Development Plan Document. Following the completion of demolition of the building the site is to be levelled and secured with solid hoarding.

The applicants have identified a strategy for the removal of waste materials from the site and there are no proposals for the crushing of brick, stone or concrete from the demolition within the curtilage of the site. The site would be cleared and level upon completion with the site enclosed with hoarding to prevent fly tipping on the site.

The nature of the development does not involve the undertaking of any processes that will cause substantial additional pollution and nuisance or increase the likelihood accidents that are likely to have an environmental impact. However, given the nature of the proposed works the associated noise and dust it generates will cause some disturbance and nuisance.

The demolition methodology provided by the applicants indicates the removal of excess debris from the site will reduce dust generation and will assist its treatment in a more suitable environment. The applicant has also confirmed that the burning of material within the site will not be undertaken. The applicants have confirmed that HGVs removing excess material from the site will be covered with tarpaulins to avoid dust dispersal. At this stage there are no proposals to redevelop the site and there is no means of assessing potential impact of pollution and nuisance associated with potential construction works.

As with all demolition works there is an inherent risk of accidents. The proposal relates to demolition of the Ancoats Dispensary, within clearly defined parameters secured through the extension of existing solid hoardings to the perimeter of the site. The applicant has indicated that the site would be screened from the public highways during demolition. The sequential deconstruction of the building potentially reduces the risk of falling debris and the applicant will be responsible of ensuring the all health and safety obligations are adhered to.

The deconstruction process would involve the use of hand held equipment but may also require the use of more substantial mechanical equipments such as cranes, excavators etc. It has been indicated that the constraints of the site, the use of 'wrecking' balls or implosion techniques would be inappropriate.

As the site is the subject of a Dangerous Building Notice (issued by the City Council under Section 77 (2) of the Building Act 1984) the site owner would be seeking to demolish the building once the required authorisation is in place, including the granting of a Listed Building Consent.

The applicant has indicated that where appropriate materials and characteristic architectural features of the building will be salvaged and stored off-site. This approach has been previously undertaken as is detailed in the submitted PPS5 statement. It is not proposed that demolition material is to be dispersed within the site. It will, after some sorting, be removed from the site and treated at a waste processing /transfer station in accordance with the draft objectives of the Greater Manchester Joint Waste Development Plan Document. Following the completion of demolition of the building the site is to be levelled and secured with solid hoarding. The measures are related to the proposed works by the recommended condition.

Impact on the character of the area - The demolition of the Dispensary will have a negative impact on the character of the local area, being a longstanding feature of

the historic streetscape. However, the building represents an increasing risk to public safety.

Highways - The capacity of the local highways networks and the resulting impact of the development have been considered. The applicants have indicated that operational traffic, including HGVs, will access the site from Upper Kirby Street. The proposed routing strategy takes operational vehicles onto Old Mill Street and Bradford Road from where access to be gained to Great Ancoats Street and Hulme Hall Lane thereby avoiding residential streets.

Consideration has been given to the potential conflict between demolition vehicles and private cars when attempting to access the site and car park respectively. The traffic analysis provided with the application has indicated that vehicular movements will vary between 5 and 10 loads per day. To reduce conflict between vehicles using Upper Kirby Street, the applicants proposed to deploy a 'banksman' to ensure the safe transit of vehicles to and from the site.

The local area has previously been the subject of large scale regeneration works, which have operated simultaneously without having an unacceptable impact on the local highway network. It is the case that regeneration projects are on-going in the local area, including the construction of a residential scheme opposite the site. It is considered that the local highway network has the capacity to deal with multiple vehicle movements by large construction vehicles. It is considered that given the magnitude of the demolition and the manner of it undertaking the impact of the proposed number of vehicle movements can be accommodated within the highways network. The proposed vehicle routing strategy may be considered as part of the listed building consent application and addressed by condition.

Noise -To reduce noise and disturbance from the site, the applicants have indicated that work will be confined to normal working hours between Monday and Saturday. Only in exceptional circumstances would work be undertaken on Sundays and Bank Holidays.

The nearest residential accommodation is located approximately 46 metres away from the site in the form of terraced housing to the north-east of the site on Piercy Street. Residential accommodation is also located in the Chips building approximately 64 metres from the southern boundaries of the site and still further is the Milliners Wharf residential development on the south-east embankment of the Ashton Canal. Whilst there will be impact on residential accommodation in proximity to the development, it is considered that provided the methodology in respect of noise, dust and traffic movement is implemented, the development should not lead to significant adverse or undue impacts on residential amenity.

Ecology - The applicants have carried out an assessment of the potential for the site to be used as a wildlife habitat, together with its ecological value. The site has been assessed by an ecologist in March 2010 who found no evidence of bats or their roosts at that time. The applicant has confirmed that a further survey of the site would be undertaken prior to the commencement of demolition and this has been related to a recommended condition.

The Dispensary site is approximately 48 metres from the new arm of the Ashton Canal; with the original canal screened from the site by the Chips building. It is considered that this distance will reduce the risk of polluted water run-off into the canal and thereby afford protection of the canal, its ecology and wildlife. It is also considered that a scheme of attenuation measure could also be considered as part of the listed building application dealing with demolition, to provide further wildlife and ecological protection of the canal.

Re-use of building materials - The applicant has indicated that where appropriate materials and characteristic architectural features of the building will be salvaged and stored off-site. This approach has been previously undertaken as is detailed in the submitted PPS5 statement, the detail of which has been related to Policy 12 of the NPPF. The storage of composite materials and their reuse in any subsequent redevelopment of the site is related to the development by condition.

Conclusion

In that light of the additional information provided by the applicants it is considered that, on balance and with regret, the proposed demolition should be approved. It is accepted that there are no viable proposals to allow the retention of the building. However, it is proposed that, wherever possible, suitable artefacts arising from the demolition of the Dispensary which are capable of acting as a physical reminder of the significance of the building should be used in any subsequent redevelopment of the site and this will be secured by a S106 agreement which will also provide for local consultation on any new scheme for the site.

A record of the building will be required by condition. The retained information and features should be safely stored and made available to the public.

This approach is supported by section 141 of the National Planning Policy Framework which advises that Local Planning Authorities should require developers to record and advance understanding of the significance of any heritage assets 'in a manner proportionate to their importance and to the impact'. This requirement would remain with the land, so if the site is sold, any future developer would be bound by its requirements.

In addition, Section 13 The Planning (Listed Buildings and Conservation Areas) Regulations 1990 requires any Local Planning Authority which is minded to grant Listed Building Consent for demolition of a listed building to notify the Secretary of State of the intention to grant Listed Building Consent and give the Secretary of State 28 days to consider service of a direction calling in the application. The granting of Listed Building Consent is therefore recommended subject to the signing of a legal agreement and referral of the application to the Secretary of State.

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Head of Planning has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation **MINDED TO APPROVE subject to the signing of a S106 agreement in relation to the re-use of the agreed heritage elements of the Listed Building in any future development of the site and referral of the application to the Secretary of State**

Reason for recommendation

Notwithstanding the policies contained within the National Planning Policy Framework, Unitary Development Plan Policies Policy E2.4 (ensuring that the proposed demolition will not have an adverse impact on identified wildlife habitats), E3.5 (promoting of measures to lead to a safer environment), H2.2 (safeguarding residential amenity) and DC19.1 (relates to the desirability of securing the retention of, restoration, maintenance and continued use of listed buildings), the proposed Core Strategy Policies EN3 and DM1 and the Guide to Development in Manchester Supplementary Planning Document and the loss of a significant irreplaceable heritage asset is in these exceptional circumstances justified by the absence of a viable scheme for its preservation and/or redevelopment and by the dangerous condition of the building.

Conditions to be attached to the 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 be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: Urban Splash PPS5 Statement: The relevant case for demolition, Appendices 1 to 9 from Paul Butler Associates and site location plan with red edge and extent of demolition plan received 29 June 2012.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policy E3.5, H2.2 and DC19 of the Manchester Unitary Development Plan.

3) No works relating to the demolition hereby permitted shall be carried out until a "Programme of Building Recording, and Analysis" including a full photographic record of the site and the building (internally and externally) including all areas where physical changes are proposed, has been agreed in writing with the Local Planning Authority and the Council as LPA has agreed in writing that the Programme of Building Recording and Analysis has been implemented in full. The Programme of Building Recording and Analysis shall include a methodology for identifying which heritage features and fittings shall be retained. The Programme of Building Recording, and Analysis shall be carried out by a specialist to be approved in writing by the Local Planning Authority and in accordance with the agreed Programme of Building Recording and Analysis together with any minor variations agreed in writing by the City Council as Local Planning Authority.

Reason - To provide a record of any archaeological remains and of the listed building's appearance and condition before works commence, which shall be used to inform the elevation design of any subsequent redevelopment proposals, in accordance with Policy DC19 of the Unitary Development Plan for the City of Manchester, Manchester's Local Development Framework: The Emerging Manchester Core Strategy policies: DM1 and EN 3, the principle contained within Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance and National Planning Policy Framework policy 7 and 12.

4) No works relating to the demolition hereby permitted shall be carried out until a "Programme of Building Salvage and Storage" has been agreed in writing with the Local Planning Authority and the Council as LPA has agreed in writing that the Programme of Building Salvage and Storage has been implemented in full. The Programme of Building Salvage and Storage shall include a methodology for long term storage and arrangements for public access to heritage features and fittings. The Programme of Building Salvage and Storage shall be carried out by a specialist to be approved in writing by the Local Planning Authority and in accordance with the agreed Programme of Building Salvage and Storage together with any minor variations agreed in writing by the City Council as Local Planning Authority.

Reason - To provide a record of any archaeological remains and of the listed building's appearance and condition before works commence, which shall be used to inform the elevation design of any subsequent redevelopment proposals, in accordance with Policy DC19 of the Unitary Development Plan for the City of Manchester, Manchester's Local Development Framework: The Emerging Manchester Core Strategy policies: DM1 and EN 3, the principle contained within Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance and National Planning Policy Framework policy 7 and 12.

5) The demolition hereby approved shall not take place until a Construction Traffic Management Plan shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the agreed Construction Traffic Management Plan unless otherwise agreed in writing by the City Council as local planning authority and shall include:

- a. The routing of construction traffic;
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- b. the identification of the vehicular access points into the site for all construction traffic, staff vehicles and Heavy Goods Vehicles;
- c. Identify measures to control dust and mud on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned; and the sheeting of vehicles entering and leaving the site during the construction period;
- d. Specify the working hours for the site;
- e. The management of on site construction vehicles and plant machinery in order to reduce emissions;
- f. Identify advisory routes to and from the site for staff and HGVs.

Reason - In the interest of pedestrian and highway safety and in the interests of local amenity, as specified in policy H2.2 and E3.5 of the Unitary Development Plan for the City of Manchester and policy DM1 of the emerging Core Strategy for Manchester.

6) The demolition hereby approved shall not take place until a scheme has been submitted to and approved in writing by the City Council as local planning authority relating to a demolition strategy for the phased dismantling of the building, including the tools to be used in each phases of the non-mechanical removal of the building and the arrangements for the storage of retrieved materials within the site and their transfer to a secure storage place. The removed materials shall be store until such a time that the can be used in the redevelopment of the site unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with Policies H2.2 and E3.5 of the Unitary Development Plan for the City of Manchester and policy DM1 of the emerging Core Strategy for Manchester

7) The demolition hereby approved shall not take place until samples and specifications of all materials used in the formation of the hard surfaced areas following the completion of works. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual and residential amenity of the area within which the site is located, as specified in policies E3.5 and H2.2 of the Unitary Development Plan for the City of Manchester, principles contained within of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance and policy DM1.

8) The demolition hereby approved shall not take place until a scheme has been submitted to and approved in writing by the City Council as local planning authority relating to a survey of the site in a form and carried out by a person previously approved in writing by the local planning authority has been carried out and demonstrates to the local planning authority's written satisfaction that no protected species inhabit the site. Should the survey reveal the presence of any protected species, a scheme for the protection of their habitat shall be submitted to and agreed in writing by the City Council as local planning authority before the development

commences, and implemented in full in accordance with the approved details and to a timetable agreed in writing by the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with Policy E2.4 of the adopted Manchester Unitary Development Plan.

9) The demolition hereby approved shall not take place until a scheme has been submitted to and approved in writing by the City Council as local planning authority relating to the siting and elevational design of all gates, fences, walls or any other means of boundary enclosure to the cleared site. The approved scheme shall be implemented in full from the commencement of development until construction works are completed in relation to each phase of the development hereby authorised unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with Policies H2.2 and E3.5 of the Unitary Development Plan for the City of Manchester and policy DM1 of the emerging Core Strategy for Manchester

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 096729/LL/2011/N2 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted / notified on the application:

Council for British Archaeology
Georgian Group
Victorian Society
Ancient Monuments Society
Society for the Protection of Ancient Buildings
Twentieth Century Society
Highway Services
Environmental Health
New East Manchester
English Heritage (NW Region)
Victorian Society
11 Weybridge Road, Manchester, M4 6FD
2 – 9 (all) Weybridge Road, Manchester, M4 6FD
4 Weybridge Road, Manchester, M4 6FD
88 -94 (evens)Old Mill Street, Manchester, M4 6EE
2 – 6 Tavery Close, Manchester, M4 6FL
Second Floor, Mill Street Works, Piercy Street, Manchester, M4 6EB
Ancoats Community Clinic, Piercy Street, Manchester, M4 6FB

Ground Floor And First Floor, Phoenix Mill, Piercy Street, Manchester, M4 7HY
Ground Floor, Phoenix Mill, Piercy Street, Manchester, M4 7HY
Mill Street Works, Piercy Street, Manchester, M4 6EB
26 Guest Street, Manchester, M4 7EJ
28 Guest Street, Manchester, M4 7EJ
Flat 101- 114 (all), 2 Lampwick Lane, Manchester, M4 6BU
Flat 201 – 217 (all), 2 Lampwick Lane, Manchester, M4 6BU
Flat 301- 322 (all), 2 Lampwick Lane, Manchester, M4 6BU
Flat 401- 422 (all), 2 Lampwick Lane, Manchester, M4 6BU
Flat 501- 522 (all), 2 Lampwick Lane, Manchester, M4 6BX
Flat 601 – 615 (all), 2 Lampwick Lane, Manchester, M4 6BX
Flat 701- 715 (all), 2 Lampwick Lane, Manchester, M4 6BX
Flat 801– 815 (all) , 2 Lampwick Lane, Manchester, M4 6BX
Ancoats Primary Care Centre, Old Mill Street, Manchester, M4 6EE
Urban Village Medical Practice, Ancoats Primary Care Centre, Old Mill Street,
Manchester, M4 6EE
K's Chemist, Ancoats Primary Care Centre, Old Mill Street, Manchester, M4 6EE

Representations were received from the following third parties:

14 Lypiatt Terrace, Cheltenham, GL50 2SX
11 Freckleton Avenue, Manchester, Manchester, M21 7PR
2 Pickford Street, Manchester, Manchester, M4 5BS
Apartment NS 208 Royal Mills 2 Cotton Street, Manchester, Manchester, M4 5BD
15 Coniston Street, Manchester, Manchester, M40 1WR
11 Delamere Street, Manchester, Manchester, M11 1JY
Flat 111, 2 Lampwick Lane, Manchester, M4 6BU
The Ancoats Forum
SAVE Britain's Heritage
The Victoria Society
English Heritage -
Ancient Monument Society

Relevant Contact Officer : Carl Glennon
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Email : c.glennon@manchester.gov.uk