

Planning and Highways Committee

Minutes of the meeting held on 17 November 2016

Present: Councillor Ellison (Chair).

Councillors: Nasrin Ali, Shaukat Ali, Barrett, Chohan, Curley, Fender, Kamal, Paul, Siddiqi and Watson.

Apologies: Councillors: Councillor Ahmed Ali, Loughman and Madeleine Monaghan.

Also present: Councillors: Igbon, Knowles, Leech A. Simcock and Karney.

PH/16/135 Minutes

To approve the minutes of the meeting held on 20 October 2016 as a correct record subject to the technical amendments submitted by the Head of Planning, Building Control and Licensing.

PH/16/136 30 Hulme High Street, Manchester, M15 5JS

The Chair received a request for a site visit and this was put to the Committee.

Decision

To defer the matter to the next meeting of the Planning and Highways Committee to allow for a site visit.

PH/16/137 30 Hulme High Street, Manchester, M15 5JS

The Chair received a request for a site visit and this was put to the Committee.

Decision

To defer the matter to the next meeting of the Planning and Highways Committee to allow for a site visit.

PH/16/138 30 Hulme High Street, Manchester, M15 5JS

The Chair received a request for a site visit and this was put to the Committee.

Decision

To defer the matter to the next meeting of the Planning and Highways Committee to allow for a site visit.

PH/16/139 45 St Werburghs Road, Whalley Range, Manchester, M21 0UN

A planning application 112570/FO/2016/S1 for the erection of detached 3 storey 5 bedroom dwellinghouse (Plot 1) and 2 pairs of 2 storey 3 bedroom semi-detached dwellings (Plot 3,4,5 and 6) with associated car parking, landscaping and boundary treatments was received. The application had been presented to the Committee on 20 October 2016 and Members determined that it should be deferred for a site visit, which was completed prior to this Committee.

The application relates to a rectangular site of 0.26 hectares located on the east side of St Werburghs Road, south of its junction with Wilbraham Road and fronts both St Werburghs Road and Chatburn Road. The site is currently occupied by a vacant two storey detached house in the south west corner fronting St Werburghs Road. Behind the house is a large detached double garage and outbuilding, accessed via a drive along the southern boundary of the site from St Werburghs Road. Approximately half way along the northern site boundary is a small summer house. The site also accommodates 66 trees a number of which are specimen trees and 27 are subject to a Tree Preservation Order.

Along the St Werburghs Road boundary is a 1.25 metre high brick wall, whilst the boundary to Chatburn Road is a 1.8 metre high concrete post and panel fence. Adjoining the site to the north and fronting Wilbraham Road are Tealby and Aylesbury Courts, a flatted development comprising a pair of 1970's style three storey flat roof buildings set in an extensive open landscaped area. Adjacent to the application site is the parking for the flats including a small number of lock up garages accessed from St Werburghs Road. Adjoining the site to the south is a large two storey Victorian semi-detached house on St Werburghs Road, whilst on Chatburn Road there is a smaller interwar style detached house. There are further residential properties opposite the site across St Werburghs Road.

A local resident spoke to object to the proposals, and said that while they welcomed development of the site in principle, the proposals amounted to a major overdevelopment of the site and that no conditions could mitigate against the negative impact on the site and the surrounding residents should the proposals be approved.

The applicant also addressed the Committee and said that the application would provide high quality family homes that would be an asset to the neighbourhood. In addition she said that development of the site would restore a currently derelict building and that the benefits overall would mitigate any loss of amenity for current residents.

Concerns were raised by an elected member who said that despite conditions being suggested to alleviate the loss of several protected trees, the arboricultural assessment stated *"Regardless of the method statement a large number of the trees for retention will be damaged and impacted upon as there will not be continuous arboricultural supervision on site to prevent construction damage.*

Following completion of the development there would be continuous pressure to prune retained trees from the new dwellings to prevent a loss of light.

It is not considered that the loss of trees can be sufficiently mitigated against."

The elected member also pointed out that it was very rare for such a negative assessment to be made about the effects of a development of this nature. In addition, she said that it was incongruous for the development to have a ridge height similar to the adjacent flats, rather than other family houses in the vicinity.

A request was made to the Committee to defer the matter to allow for further discussion and negotiation in an attempt to come to an agreement as to how best the proposals could be progressed with the least possible impact on the residents and the neighbourhood. The Committee agreed that this was an acceptable proposal, and further determined that the matter would come back to the Committee rather than be delegated.

Decision

To **defer** the matter to the next available date to allow for further negotiations to mitigate against concerns raised about potential disamenity and the loss of protected trees.

(Councillor Watson declared an interest in this item and left the room while the decision was being taken)

PH/16/140 Land at junction of Clothorn Road and Clayton Avenue, Didsbury

The committee was asked to consider 1 objection made to Tree Preservation Order JK14/06/16 TPO. This relates to a Tree Preservation Order (TPO) served at the above address on a group of 12 mature trees incorporating 6 x Beech, 2 Sycamore and a Holly, Horse Chestnut, Ailanthus and Lime.

In April 2016, a group of local residents requested details of a TPO across the site, as they were concerned about rumours that the remainder of the site, containing the Christian Science Church and surrounding land, was to be redeveloped.

The City of Manchester (Clothorn Road, Didsbury) 1977 TPO was already in place providing protection for trees across the site. However, the site had been partially redeveloped following the making of the order and several trees that were included in this TPO were no longer present. In order to update the current position with trees on site the original order has been revoked and a replacement provisional Tree Preservation Order made.

An objection has been received from the owner/occupier of an apartment within Church Court, stating that the trees

- have not been pruned for 20 years and now tower over the apartment making it very dark, with a significant loss of sunlight
- disagrees that the trees are considered to be of high visual amenity
- concerned that the trees could fall down
- trees such as these are more suitable in a park or open spaces

- one of the trees is considered to have a dangerous lean and should be investigated
- the Sycamore trees are considered to be weeds and not appropriate for a TPO
- squirrels can access roof of the adjacent apartment building from the trees branch system

Whilst the reasons for objecting to the TPO are acknowledged, in particular concerns around health and safety of the trees, lack of any recent maintenance/management work on them and impact of reduced sunlight, it is not felt that they outweigh the contribution these trees of high amenity value makes to the area. Furthermore these impacts can be greatly alleviated by regular maintenance works being carried out on the trees in this location. The making of this TPO would not prevent any reasonable works being carried out on these trees but would help ensure that these works are carried out to agreed British Standards.

It is felt therefore expedient in the interests of amenity to make provision for the preservation of these trees.

Decision

To confirm the Tree Preservation Order at Land at Clothorn Road and Clayton Avenue, Didsbury, under Section 199 of the Town and Country Planning Act 1990, that the Order should cover the trees as plotted on the plan attached to the report.

PH/16/141 81A Palatine Road, Didsbury, Manchester, M20 3LJ

A planning application 112477/FH/2016 for the conversion of existing bungalow to a two-storey flat roofed house with a single storey side extension was received.

The application site is a single storey, 2 bedroom detached bungalow situated within a plot at the rear of a vacant and overgrown site at the rear of 29-33 Circular Road to the north. The remaining land uses are all residential comprising the rears of 3-storey flats at 81 Palatine Road to the west, garden area of 27 Circular Road to the east and 1,3,5 and 7 Sandleigh Avenue to the south (see photos below). The site is accessed via an unadopted narrow grassed track taken off Circular Road and is surrounded by block paving. The site boundaries are either of brick walling (north and east), timber panel fencing (west) and mature shrubs and trees to the south. There is space within the front garden area for the parking of several vehicles.

The application proposes to construct a first floor, flat roof extension on the existing ground floor footprint to provide 2no. additional bedrooms. The application has been amended since first submission, reducing the total number of bedrooms within the overall property applied for from 5 to 4 and removing an overhang design at first floor. Small ground floor extensions are also proposed on the northern and southern elevations to provide an extended playroom / study (south) and utility room / WC (north).

Trees on the site have been surveyed and the application is accompanied by an Arboricultural Impact Assessment.

The proposed development includes obscurely glazed windows at first floor on the southern elevation (see plans and elevations below).

In support of the application, the applicant has highlighted the problems with the existing building and the site in general which have included fly-tipping and unauthorised occupation, and the benefits of the application, these being the creation of a long-term habitable family home, improvement of and care for the landscape including mature trees on the boundary and a presence on the site which would be a deterrent to unauthorised activities.

The application site has been subject to 6 applications since permission was first granted for the bungalow in December 1988 (Ref: 32553).

The application received a number of objections on first consultation concerning the following issues:

Loss of privacy (overlooking), overbearing, loss of trees and biodiversity, impact on a conservation area and threat of property being separated into flats which would increase traffic to the site.

Following negotiations with the agent and applicant, the application was amended and subject to a further consultation. This resulted in one objection which raised the following points:

Loss of privacy (overlooking), impact on a conservation area, setting a precedent, increased parking demand and impact on drainage and the sewer system.

An elected member spoke to the Committee and expressed concern that the report contained no information as to whether the loss of 3 trees on site would be mitigated by replanting, and requested an additional condition to address this. The elected member also said that he disliked flat-roofed houses and that the previously approved plans and application was more appropriate for the location. In addition, he expressed disappointment that the report did not include information as to the appropriateness of the site as backland development, and whether the site would be approved for development if the existing building was not present.

The applicant's representative spoke to the Committee and said that they had undertaken extensive consultation with officers regarding the proposals and had submitted significantly amended plans and drawings as a result. The previous permission, although not implemented, showed that the principle of adding a first floor to the property was acceptable, and that the current proposal would have a much lesser impact on the physical environment and disamenity to neighbouring properties. The proposals would deliver a high quality development and provide appropriate family accommodation for the applicant. The scheme complies with the relevant policies of the Core Strategy.

Officers also advised that each application would have to be considered on its own merits having regard to criteria associated with a backland site; however, in this instance such a consideration is not relevant on account of the presence of the existing dwelling. Any consideration of whether the Council would approve such an

application on a vacant site today is therefore speculative. It was also suggested that if Members thought it was necessary an additional condition could be attached to any approval which required replacement tree planting to be agreed.

Decision

To **approve** the application subject to the conditions and reasons contained in the report and an additional condition regarding replacement trees and landscaping of the site.

PH/16/142 Invicta House, 2 Atkinson Street, Manchester, M3 3HH

A planning application 111302/FO/2016/C1 for the redevelopment of Invicta House for office development (Use Class B1) with ground floor ancillary use (Use Classes A1/A2/A3/A4). Partial demolition of existing building with retention and refurbishment of main facade and erection of eight storey building (Use Class B1) to the rear was received.

The application site is located at 2-4 Atkinson Street in Spinningfields, one of the City Council's key regeneration areas. It includes Invicta House, a three storey office building and a private car park. It is 0.47 hectares in size.

To the east of the site is the Grade II listed and recently refurbished County Courthouse (184-186 Deansgate). Atkinson Street, Little Quay Street and the 13 storey Sunlight House, a Grade II listed building are to the south. One Scott Place, an eight office building is to the west of the site. Tivoli Street and MediaCom, a five storey office building, are to the north.

The Site lies within the Deansgate / Peter Street Conservation Area. There are no listed buildings on the site, but there are three Grade II listed buildings nearby. These are Sunlight House, 184-186 Deansgate and 196 Deansgate (Royal London House). The Site is close to other listed buildings including the John Rylands Library, Albert Hall and Opera House.

The proposal involves the partial removal of the back of Invicta House, with the main facade and secondary return to Scott Place being retained and refurbished and the erection of an eight storey office building with an ancillary kiosk, associated infrastructure, access, landscaping and parking.

The gross area would be 50,479sqft (4,689.6sqm) with an internal net area of 37,900sqft (3,521sqm). It comprises:

- The proposed layout at ground floor level would fill the majority of the application site with the building line generally at back of pavement.
- The first to seventh floors would be open plan office areas with service cores. The third and seventh floors would have external terraces.
- A main entrance from Atkinson Street with new glazing elements, entrance into the kiosk from Scott Place.

The applicants representative spoke to the Committee and explained the scope and concept of the proposals. He said that this was an extremely high quality development at a prominent position within the city centre which preserves the character and appearance of the conservation area and the setting of the nearby listed buildings, and thus complies with Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It does not lead to 'substantial' harm or any meaningful level of 'less than substantial' harm to the setting of the conservation areas, or any other heritage assets. The proposals form part of the high quality regeneration of the city centre and meet the requirements set out in paragraphs 132 and 134 of the NPPF.

The Committee expressed concern at the lack of cycle parking spaces, given the proposal for 23 cycle parking spaces for up to 350 people working in the building. The Committee also asked if there were local or national guidelines as to the proportion of cycle parking spaces based on the numbers occupying a building. The Committee also asked if the recommendations from the Crime Impact Statement have been implemented in full and requested reassurance regarding this. The Committee also asked for further clarification for the reasons that recommendations had not been implemented if this was the case.

The planning officer told the Committee that there is no specific ration or guidance in relation to the number of cycle spaces per head, and that all travel and transport options, including the availability and accessibility of public transport, are considered when determining whether a development has sufficient provision for cycle parking. With regard to the implementation of Crime and Disorder recommendations, there is a specific condition in relation to the development achieving secured by design accreditation.

Decision

To **approve** the application subject for the reasons and subject to the conditions in the printed report and late representation and the imposition of additional conditions regarding cycle parking and Crime and Disorder mitigation to be determined by the Head of Planning, Building Control and Licensing.

PH/16/143 New Broadcasting House, Oxford Road, Manchester, M60 7HB

A planning application 113832/FO/2016 for the demolition of any existing structures and erection of part 12, part 18 storey building to comprise a multi-storey car park (maximum 1,100 spaces including 55 spaces for disabled car users) (ground to 11th floor) a hotel (150 beds) (12th to 17th floor) and an energy centre (ground floor and mezzanine) with ground and mezzanine commercial uses (Class A1 (shop), A2 (Financial and Professional Services), A3 (Restaurant and Cafe), A4 (drinking Establishment), B1 (Offices), D1 (Non-Residential Institutions Creche only) and D2 (Assembly and Leisure Gym only)) was received.

Planning permission was granted on 3 June 2016 for the demolition of any existing structures on this site and the erection of 10 storey, 1028 space, multi-storey car park (including 50 spaces for disabled car users). The proposal included ground and mezzanine floor commercial uses for Class A1 (shop), A2 (Financial and

Professional Services), A3 (Restaurant and Cafe), A4 (Drinking Establishment), B1 (Offices), D1(Non-residential Institutions Creche only) and D2 (Assembly and Leisure Gym only)) and associated access, servicing, landscaping and cycle parking facilities.

This was part of a package of applications that formed phase 1B of the wider development of the Circle Square site. The wider master plan site measures 4.68 hectares and is bounded by Oxford Road, Charles Street, Brancaster Road, Sorton Street, Cloak Street, Upper Brook Street and the River Medlock and was cleared in 2012 when vacated by the BBC.

The site is part of the Corridor which contains a high concentration of commercial, cultural and education facilities and is the focal point of Manchester's 'knowledge economy'. The Corridor is a key focus of investment and represents a major opportunity to deliver economic growth.

The buildings adjacent to the site vary in height from 2 storeys at the junction of Princess Street and Charles Street to Montana House which ranges in height from 8 to 12 storeys, Princess House at 12 storeys, the Ibis Hotel at 9 storeys and Salisbury House at 10 storeys. Montana House and Princess House, which together comprise 130 apartments, are located on the opposite side of the River Medlock. Consent was granted in 2014 for an additional 2 floors on Montana House (application ref no 103013).

There are a number of residential developments adjacent to the site including Montana and Princess Houses. Buildings to the south are mainly commercial in nature, including the Manchester Technology Centre Oxford House and Armstrong House, which are included in the wider Masterplan. There are a number of hotels on Oxford Road. The North Campus, formerly UMIST, lies to the north east and the campuses of MMU and the University of Manchester are to the south east and south respectively. A number of bars, cafes, restaurants, clubs and shops are located on Princess Street, Charles Street and Oxford Road.

The Whitworth Street Conservation Area is to the north-west beyond the railway viaduct. The Lass O'Gowrie on Charles Street is Grade II listed and further Grade II and Grade II* listed buildings are located further north on Princess Street and Whitworth Street. The Palace Hotel on Oxford Road is Grade II* listed and the Dancehouse Theatre on Oxford Road is Grade II Listed. 94-98 Grosvenor Street and Oddfellows Hall are Grade II listed.

A Strategic Regeneration Framework (SRF) was endorsed by the City Council in July 2013 for the wider Masterplan site. The site was acquired by Bruntwood in March 2015, who developed a revised Masterplan which reflected the commercially-led vision of the SRF. This was endorsed by the Council's Executive Committee in April 2015 and identified early interventions that would provide the basis for the long term redevelopment. The Council's Executive endorsed a Delivery Strategy and Phasing Plan for the Site on 29 July 2015.

The SRF promotes employment-led regeneration that would contribute to economic growth and support the competitiveness of the City. It promotes the expansion of the

city core, providing opportunities to maximise local employment with improved links into adjacent communities. It acknowledges that opportunities to provide the type of accommodation required by the next generation of occupiers are limited in the city centre. Development principles are identified to deliver a high quality, vibrant and sustainable urban neighbourhood with a distinctive sense of place that is integrated functionally and physically with the wider area. This includes: the development of high quality, contemporary commercial buildings, complemented by residential, hotel, leisure or institutional space; the creation of vibrancy and vitality across the site to create a sense of place; and, the creation of a critical mass of economic activity to promote and encourage investment and growth opportunities.

This application site is 0.53 ha and bounded by Cloak Street, Princess Street, Mancunian Way and Oxford House. The Mancunian Way is a physical and visual barrier between the site and the main University Campuses and there are a number of car parks and sports pitches beneath the Mancunian Way.

The application proposes the demolition of all existing buildings on site and the construction of a part 12/part 18 storey building creating an 1100 space MSCP, a 150-bed hotel, an energy centre and ground and mezzanine floor commercial uses. The footprint of the 18 storey element covers approximately one quarter of the overall building footprint, and would overlook Princess Street. The MSCP would provide car parking to serve the Circle Square site and the wider area. The entrances to the MSCP and to the energy centre would be on Princess Street. Levels 2-11 would consist solely of car parking spaces plus a rooftop car parking deck. The MSCP would be constructed of brickwork with a design that is similar to that previously consented.

The seven storey Hotel would sit above the MSCP building and the design approach has been to create a contemporary lightweight structure in contrast to the MSCP below, in order to reduce and breakdown the massing of the overall building.

The hotel would be accessed off Princess Street with lifts taking guests to a main hotel lobby at Level 11. The lobby floor would be fully glazed and set back from the façade of the MSCP the rest of the hotel so that the two elements can be read as separate components. The lobby would incorporate the reception, a bar and restaurant area accommodating a total of 84 covers and, back-of-house facilities. There would be 150 bedrooms across the upper 6 floors.

The energy centre would be gas fired and provide heat and power for all of Circle Square. It would be located within a ground floor 'double height' space with flues rising through the car park and hotel to roof level. The Energy Centre proposed as part of this development is effectively a boiler house but on a larger scale. The size that is proposed here is of a similar scale to the Energy Centres that are located in a number of hospitals around Manchester. The technology is traditional and very low risk. A risk assessment for its location, operation and servicing has been submitted and the recommendations in this are capable of being a condition of any consent granted.

The façade of the energy centre facing the car park access road would be fully louvered to provide ventilation and air for combustion. The energy centre would

deliver an overall carbon emission savings of around 2,400 tonnes of CO₂ per year which is the equivalent of taking around 570 average family cars off the roads. 15 secure cycle spaces to serve the hotel would be provided in a secure room accessed via the ground floor hotel lobby.

The design aims to create a building that looks and responds differently depending on where it is viewed from. This could be by pedestrians at street level or at speed from along the Mancunian Way. The building would appear to have two separate and separated components with masses that would be seen at these different urban scales.

The site would be serviced in line with the Masterplan, with hours restricted in the public realm areas to avoid conflict with pedestrians during business hours. Larger deliveries could take place via a new the loading bay without affecting pedestrian movement in the wider Masterplan

It is expected that the 150 bed Hotel would generate 22,500 litres of waste per week when using guidance from the British Standard BS 5906:2005. Based on six collections per week the provision of four Eurobins would be required for the hotel. A further two bins would be required for the commercial unit on ground floor and bar/restaurant uses in the hotel lobby, again based on six collections per week. Six Eurobins would be provided at the bins store at the south of the site.

The Energy Centre would be serviced by one delivery per week for new oil and one collection per week for waste oil for the Combined Heat and Power Plant. These deliveries/collection would be made via the loading bay, which is within the building domain.

The Committee noted the unusual and innovative design of the proposed development, but welcomed the extra information regarding the walking and cycle corridors proposed for the site.

Decision

To **approve** the application for the reasons and subject to the conditions in the report and the late representation.

PH/16/144 Red Lion Street / 2 Union Street, Manchester, M4 1PT

A planning application 113713/FO/2016 for the erection of 3, 5, 7 and 8 and 11 storey building to comprise 38 residential apartments (Class C3) (12 no 1 bedroom units, 25 no 2 bedroom units and 1 no. 3 bedroom unit) above ground floor commercial space (Use Class A1 (Shop), A2 (Financial and Professional Services), A3 (Restaurant and Cafe) and B1 (Office)) with retention and restoration of facade to no. 2 Union Street following demolition of the rear of the building and provision of associated cycle parking, landscaping and ancillary works was received.

The Chair received a request for a site visit and this was put to the Committee. After some discussion of the merits of a site visit, the Committee decided it would be appropriate to visit the site.

Decision

To defer the matter to the next meeting of the Planning and Highways Committee to allow for a site visit.

PH/16/145 Land Bounded By Cheetham Hill Road, Lord Street & Fernie Street, Manchester, M4 4EX

A planning application 113914/FO/2016 for the erection of a 16 storey building to form 192 residential apartments (Use Class C3a) together with ground floor commercial unit (172 sqm) (Use Class A1, A2, A3 or B1) with associated vehicular access from Fernie Street, car parking and hard and soft landscaping following demolition of existing buildings was received.

The application site is approximately 0.16 hectares and currently comprises a single storey block of retail and commercial units fronting Cheetham Hill Road together with car parking to the rear accessed off Fernie Street. There is also a single storey industrial building located off Fernie Street which is in a poor state of repair and appears unoccupied.

The topography of the application site is uneven with a sharp change in site levels from Cheetham Hill Road to the west, which is situated much higher, than Fernie Street to the east. The application site is also bounded by Lord Street to the north and the Cheetham Hill Road petrol filling to the south.

The surrounding area is a mixture of residential and commercial developments reflecting the sites position on the City fringe. The site holds a key position along Cheetham Hill Road, which is a major route from the City Centre to the north of the City. The major residential developments in the area are those associated with the Green Quarter which was a major new residential neighbourhood development in the late 2000s. The buildings in the complex vary between 16 and 18 storeys in height. Beyond the Green Quarter, to the north, are the buildings and uses associated with the 'warehouse district'. These buildings are principally in use for whole sale cash and carry purposes associated with the fashion business. The buildings are generally low rise.

Planning permission has recently been granted in 2015 for a 15 storey building on 'plot 7' of the Green Quarter fronting Cheetham Hill Road (the site management suite) to form 146 apartments and 53 car parking spaces (109031/FO/2015).

Beyond the immediate area, to the south of the application site, lies the City Centre including access to the Manchester Arena, Manchester Victoria Train Station and the shops, services and amenities of the City Centre.

The applicant is seeking planning permission for the erection of a 16 storey building to form 192 residential apartments (Use Class C3a) together with ground floor commercial unit (172 sqm) (Use Class A1, A2, A3 or B1) with associated vehicular access from Fernie Street, car parking and hard and soft landscaping following demolition of existing buildings

Members raised issues in relation to waste disposal, the lack of affordable housing and cycle parking provision.

Policy H8 of the Core Strategy requires that consideration be given to the provision of affordable housing within all new residential developments on site of 0.3 hectares and above or where 15 or more units are proposed for development to contribute to the City-wide target for 20% of new housing provision to be affordable.

The supporting SPD to this policy states that there are exemptions to the policy where either a financial viability assessment is conducted that demonstrates that it is not viable to deliver affordable housing or a proportion, or where material considerations indicate that intermediate or social rented housing would be inappropriate.

The criteria that might qualify development for exemptions that are of relevance in this instance include:

- that inclusion of affordable housing would prejudice the achievement of other important planning or regeneration objectives which are included within existing Strategic Regeneration Framework, planning frameworks or other Council approved programmes.
- It would financially undermine significant development proposals critical to economic growth within the City;
- The financial impact of the provision of affordable housing, combined with other planning obligations would affect scheme viability.

In this instance the planning officer confirmed that the proposal will consist of properties that will be available through the private rental system (PRS). As such, it is considered the proposal would meet an existing housing need in this part of the City particularly as there is an adequate supply of socially rented accommodation. The need, in this instance, and to comply with policy, is for high quality privately rented accommodation for young professionals and families.

Furthermore, in order to achieve a high quality development, in terms of design, materials, space standards and amenity space this raises issues of viability of the overall scheme. The applicant has provided a viability appraisal for the development. This has been assessed by the City Council and it demonstrates that the proposed scheme is viable, in its current form, and is capable of being delivered.

A high quality PRS scheme in this key regeneration area will assist in diversifying the housing market in this area which is predominately socially rented or privately owned.

Furthermore, this proposal will bring substantial regeneration benefits to the area by developing an under used site which no longer contribute to the vitality and viability of the area.

On this basis, the proposal is in accordance with the Council's approved guidance in relation to affordable housing. This type of accommodation which, as noted, will diversify the housing offer.

The Committee requested further information as to how and when a commutable sum in relation to the non-provision of affordable housing was considered appropriate, and how such a sum would be calculated on a case by case basis. In addition, the Committee asked whether the format of future reports could include a tabulated index with basic information such as the number of bed-spaces, number of units, number of cycle spaces etc. so that this information was readily available in a condensed format rather than fragmented through the report in different sections.

Decision

To **approve** the application for the reasons and subject to the conditions contained in the report and the late representation.

PH/16/146 MTK (Breaker Hire & Sales) Limited, Nelstrop Road North, Gorton, Manchester, M19 3JL

A planning application 112000/FO/2016/N2 for the erection of single storey extension to form additional workshop in association with the existing plant hire and associated repairs (Sui Generis Use) was received.

The planning application site forms part of an industrial estate and is bounded by Nelstrop Road North (east), Barlow Road (south) and Marquis Street (west). The eastern side of Nelstrop Road North, which is to the east of the planning application site is predominantly residential. Three houses are situated on the western side of Marquis Street with residential uses returning on to Barlow Road. The relatively shallow front gardens to the houses on Marquis Street face toward the boundary to the application site. Marquis Street forms a cul-de-sac with an industrial estate located to the north of the application site, Allotment gardens are located to the south of the site and opposite its Barlow Road boundary.

The application site is used for the repair, storage and hire of mechanical equipment for use by the construction industry. It is enclosed by a 2.2 metre high green profiled metal fence with a vehicular access from Nelstrop Road North. The application site currently comprises:

- i. A detached, pitched roof, double height industrial unit positioned in the north east corner of the application site;
- ii. A detached, single storey pitched roof industrial building situated in the north west corner of the site;
- iii. A pair of stacked portable buildings with external stairs in the south-west corner of the site;
- iv. Several portable buildings and storage containers area located within the site;
- v. External storage of materials is undertaken within the external yard area, including stacked materials in large racks adjacent to the northern boundary of the site along with some plant and equipment. Servicing and car parking is also undertaken within the site.

The application site has a significant history of planning applications. The use of the substantive site for plant repair and maintenance was established under the following planning permission granted on 20 February 1987: 027996 - Erection of two

industrial units for the repair and maintenance of plant and equipment and to replace the existing workshop and store. An application for a Certificate of Existing Lawful Use was approved on 21 June 2016 (Ref: 075806/LE/2005/N2) for the use of a workshop located in the south – west corner of the site for vehicle repairs for a period of ten years. It is considered that existing use of the site is commensurate with the previously authorised uses of the site.

The proposed development involves: the formation of a linked extension to the existing pitched roof industrial building, which has articulated elevations comprising brickwork at its lower sections with slightly projecting vertical metal profile cladding above. The rear elevation of the building abuts the western boundary with Marquis Street and incorporates a large, centrally positioned roller shutter door (4.2 metres (high) x 3.9 metres (wide)) and separate doorway to the eastern elevation. The existing building has dimensions of: 10.4 metres at its widest point and 13 metres at its deepest point. The central apex has a height of 5.7 metres falling to 3.9 metres at the eaves.

The elevational design of the proposed building would match the composition of the existing building, i.e., brickwork at its lower sections with slightly projecting vertical metal profile cladding above. The dimensions would be 14.4 metres at its widest point and 13 metres at its deepest point. The central apex would also be 5.7 metres high falling to 3.9 metres at its eaves. The proposed extension would adjoin the existing by a 1.1 metre wide flat roof link with brick elevations. A roller shutter doorway (3.5 metres (high) x 4 metres (wide)) would be positioned in the eastern elevation and offset from the line of the central apex. A single doorway would be positioned within the eastern elevation. A second doorway would be positioned in the southern elevation. The northern and southern roof planes would respectively incorporate 3 rectangular roof lights. The western elevation would be composed of brick and profiled cladding without windows and partially screened by the existing boundary fencing. The centrally element between the proposed and existing parts of the building incorporate a store room, mess room, showers and WC with doorways providing through routes.

Decision

To **refuse** to grant the application for the reasons given in the report.

PH/16/147 Unit 6 Monsall Mill, Monsall Road, Manchester, M40 8NQ

A planning application 113347/JO/2016 for the removal of condition 1 (temporary period) appeal decision referenced APP/B4215/W/15/3010077 to allow for a 1 year extension of the previous temporary permission for use of the property as a place of worship (Class D1) was received.

The application site consist of a part two storey, part four storey Mill building that is currently used for a variety of B1 and B2 purposes (light and general industrial). The part of the building which is subject to this planning application is the basement area of Unit 6. The unit has 2 large hall areas where the service and congregation meet. There are also a number of small informal rooms.

Access to premises is via a narrow access road which runs parallel to Monsall Road. The gradient of the road reflects the site levels which dip away from the road. As such, the entrance to the unit is much lower than Monsall Road.

Directly in front of the main entrance to the premises is a poor quality surface which is used informally for car parking and servicing. The area is not demarcated in any way nor is it allocated to any particular property.

The surrounding area is a mixture of uses. There is a row of two storey semi-detached properties immediately to the south of the application site. These are separated from the site by Monsall Road. The Mill complex occupies the land immediately surrounding the application site and this consists of buildings of varying degrees of scale. To the north of the site is Moston Vale, a recreational area.

Retrospective planning permission was refused for the change of use of the application premises to a place of worship (Use Class D1) (107779/FO/2015/N1) on the 10 March 2015 by the Planning and Highways Committee for the following reason:

The creation of a place of worship at Unit 6 Monsall Mill (Use Class D1) creates harmful levels of noise, disturbance and comings and goings from the general activities associated with the use, such as vehicle movements, raised voices and on street parking congestion. This has a detrimental impact on surrounding residential amenity particularly residents along Monsall Road. This is contrary to the provisions of policies SP1 and DM1 of the Manchester Core Strategy (2012), saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995) and the guidance contained within the National Planning Policy Framework (NPPF) and the National Planning Policy Guidance (NPPG).

An appeal (APP/B4215/W/15/3010077) was submitted to the Planning Inspectorate and on the 27 August 2015 and temporary planning permission was granted for 12 months for the use of the premises with the inspector stating that such a permission 'would allow the use to be monitored with regard to its impact'.

The temporary planning permission expired at the end of August 2016 and the applicant is now seeking consent for the removal of condition 1 of the appeal:

'This is a temporary permission and the use hereby permitted shall cease on or before the expiry of one year from the date of this decision'.

The applicant's representative spoke to the Committee and said that they requested a deferment of the decision to allow them to address some of the concerns raised in the report, particularly around the issue of acoustic insulation and disamenity from noise at the site. The applicant's representative stated that the apparent deficiencies in the report could have been dealt with if there had been better communication between the planning officer and the applicant. It should be noted that the planning inspector also required that the applicant submit a noise survey and strategy to minimise the outbreak of noise from the premises within one month of the appeal decision. The inspector considered that this condition was necessary to consider

'both the physical alterations and/or the operation of the unit with regards to types. Levels and times of noise generation'.

The information submitted to the City Council during the temporary period was insufficient for this condition to be discharged. The applicant did appeal to the Planning Inspectorate APP/B4215/W/16/3142244 on the grounds of the Council's failure to discharge this condition. However, the inspector also considered that the information was also inadequate in terms of a robust strategy to minimise the noise impacts from the development and that further details should be provided.

Environmental Health have raised concerns about the adequacy of the noise report produced, particularly that it was not clear how representative it was of 'normal' conditions at the premises and that it did not survey a late night weekday session. Furthermore, Environmental Health are concerned that noise within the building itself cannot be suitably controlled, even with a noise limiter could mean that noise levels within the premises could easily be exceeded, and that the building itself is not ideal in terms of acoustic performance (a point also acknowledged by the applicants acoustician). The resulting effect is unduly harmful impacts from noise internal to the premises which will have a detrimental impact on residential amenity.

A local elected member addressed the Committee and described the significant disamenity that was being suffered by local residents as a direct result of the activity at the site. Local residents have stated that they can hear loud music and raised voices from within the premises. Notwithstanding the site levels and distance of the premises from the residential properties (including the lack of external windows), it is clear that when the use was in operation there was harm

The elected member has also received reports from local residents that services and events that have taken place at the premises have gone on until the late evening, beyond the hours permitted by the temporary appeal permission. Given the background noise levels will be much lower during this time; this therefore increases the likelihood of residents being disturbed by the use and its operations.

Whilst the opening hours themselves do not appear to be unreasonable, it is clear from the comments of local residents and the elected member that the use did not operate in line with these hours.

It is acknowledged that the planning inspector has attempted to place some form of restriction to the operations of the use in order to prevent any disamenity arising. However, it is clear from the comments of local residents and the local ward Councillor that these conditions were breached during the temporary period, particularly with regards to the number of visitors and use of external areas.

In addition, and as detailed above, the applicant failed to comply with a further condition of the temporary approval, which required the submission of a noise survey and strategy to minimise the noise outbreak from the premises, during the 12 month temporary period. It is clear from the applicants own acoustic report that the premises are not well insulated and the premises will only minimise the impact on local residents with a series of measures which the applicant failed to put in place during the 12 month temporary period.

Environmental Health share the concerns that the noise external to the premises, particularly from large congregations late at night, will have an unduly harmful impact on residential amenity which would warrant refusal of the planning application.

Decision

To **refuse** to grant the application for the reason set out in the report.