

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

Partial approval of details reserved by condition

Applicant

Gary Bell
Eastern Green Ltd
1 Ashley Road
Altrincham
WA14 2DT

Agent (if used)

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

Part 1 – Particulars of the application/development

Proposal: Discharge of Condition 4b, c, d, f, g, h and i (Details) and 5 (Scaffolding) attached to Listed Building Consent 137013/LO/2023.

Location: 16 Newton Street, Manchester, M1 2AE

Date of application: 21 August 2024

Application number: CDN/24/0793

Part 2 – Particulars of decision (a)

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

Details

Condition 4 (Details)

(b) Information to illustrate how the detailing to the ground floor frontage would match the existing to include details of stone, mouldings, coursing and windows (including dimensions);

On the basis of implementation in accordance with Dwgs 1988 P(212), P(213), P(214) Rev A and subject to sign off of a stone sample on site this part of the condition is discharged.

(c) Pointing sample;

On the basis of implementation in accordance with Dwgs 1988 P(212), P(213), P(214) and subject to sign off of a pointing sample on site this part of the condition is discharged.

(d) Confirmation of window colour;

On the basis of implementation in accordance with Atelier MB's e-mail 11-11-24 confirming that this will be dark green this part of the condition is discharged.

(f) Details of new windows to replace glass block infills to ensure they are an exact match; and

On the basis of implementation in accordance Dwg 1988 P(386) and with Atelier MB's e-mail 08-10-24 this part of the condition is discharged.

(g) Detailed design of the new door design where the opening to the terrace is being formed.

On the basis of implementation in accordance Dwg 1988 P(347) A and with the details within Atelier MB's e-mail 08-10-24 this part of the condition is discharged.

(h) Details of the sub station doors; The submitted information is not acceptable and this part of the condition is NOT discharged

(i) Details sections of the door, frame, making good of reveals and finishes to the ground floor door at 14 Newton Street (Proposed No.16 Fire Escape Stair and Facade Section);

On the basis of implementation in accordance Dwg 1988 P(214) A and with the details within Atelier MB's e-mail 08-10-24 this part of the condition is discharged.

Condition 5 (Scaffolding)

Condition 5 (Scaffolding): On the basis of implementation in accordance with the following:

8-16 NEWTON STREET ELEVATION, NEWTON STREET, MANCHESTER, M1 2AN, SCAFFOLD ENQUIRY -PHASE 1 & 2 FIXINGS dwg NSR-19-06-11; and

METHODOLOGY AND SPECIFICATION FOR ACCESS SCAFFOLD 23-10-19

the condition is discharged

Part 2 – Particulars of decision (b)

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

Date: 15 November 2024

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This decision relates 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. However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

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 their 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.