

Planning and Highways Committee

Minutes of the meeting held on Thursday, 17 November 2022

Present: Councillor Curley (Chair)

Councillors: Shaukat Ali, Andrews, Baker-Smith, Y Dar, Davies, Hewitson, Kamal, Leech, J Lovecy, Riasat and Stogia

Apologies: Councillor Flanagan, Lyons and Richards

PH/20/62. Supplementary Information on Applications Being Considered

A copy of the late representations received had been circulated in advance of the meeting regarding application 133513/FO/2022.

Decision

To receive and note the late representations.

PH/20/63. Minutes

Decision

To approve the minutes of the meeting held on 20 October 2022 as a correct record.

PH/20/64. 133513/FO/2022 - 43 Liverpool Road, Manchester, M3 4NQ - Deansgate Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing for an application to create an external seating area including a timber canopy with a retractable roof cover. The structure would be fixed to the ground floor slabs and would be 3 metres in height. The size of the outdoor area would measure 11.8 metres by 11.4 metres.

The area would be able to accommodate 11 tables for up to 58 people. Planters would be placed along the boundary with the nearest residential properties along with timber barriers and railings.

The planning officer reported that a management plan and drawing for the proposed seating area had been submitted by the applicant. The plan had been assessed by Environmental Health and they have confirmed that, if the application was allowed, the plan is considered to be acceptable.

The applicant's agent addressed the Committee and explained that the seating area is proposed as a permanent feature in connection with the White Lion PH on

Liverpool Road. The applicant is keen to develop the design and appearance of the outdoor area. The PH currently has a temporary outdoor seating arrangement, and this has been in place since 1998. The proposal submitted will be smaller than the current seating arrangement and will be an improvement to the poor-quality furniture used previously. The consideration of the initial proposal for a steel pergola was changed to a timber material and the size of the area was reduced following consultation with planning officers. The consultation and acceptance of the amended design by planning officers is not mentioned in the planning report. No objections have been raised by Environmental Health, GMP or the Archaeological Advisory Service. The management plan submitted sets out the time of use for the area and arrangements for dispersal and use of CCTV. During the consultation process no reference was made that the PH would be considered as a non-designated heritage asset and this first came to light when the committee report was released. The report does not give reasons why the PH is considered as a non-designated heritage asset. Specialist guidance has been sought that questions the council's judgement on the heritage significance of the PH and seating area. The applicant has offered to accept a five-year temporary approval of the proposal and has given an undertaking to work with the Castlefield Forum in the future to help deliver the Castlefield Masterplan. The report does not mention this offer. The applicant refutes the reasons for the recommended refusal of the application to the suggestion of significant harm to the heritage assets in the area. The area is smaller than the existing space, the pergola is an open structure, and the planters are set a lower level and do not restrict views. The applicant believes the proposed structure and the benefits it will bring to the site and wider setting would outweigh the negative impacts outlined in the report. The alternative to the proposal would be the use of cheap plastic furniture that is stacked when not in use.

The planning officer noted that the use of the area for eating, and drinking has been in place since 1998. The current management arrangements in place require the furniture to be removed from the area in the evening and this is the same arrangement with other premises in other areas of the city centre. The types of external furniture available can be attractive and is used in other premises. It is considered that the size and permanent nature of the proposal will impact on all the heritage assets in the conservation area and listed buildings. The White Lion PH, although it has been altered externally, is a vintage building and is considered as a non-designated heritage asset. The test of the impact of the proposal has been evaluated and the committee report provides the reasons why the benefits of the proposal to the conservation area, do not outweigh the harm to heritage assets, listed buildings and other non-designated assets.

Councillor Leech asked officers is it their view that the application for this permanent structure is not acceptable or did this view apply to any proposal for a permanent structure.

The planning officer stated that in considering any application it was unlikely a permanent structure would be supported in that location to preserve the feeling of openness around the Roman Gardens area. The paved area outside the White Lion PH contributes to the site as part of improvements made during the 1980-1990s period. The site has important views of the Roman road line into the Roman fort. A

permanent structure would obstruct the views and that would not be in the interests of the Conservation Area.

Councillor Baker-Smith asked officers to explain the purpose of holding negotiations with the applicant to amend the proposal, if the intention was not to agree to the application.

The planning officer stated that the evaluation process of the scheme involves the receiving of views of consultees. Officers had considered the application and had indicated that they did not support the original proposal. The applicant had submitted an amended proposal and following evaluation officers do not consider the proposal to be acceptable.

Councillor Davies supported the officer recommendation and noted that any planning application for the area will receive scrutiny. Reference was made to the alignment of the proposal to the existing PH roofline. The management proposals submitted need to be considered and it was suggested that a premises licence variation may be required, and additional conditions added. The point was made that Liverpool Road attracts many visitors and contains a combination of heritage assets and modernity with a mixture of residential and business premises. It is important that this continued, and that area is managed and controlled to maintain its attractiveness.

Councillor Andrews moved a recommendation of Refusal for the application for the reasons set out within the report and referred to the officer's view that there was no clear and convincing justification for the proposal.

Councillor Riasat seconded the proposal.

Decision

The Committee refused the application for the reason detailed in the report submitted (see below):

Reason for refusal:

1)The creation of an external structure associated with the reconfiguration of the outside seating area at land adjacent to the White Lion Public House by virtue of the siting, scale, appearance and materiality would form an excessively large, dominant and incongruous within setting off the public house, the Castlefield conservation area and adjacent listed buildings. This would have an unduly harmful impact on the character and visual amenity of the local area and result in less than substantial harm to the historic environment. There would not be the required public benefits to outweigh this harm. The proposal is therefore contrary to the provisions of policies SP1, EN1, EN3, CC9, CC10 and DM1 of the Manchester Core Strategy (2012), saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester (1995) and NPPF.

(Councillor Kamal did not take part in the consideration or vote on the application.)

PH/20/65. 134052/FO/2022 - Land Bounded by Varley Street, Sandal Street, Bradford Road and Stracey Street, Manchester - Miles Platting and Newton Heath Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing for an application to erect 28 two and three storey residential dwellings comprising of 2-, 3-, and 4-bedroom houses. Parking, and landscaping would be provided.

The proposal site was previously occupied by Sandal Court and terraced housing and was cleared under Compulsory Purchase Order powers several years ago. The site is bounded by Varley Street, Sandal Street, Bradford Road and Stracey Street. Two letters of support have been received, along with 27 letters of objection and one letter submitted individually by 48 members of Miles Platting Community and Age Friendly Network. (MPCAN). The main concerns raised include impact on residential amenity, loss of green space, loss of trees and layout of development.

The planning application was a full detailed application for the works to be undertaken as part of the Private Finance Initiative (PFI) contract, this development site is on land bounded by Varley Street, Bradford Road, Sandal Street and Stracey Street and is identified as Cell 7.5b. The development of Area 7.5b offers the opportunity at the eastern area of the estate to provide for a choice of family homes for outright market sale, with space for private gardens and off-road parking. It forms part of a larger development area to the east of Varley Street, which was developed out approximately ten years ago. The accommodation proposed would be in the form of 28 two and three storey 2, 3 and 4 bed houses together with landscaping, parking, and boundary treatment.

The planning officer had no additional information to add.

There was no one to speak in favour of or against the application.

Councillor Andrews moved the officer recommendation to Approve the application, subject to the reasons stated and conditions detailed in the report submitted.

Councillor Dar seconded the proposal.

Decision

The Committee resolved to Approve the application for the reasons stated and subject to the conditions set out in the report submitted.