

Town & Country Planning Act 1990 (as amended)
Planning (Listed Building & Conservation Area) Act 1990 (as amended)

Approval of details reserved by condition

Applicant

Mr Daniel Mesrie
Amazon House Properties
Suite 3 Ground Floor Bruce Court
25A Hale Road
Altrincham
WA14 2EY

Agent (if used)

Andrew Burns
Atelier MB
Suite 2A Amazon House
Brazil Street
Manchester
M1 3PJ

Part 1 – Particulars of the application/development

Proposal: Application to Discharge Planning Condition 5 (Angle Glazed Ceiling Window) as attached to development approved under application 127123/LO/2020

Location: Amazon House, 3 Brazil Street, Manchester, M1 3PJ

Date of application: 17 March 2022

Application number: CDN/22/0157

Part 2 – Particulars of decision

Manchester City Council gives notice that the detail(s) referred to in Part 1 are **Approved** in accordance with the information set out below.

DoC 5 (Angle Glazed Ceiling Window)

This discharge of condition application has been submitted in relation to Condition 5 (Angle Glazed Ceiling Window) as attached to permission granted under 127123/LO/2020 as below:

Notwithstanding the details shown on the approved drawings and detailed within the approved documents specified within condition 2 of this decision, following completion of the strip out works and prior to any new fabric being installed at the property, a detailed survey of the angled glazed ceiling window to the lightwell and a detailed specification and methodology for the proposed repair to return the window to its original condition and appearance, taking into account the condition of the fabric exposed by the strip out; and a timescale for the implementation of these works shall be submitted to and approved in writing by the City Council as local planning authority within six months of the completion of the strip out works. The works shall then be carried out only in accordance with the approved details prior to any new fabric being installed at the property.

For clarity, any original/historic glass be retained/re-used unless it is proven impossible to do and any replacement of the glass shall be on a like-for-like basis unless research can support an alternative.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building in accordance with policies DM1, SP1, CC9 and EN3 of the Core Strategy for the City of Manchester and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

The following information has been submitted to demonstrate compliance/provide further detail as required:

- Existing Section BB (Drawing E(300) Revision B dated January 2020) - Received 17 March 2022
- Existing Section XX (Drawing E(310) Revision A dated January 2020) - Received 17 March 2022
- Proposed Rooflight Reinstatement Details (Drawing C(420) Revision B dated February 2022) - Received 17 March 2022
- Light Well Window Information ('Light Well Window' Revision B dated 01 February 2022) - Received 17 March 2022
- Document 'Existing Fabric Repair Specification and Methodology' prepared by Atelier MB (Document name '1937 Existing fabric Repair Specification') - Received 17 March 2022

The submitted information is acceptable allows for Condition 5 (Angle Glazed Ceiling Windows) to be fully discharged, subject to the approved plans and documents being adhered to.

Date: 27 April 2022

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 Town and Country Planning Act 1990 (as amended) or Planning (Listed Building & Conservation Area) Act 1990 (as amended) 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, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 or sections 20 and 21 of the Planning (Listed Building & Conservation Area) Act 1990 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/appeal-planning-inspectorate. The Inspectorate will publish details of your appeal on the internet.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

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.

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 his 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.