MANCHESTER CITY COUNCIL

**Planning**
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Manchester M60 2LA

# Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

## Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

**Publication of applications on planning authority websites**

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

## Site Location

**Disclaimer:** We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number: 151

Suffix:

Property Name:

Address Line 1: Lees Street

Address Line 2:

Address Line 3: Manchester

Town/city: Manchester

Postcode: M18 8QL

### Description of site location must be completed if postcode is not known:

Easting (x): 389178

Northing (y): 396847

Description

## Applicant Details

### Name/Company

Title

Mr

First name

Nabeel

Surname

Javaid

Company Name

Diamond Investments Ltd

### Address

Address line 1

151-163 Lees Street

Address line 2

Address line 3

Town/City

Manchester

County

Manchester

Country

Postcode

M18 8QL

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

## Contact Details

Primary number

Secondary number

Fax number

Email address

***** REDACTED ******

## Agent Details

### Name/Company

Title

Mr

First name

V

Surname

Alyas

Company Name

Architek

### Address

Address line 1

916

Address line 2

Stockport Road

Address line 3

Levenshulme

Town/City

Manchester

County

Country

Postcode

M19 3AB

## Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

## Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Erection of a pair of semi-detached houses and one detached house (Class C3) with associated car parking and boundary treatment

Reference number

128043/FO/2020

Date of decision (date must be pre-application submission)

09/03/2020

**Please state the condition number(s) to which this application relates**

Condition number(s)

Condition 2 (Approved drawings) and 3 (Materials)

Has the development already started?

◯ Yes
⊘ No

## Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

S73 amendment to application ref 128043/FO/2020 to amend condition 2 (Appoved drawings) and 3 (Materials) - To incorporate new loft conversion of roof dormer extension.

Advice given by Ian Jarvis the planning officer,
"The properties can only be built in accordance with the approved plans, unless you make a non-material change or section 73 application, and, as previously indicated, the addition of dormers would need a section 73 application.

Once the houses are built to the extent that they are substantially complete, and capable of occupation, they then benefit from permitted development rights. However, if a dormer, or any other feature that may constitute permitted development in the future, is added as part of the construction of the house, this would represent a breach of the existing planning permission, which could be subject to enforcement action, to have such elements removed, so that the built form reflected that shown on the approved plans."

If you wish the existing condition to be changed, please state how you wish the condition to be varied

for existing approved plans to be updated with new plans

## Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- [x] Yes
- [ ] No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- [x] The agent
- [ ] The applicant
- [ ] Other person

## Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- [x] Yes
- [ ] No

**If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):**

Officer name:

Title

***** REDACTED ******

First Name

***** REDACTED ******

Surname

***** REDACTED ******

Reference

Date (must be pre-application submission)

03/07/2023

Details of the pre-application advice received

Arron,

Thank you for your email.

The properties can only be built in accordance with the approved plans, unless you make a non-material change or section 73 application, and, as previously indicated, the addition of dormers would need a section 73 application.

Once the houses are built to the extent that they are substantially complete, and capable of occupation, they then benefit from permitted development rights. However, if a dormer, or any other feature that may constitute permitted development in the future, is added as part of the construction of the house, this would represent a breach of the existing planning permission, which could be subject to enforcement action, to have such elements removed, so that the built form reflected that shown on the approved plans.

I hope this is clear.

Regards

Ian Jarvis
Planner,
Development Management North
Growth and Development

## Ownership Certificates and Agricultural Land Declaration

### Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- [x] Yes
- [ ] No

Is any of the land to which the application relates part of an Agricultural Holding?

- [ ] Yes
- [x] No

### Certificate Of Ownership - Certificate A

**I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding****

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.**

**NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.**

Person Role

- [x] The Applicant
- [ ] The Agent

Title

Mr

First Name

Nabeel

Surname

Javaid

Declaration Date

20/07/2023

☑ Declaration made

## Declaration

I / We hereby apply for Removal/Variation of a condition as described in this form and accompanying plans/drawings and additional information. I / We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

V Alyas

Date

20/07/2023