

Planning and Highways Committee

Minutes of the meeting held on 15 November 2018

Present: Councillor Ellison (Chair).

Councillors: Nasrin Ali, Shaukat Ali, Clay, Curley, Y. Dar, Lovecy, Lyons, White and Watson.

Apologies: Councillors Strong, Kamal and Kirkpatrick.

Also present: Councillor Kilpatrick.

PH/18/93 Minutes

To approve the minutes of the meeting held on 18 October 2018 as a correct record.

Decision

To approve the minutes of the meeting held on 18 October 2018 as a correct record.

PH/18/94 119731/FO/2018 - Cheshire Cheese PH & Vacant Land (Formerly Nos 32-38) Oldham Road Manchester M4 5FE

Planning application 119731/FO/2018 for the erection of 7 storey building to form 38 apartments and ground floor retail unit (Class A1) together with associated car and cycle parking following demolition of existing building was received.

The application site relates to land situated at the corner of Oldham Road and Cornell Street which is presently occupied by a vacant, two storey public house (Cheshire Cheese) and a neighbouring area of hard-standing, which includes a steel storage container.

The applicant's agent spoke to the Committee in support of the proposals, and said that the site has been in the development process for some time, and planning permission had previously been granted but lapsed due to the recession. The building is in a very poor state, to the point that access is prohibited. The scheme has been amended after discussion with officers and several conditions have been agreed in advance. He added that the applicant was committed to delivering a high quality scheme that would enhance the immediate area.

The Committee asked for clarification as to the construction management plan and how current residents would be protected from dust etc., and officers confirmed that there was a specific condition that specified prior to the commencement of development, a construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- Dust suppression measures;
- Compound locations where relevant;

- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

Officers also confirmed that the development will only be carried out in accordance with the approved construction management plan.

The Committee expressed concern at the very narrow margin of profitability, and asked if a condition could be added so that if the profit margin increased, a S106 contribution could be sought in the future for improvements to the street scene, as there was very little green space in the vicinity of the site. Officers clarified that the profit margins were so low, it would not be appropriate for such a condition to be imposed. The Head of Planning, Building Control and Licensing informed the Committee that she was aware the area in general and particularly the Oldham Road/Great Ancoats Street junction was being looked at with a view to enhancing the environment including the potential for street planting.

The Committee also expressed concern at the low level of disabled parking provision, and the lack of storage facilities for mobility scooters. Officers confirmed that they would discuss these issues with the applicant and his agent, so that the maximum possible accessibility provision could be made.

With regard to the heritage value of the building, officers confirmed that it was in a poor state and that the proposed development would enhance the conservation area rather than have a negative impact.

The Committee concluded that the development will provide a high quality frontage to a main arterial route into the city centre and responds positively to the character, scale, massing and varying height of adjoining buildings, strengthening the urban grid which defines the area.

The Committee accepted that there will be minimal or any significant harmful impact upon either residential amenity or the operation of the highway and as a consequence, the proposed development can be satisfactorily accommodated at the site and will integrate effectively into the host streetscape. As such, the proposed development accords with all relevant local policy and national guidance.

Decision

To approve the application subject to the conditions and reasons in the report and the late representations.

PH/18/95 120635/FO/2018 - Hotspur Press 2 Gloucester Street Manchester M1 5QR

This item was withdrawn prior to the meeting.

PH/18/96 121184/FO/2018 - 107 Manchester Road Chorlton Manchester M21 9GA

Planning application 121184/FO/2018 for the use of the property as a licensed cafe/bar Class A3/A4 including expansion of internal public area, relocation of kitchen and provision of ventilation, extraction and waste management equipment/facilities was received.

The application site is a ground floor unit, with basement below, situated within a two/three storey terrace located on the western side of Manchester Road. Planning permission ref: 114208/TMCOU/2016 was granted on 14th October 2016 for a temporary change of use from A1 (shop) to A3 (cafe/restaurant), for a two year period commencing 20th October 2016. The use was implemented by the applicant and has been trading continuously as Henry C since. Whilst the temporary consent has now lapsed it should be noted that the current application was validated on 12th September 2018, prior to the lapse. The applicant is proposing to continue the existing Class A3, but also wishes to operate as a Class A4 bar in the later evening, which this permission would allow the flexibility within the two uses.

Officers confirmed that further to the late representation, the applicant has indicated that they are happy to accommodate level access to the premises, which will be subject to an additional condition.

The applicant's agent spoke in support of the proposals, and explained that the applicant has been trading for over 2 years at the site with no complaints or issues, which has been confirmed by Environmental Health. The proposals also have the support of Councillor Hacking who has confirmed that Ward Councillors have not received any reports of issues.

The agent also confirmed that they would happily agree to conditions designed to mitigate any problems or issues that might arise in the future.

The Committee asked for clarification as to the mitigation for the additional extract fan that would be installed as part of the proposals, and officers confirmed that this would be managed by way of conditions requiring information about the specification of the fans and acoustic insulation. Any changes needed would be carried out within 6 months of the grant of consent.

The Committee concluded that the proposed development will make a positive impact in terms of being an employment generator that would maintain an existing business within the Chorlton District Centre. The proposals are not considered to give rise to unacceptable impacts in terms of residential amenity or visual amenity of the area and therefore accord with the principles of Core Strategy policies SP1, C6, C10, and DM1 and saved UDP policies DC10 and DC26.

Decision

To approve the application subject to the conditions and reasons in the report and the late representation, in particular the amendments to conditions 4, 6 and 8.

PH/18/97 121390/FO/2018 - 19 Elm Road Manchester M20 6XD

Planning application 121390/FO/2018 for the erection of a three storey dwellinghouse with basement and associated landscaping and car parking was received. The application site is part of the garden area within the curtilage of no.19 Elm Road, a detached Arts and Crafts style house situated on the north side of Elm Road near to the junction with Parkfield Road South in the Didsbury West ward. The site and surrounding area fall within the Blackburn Park Conservation Area (designated 1976).

The garden fronts Elm Road and the proposed house would be accessed through the creation of a new driveway opening to Elm Road through an existing high level hedge. The development plot extends to c. 680m² and the proposal is for 1no. detached 5 bedroom 3-storey dwelling of a contemporary design with gardens and parking. The property would sit behind an attractive Copper Beech tree to be retained. The existing property at No. 19 Elm Road would still retain a sizeable garden to the front, side and rear.

The application is accompanied by a Planning Statement which demonstrates how the design has evolved with reference to the surrounding historic context, having regards to the Historic England publication 'Conservation Principles, Policies and Guidance.'

A member of the Blackburn Park Conservation Society spoke in objection to the proposals, saying the proposals would cause significant harm to the conservation area. He said that there had been a failure to consider the impact on the openness and green space in the area, and the development is contrary to these aims and to policies DC18 and EN3.

He added that the design of the building was completely inappropriate to the setting of the neighbouring buildings, and would drastically reduce the amenity space at the current house at 19 Elm Road. He said that it would destroy the current arrangement of the houses at this point in the road, and would be a dangerous precedent to further damage to the conservation area. He added that the design was ugly, with too much glazing to the sides and the front, and an unsympathetic and harmful form of development for which there was no justification. He said that they did not agree with the principle of development as stated in the report and expressed surprise that the report recommended approval. He said that the Committee could not make a decision regarding the level of harm that would result unless they actively stood outside 19 Elm Road, and proposed an adjournment to facilitate a site visit.

The applicant spoke to the Committee and explained that the proposals were to provide a suitable dwelling for the needs of their family, now and in the future. They currently occupy the existing dwelling at 19 Elm Road, and have lived there for the last 14 years. She explained that they had spent a lot of time on the plans, and had developed the current proposals in consultation with planning officers, and were conscious of the constraints of the conservation area. She pointed out that there was a wide diversity in the styles of houses in the area, and as they chose not to adopt a pastiche design it has led to a contemporary approach. They understand that this

approach would attract differing views, but were confident that the design was elegant and would fit in with the conservation area.

They had also consulted specialists, and were confident that the copper beech tree and many other trees within the site would not be affected by the building or the associated works. She said that the space relationship between the house and garden was in keeping with many other properties on Elm Road. The house would be built with very high quality materials, and would incorporate a high level of sustainability. The applicant said that she firmly believed that once completed the house would be a positive addition to Elm Road rather than negatively impacting the conservation area.

Councillor Kilpatrick spoke in support of the Blackburn Park Conservation Society representative and the resident objectors. He said that he felt there was a strong case for deferral, as the detailed comments from the Conservation Society had been circulated at a late stage, and questioned whether the Committee had been given sufficient time to consider them. He added that the Ward Plan was clear about celebrating and preserving the trees in the area, and that there was a commitment to replacing any trees lost during development like for like. He said that this development would involve the felling of 7 trees with only 6 being replaced, which contravened the Ward Plan. Councillor Kilpatrick also asked that the matter be deferred for a site visit.

Officers confirmed that the detailed comments from the Conservation Society had not been available when the agenda and report had been published, but had been received subsequently. The comments had been circulated and made available as soon as it was possible to do so. Officers also confirmed that the site was not able to accommodate more than 6 replacement trees, but that the applicant had offered to provide additional tree planting on the highway if necessary.

The Head of Planning, Building Control and Licensing also confirmed that the application had been thoroughly assessed and had gone through a full consultation period; a deferral on the basis of the late comments from Blackburn Park Conservation Society was not recommended.

The Committee expressed concern that when considering an application for development in a conservation area, they must consider the impact and possible degradation of that conservation area, and whether a local precedent of development would be set.

Officers confirmed that the current property had an exceptionally large garden, even given the propensity of large gardens in the area, and that the proposals would result in 2 properties with gardens of a similar size to others on the road. Officers also commented that conservation areas were not static and that development could take place that was sympathetic and appropriate.

With regard to setting a precedent, officers said that any approval of the current proposal should not be taken as an acceptance in principle of development on other garden plots which must be assessed on their site-specific individual merits. Officers also explained that the design of the proposals, while contemporary did echo the

design of the other properties in the area, and example being the use of white brick rather than render to the upper elevations of the proposed development.

The Committee considered the request from the Conservation Society and Councillor Kilpatrick for a site visit, but concluded that the information contained in the report was sufficient for them to make a determination without the need for a deferral.

After considering all of the representations, the Committee concluded that the proposal is for a single family dwelling of 5-bedrooms which is considered to be appropriate and acceptable at this location. The design of the dwelling has paid sensitive regard to the context and setting of the Blackburn Park Conservation Area.

Decision

To be minded to approve the application subject to the conditions and reasons in the report and the late representation, and an additional condition regarding planting of trees off-site, the wording of which to be delegated to the Head of Planning, Building Control and Licencing in consultation with the Chair of the Planning Committee.

PH/18/98 120665/FO/2018 - 391 Palatine Road Manchester M22 4JS

Planning application 120665/FO/2018 for the erection of a part three to five storey building comprising of a ground floor commercial units for Class A1/A2 and 6 x 1 bedroom apartment, 6 x 2 bedroom apartments (12 in total), together with associated landscaping and car parking.

This application was deferred at the October meeting of the Planning and Highways Committee in order to allow the applicant to submit a daylight and sunlight analysis.

The applicant has submitted an Energy Conservation and Management Statement to illustrate how the development will comply with Council's policy on sustainability, as detailed in the Late Representation.

The applicant spoke to the Committee and said that prior to their involvement in the site, he was aware that there had been issues that had caused concerns locally, but since they became involved these had now been resolved.

The Committee welcomed the fact that the applicant had agreed to contribute to street tree planting. The Committee also welcomed the development as bringing back into use a derelict site. They did express a degree of concern about the car parking provision, but overall concluded that this proposal represents an opportunity to create a new focal point in a prominent location along Palatine Road and attract further investment into the district centre. The proposal would allow for the development of a high quality building which would add to the vitality of the district centre and increase the range of accommodation and services within a highly sustainable location.

Decision

To approve the application subject to the conditions and reasons in the report and the late representation, in particular the amended conditions 2 and 20 and an additional condition 21.