

Planning and Highways Committee

Minutes of the meeting held on Thursday, 19 October 2023

Present: Councillor Lyons (Chair)

Councillors: Chohan, Curley, Davies, Gartside, Hassan, Hewitson, Hughes, Johnson, Kamal and J Lovecy

Apologies: Councillor Shaukat Ali, Andrews and Riasat

PH/23/75. Supplementary Information on Applications Being Considered

A copy of the late representations received had been circulated in advance of the meeting regarding application 135932/FO/2023 and 136878/FO/2023.

Decision

To receive and note the late representations.

PH/23/76. Minutes

Decision

To approve the minutes of the meeting held on 21 September 2023 as a correct record.

PH/23/77. 136314/JO/2023 - 60 Oldham Street, Manchester, M4 1LE - Piccadilly Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing regarding a variation of Condition 3 (Opening Hours) to planning permission 126960/JO/2020 (amended under 124836/NMC/2019) (as discharged under CDN/21/0969) to allow opening of premises the following hours: Sunday to Thursday – 11:00 to 02:30 (the next day); and Friday and Saturday – 11:00 to 03:30 (the next day).

60 Oldham Street had been converted into four apartments with the ground floor and basement changed to a restaurant and bar (126960/JO/2020 amended by 120878/FO/2018). The opening hours applied for and approved at the ground floor and basement were Tuesday 17.00-00.00, Wednesday to Saturday 12.00 to 13.30 and 17.00 to 00.00 (application ref no CDN/21/0969). A scheme of acoustic insulation was approved (CDN/21/0947).

The approval included the erection of a 7-storey building on an empty plot to the rear at 53 Spear Street to form five apartments. The consent had been fully implemented.

The site is in the Stevenson Square Conservation Area and on the edge of the Smithfield Conservation Area. It is in as the Northern Quarter which contains homes, hotels, commercial, places of worship, bars and restaurants.

Two objections had been received regarding the application.

The Planning Officer had nothing to add to the printed report.

The applicant attended but had nothing to add to the report.

Members queried if there was a mechanism to shield noise from the internal venue and how issues would be monitored between Planning and Licensing.

The Planning Officer stated that there was Acoustic Insulation installed and Environmental Health were happy with that, noting there was no objection raised by them. It was noted that the operating hours were most effectively managed through Licensing.

A member then raised concerns about the hours, live music and queried if a condition could be attached regarding occupancy levels.

The Planning Officer noted that noise levels had been tested by Environmental Health who were happy that there was no noise transfer if the venue stays within the noise management plan. The Planning Officer noted that this Committee was to deal with Planning issues, and they were satisfied with all Planning related issues. They acknowledged that there were tensions in this area but reiterated that they were satisfied with the noise management plan.

The Director of Planning noted that a condition regarding occupancy levels was difficult to do through the Planning process and advised members to not consider that.

Councillor Lovecy moved the Officer's Recommendation to Approve. Councillor Curley seconded the proposal.

Decision

The Committee resolved to Approve the application.

PH/23/78. 135932/FO/2023 - East Manchester Academy, Grey Mare Lane, Manchester M11 3DS - Ancoats & Beswick Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing regarding the Installation of Multi Use Games Area (MUGA) together with the installation of 5-metre-high boundary treatment and 3-metre-high acoustic barrier.

The proposal was for the creation of a Multi-Use Games Area (MUGA) together with the installation of boundary treatment.

The proposal would result in the loss of grass playfield. Sport England have objected on this basis. MCR Active support the proposals.

The Planning Officer had nothing to add to the printed report.

The applicant did not attend, nor did any objector.

Members queried if the throwing cage due to be lost would be relocated and why the pitch was unusable and such poor quality. It was also noted that grass space was being lost and if that could be replaced by the planting of extra trees or something similar.

The Planning Officer noted that the drainage was poor which had led to the pitch being waterlogged. It would cost more to fix the drainage than what was proposed in the application. They noted that as Sport England had objected to the proposals, should the Committee be Minded to Approve, the application would be referred to the Secretary of State. There was a condition that the throwing cage would be relocated. The Planning Officer stated that a condition could be added regarding adding greenery.

Councillor Curley moved the Officer's Recommendation of Minded to Approve.

The Chair queried if members wanted to add a condition related to greenery. The Director of Planning noted that the condition would need to be carefully crafted as the application was subject to funding.

Councillor Kamal seconded the proposal of Councillor Curley.

Decision

The Committee resolved to be Minded to Approve, subject to the conditions set out in the report and an additional condition, the wording of which is to be agreed by the Director of Planning and the Chair, regarding the adding of greenery to replace the lost grass pitch.

PH/23/79. 136878/FO/2023 - 4B Albany Road, Manchester M21 0AW - Chorlton Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing regarding the erection of a 4-storey building to form 40 no. residential apartments, together with cycle and car parking, bin store, landscaping, and boundary treatments following demolition of existing buildings.

The application related to the erection of a 4-storey residential development comprising 40 affordable apartments, following demolition of an existing business premises together with the provision of car parking, cycle parking and landscaping.

Following notification of the application 15 representations have been received, including 13 objections, 2 in support and 1 neutral response with comments.

The Planning Officer had nothing to add to the printed report.

An objector attended and addressed the Committee, noting that they owned a local recording studio that had been there for 20 years. The recording studio was close to the proposed site and it was felt that the construction phase of development would create a level of noise that would stop their ability to work. They felt that the noise report provided had not considered their business needs. There were no mitigation measures in place for the noise created during construction for their business. The objector requested that the Committee declined the application, but if they were to approve it then to add strong conditions regarding noise and vibration during construction or that there should be some financial compensation available in order that they could operate from an alternative studio during that noisy time.

The applicant's agent addressed the Committee, noting that there had been prior engagement with local residents, ward councillors and planning officers before submitting the application. They noted there would be short-term, temporary disruption during construction but that there had been no objection from Environmental Health and the disruption needed to be balanced with the social value of the proposals. Construction timing and activity was proposed to be regulated by conditions from officers. The applicant would register with the considerate constructors' scheme and liaise with the studio. This was a 100% affordable scheme, which was noted as being much needed. The application would not result in any overlooking, overshadowing or loss of light for its neighbours. Energy for the proposed site would be 100% electric, with no gas used. The level of parking proposed had been deemed acceptable by Highways Officers. The scheme would improve Biodiversity. The applicant's agent felt this was a much-needed scheme for the area.

The Planning Officer noted that it was key that the applicant was fully aware of the concerns raised by the neighbouring recording studio and had agreed to all points listed within the construction management plan including a communication strategy with neighbouring occupiers and businesses, including the recording studio. This would mean that the recording studio would be pre-warned of noisy activities. The applicant had also confirmed that they would join the considerate contractors scheme. The officer also stated that demolition could take place under a prior approval notice without the level of control available through this planning application process and that works could take place without the need for planning permission which could bring substantial noise and disturbance, such as refurbishment works, and replacing hard standings. It is also the case that the application property could be used for a variety of other uses without the need for planning permission without any control by the Local Planning Authority in relation to hours of operation, outside working, or numbers of HGVs for example. The proposed construction management plan offered reasonable levels of mitigation in this case. It was also stated that the applicant had confirmed that Pad Foundations would be used rather than more intrusive traditional foundation types.

Members raised queries regarding the architecture, biodiversity and the wording of the condition relating to communication between the applicant and the recording studio.

The Director of Planning stated that construction was difficult to control but they, alongside the Chair, could look at the wording regarding the Construction

Management Plan and in particular the requirement for a community consultation strategy, and that this should provide detailed time frames for demolition works and additional requirements relating to details of notification of noisy activities..

The Planning Officer stated that negotiation had taken place with the applicant to secure a quality approach to architecture and also clarified that the existing site consisted largely of built form and hard standing and that the proposal included soft landscaping, the planting of five new trees and bio-diversity enhancements.

Councillor Curley moved the Officer's Recommendation of Approve subject to additional wording within the construction management plan condition.

Councillor Hughes seconded the proposal.

Decision

The Committee resolved to Approve the application, subject the conditions set out in the report, including an amendment to the condition relating to the construction management plan, the wording of which is to be agreed by the Director of Planning and the Chair.