

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

Approval of details reserved by condition

Applicant

Mr Robin Horton
Greenlane Properties
Princess Street
Manchester
M2 4EN

Agent (if used)

Mr Justin Risley
Stephenson Hamilton Risley Studio
3 Riverside Mews
4 Commercial Street
Manchester
M15 4RQ

Part 1 – Particulars of the application/development

Proposal: Discharge of Condition 30 (Windows) of planning permission
129141/JO/2021

Location: Pearl Assurance House, 23 Princess Street, Manchester, M2 4EN

Date of application: 12 April 2022

Application number: CDN/22/0249

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.

Discharge Condition 30 (Windows)

This discharge of condition application has been submitted in relation to Condition 30 (Windows) as attached to permission granted under 129141/JO/2021 as below:

Notwithstanding the details shown in the approved documents and detailed in condition 2 of this consent, no removal of existing windows (for the exception see c) shall commence unless and until full details of the replacement windows has been submitted to and approved in writing by the City Council as local planning authority. The proposal for replacement windows shall be accompanied by the following details:

- a) a method statement for the works,
- b) full details of the materials, including the fittings and fully detailed elevations and cross sections including measurements,
- c) a full scale sample window installed on site prior to the removal of all but one of the existing windows. This sample window shall be inspected by the Local Planning Authority.

The replacement windows shall be installed only in accordance with the approved details including samples and shall be as close to 'like for like' in the profile and appearance as possible to the existing windows.

Reason - In the interests of visual amenity in accordance with saved policy DC19.1 and DC18.1; of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

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

- Covering Letter prepared by Stephenson Hamilton Risley Studio (Reference 7415-db20220321 dated 21 March 2022)
- Demolition Method Statement prepared by Inglenorth Contracting Limited (Dated 17 February 2022)
- Method Statement prepared by WD Group (No reference, dated 10 March 2022)
- Proposed Replacement Windows including Section, Elevation, Sample Window Location and Photograph (Drawing AL(05)0160 dated 21 March 2022)

In addition, a site visit was conducted by the Council as Local Planning Authority on 10 May 2022 to inspect the window in situ. The window was considered to be acceptable.

The submitted information is acceptable allows for Condition 30 (Windows) to be fully discharged, subject to the approved plans and documents being adhered to.

Date: 13 May 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.