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Ms C Parry
Manchester City Council
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Via Planning Portal
(PP-08432676)

24 January 2020

Dear Carolyn,

NON-MATERIAL AMENDMENT TO CONDITION 2 OF PLANNING PERMISSION REF: 123025/FO/2019
11 ST JAMES'S SQUARE, MANCHESTER, M2 6DN

As set out in our email on 21 January 2020, we write to formally submit a non-material amendment application on behalf of St James Estates Limited at the above site. The application seeks to vary Condition 2 of planning permission ref: 123025/FO/2019, to regularise proposed minor alterations to the rear windows of the property at levels one to four.

In addition to this cover letter, the following documents are submitted in support of this application:

- Application Form and Ownership Certificate;
- Proposed Elevations (ref: 432/38(02)202 C);
- Level 1 Proposed Floor Plan (ref: 432/38(02)012); and
- Level 2 to 4 Proposed Floor Plan (ref: 432/38(02)013).

The application fee of £234 has been paid to the council via the Planning Portal.

Background and Proposed Amendments

This application relates to LPA ref: 123025/FO/2019, which was granted on 16 July 2019 for:

> *"Elevational alterations, to include replacement windows on second to fourth floors, alterations to existing curtain walling system at first floor to allow for openable windows, removal of glass roof and replacement with metal cladding, and installation of new and altered windows".*

This application seeks to regularise alterations to the rear elevations which comprise the replacement of two windows at levels one, two, three and four, with

one enlarged window on each floor instead. The proposal will enable increased daylight into bedrooms in the approved apartments and assist the construction process.

As such, it is proposed to vary Condition 2, which lists the approved drawings and information.

Condition 2 currently states:

> *"The development hereby approved shall be carried out in accordance with the following drawings and documents:*
>
> *Drawings*
>
> *432/38(02)009 A, stamped as received by the Local Planning Authority on 15 March 2019*
> *432/38(02)102 C 432/38(02)104 #*
> *432/38(02)202 B*
>
> *All received via email on 15 July 2019*
>
> *The information showing the Reynaers' Slimline 68 window system and the 10 pages of 3D images showing the frame detail for the approved windows, received via email on 15 July 2019*
>
> *The agent's emails of 7 June and 13 June 2019 regarding the use of tinted glazing*
>
> *Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy."*

In order to regularise the proposed revisions to the rear elevation of the building, it is proposed to vary Condition 2 as set out below:

> *"The development hereby approved shall be carried out in accordance with the following drawings and documents:*
>
> *Drawings*
>
> *432/38(02)009 A, stamped as received by the Local Planning Authority on 15 March 2019*
> *432/38(02)102 C 432/38(02)104 #*
> *432/38(02)202 ~~B~~ C*
>
> *All received via email on 15 July 2019*
>
> *The information showing the Reynaers' Slimline 68 window system and the 10 pages of 3D images showing the frame*

detail for the approved windows, received via email on 15 July 2019

The agent's emails of 7 June and 13 June 2019 regarding the use of tinted glazing

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy."

In our view, the amendment is non-material as it does not materially alter the approved development. Planning Practice Guidance (paragraph 002 Reference ID: 17a-002-20140306) states that the definition of non-material is *"dependent on the context of the overall scheme".* The context of this proposal relates to an internal courtyard to the rear of the building that is not in public view, and the proposed amendment has no impact on the overall design of the building, the amenity of any neighbouring residents, or on the character of the surrounding area. As such, it is non-material.

Summary

This application seeks to vary Condition 2 of planning permission ref: 123025/FO/2019, to regularise a minor change to windows at levels one to four on the rear elevation of 11 St James's Square. The proposed change does not result in any adverse impacts or materially alter the approved development.

On this basis, we consider that the changes can be regularised under this non-material amendment application. I trust the application can be validated and progressed accordingly. However, if you require any further information, please do not hesitate to contact me.

Yours sincerely,



Fraser Dann

Enc: As noted above