

MANCHESTER CITY COUNCIL

PLANNING AND HIGHWAYS

**APPENDIX TO AGENDA
(LATE REPRESENTATIONS)**

**on planning applications to be considered by
the Planning and Highways Committee**

at its meeting on 28 June 2024

This document contains a summary of any objections or other relevant representations received since the preparation of the published agenda. Where possible, it will also contain the Director of Planning, Building Control & Licensing's own brief comment.

**APPENDIX TO AGENDA
(LATE REPRESENTATIONS)**

Planning and Highways Committee 28 June 2024

Item No. 6

Application Number 139133/FO/2024

Ward Hulme Ward

Description and Address

Erection of a 24-storey mixed use building incorporating 224 residential apartments (Use Class C3a), 87 apart-hotel studios (Use Class C1), amenity space, flexible commercial space (Use Class E), and cafe (Use Class E(b)), together with infrastructure, landscaping, and other associated works

Land At Cornbrook Road, Manchester

1. Director of Planning, Building Control & Licensing – Further observations

The proposal does not fall within Schedules 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and National Planning Practice Guidance (2017).

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) specifies that certain types of development require an Environmental Impact Assessment (EIA) to be undertaken. This proposal is of a magnitude which would not fall within the definition of the thresholds set for “Urban Development Projects” within Schedule 2, however, given that the proposal is in an area where a number of major development projects have been approved and under construction, the City Council has adopted a screening opinion including cumulative impacts, to determine if this level of assessment was necessary, and to determine whether the proposal could give rise to significant environmental effects.

It was concluded that there will not be significant environmental impacts associated with the proposal subject to suitable mitigation, and therefore an Environmental Statement is not required.

An area of the land in the Cornbrook SRF that lies outside of the applicant’s ownership is in need of improvement to complete the development approved under application (118625/FO/2017). This was originally approved as a retail unit but pending delivery of that proposal its appearance needs to be improved and this could be secured through landscaping. The final details of the interim treatment would be secured through the section 106 agreement.

The recommendation is amended as follows to account for incorporation of Biodiversity Net Gain (BNG) requirements and the land management issue identified above.

MINDED TO APPROVE subject to the signing of a Section 106 Agreement to secure a late stage review of the viability to determine if there is any uplift in conditions to warrant a contribution towards affordable housing, BNG Management and securing improvements to the area of land as identified above.

**APPENDIX TO AGENDA
(LATE REPRESENTATIONS)**

Planning and Highways Committee 28 June 2024

Item No. 7

Application Number 137769/FO/2023

Ward Didsbury West
Ward

Description and Address

Erection of a single-storey rear and side extension to create additional retail space, internal bin store and WC and installation of new shop front and associated balustrading to forecourt.

190 Burton Road, Manchester, M20 1LH

1. Consultees

Environmental Health – Request that a condition requiring the extension to be acoustically insulated be attached to any approval granted. They have also queried if the hours of opening are to change as the 1.00am closing time originally applied for, when external seating and a kitchen extension was proposed, is considered excessive.

2. Director of Planning, Building Control & Licensing - Further observations and comments

In line with the comments of Environmental Health, the following additional condition is recommended:

7) a) The development hereby approved shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before use of the development commences.

b) Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to Policy DM1 in the Manchester Core Strategy and saved UDP Policy DC26.

The original consent to use 190 Burton Road (091345/FU/2009/S1) as a café/restaurant included a condition requiring the rear and front doors to remain closed or limited when they could open. In the interests of residential amenity it is considered prudent to attach the same condition to this proposal:

8) All the doors at the rear of the property shall be fitted with self-closing mechanisms and not prevented from closing at any time. The ground floor doors to the front elevation shall close at 10.00pm and shall remain closed until the premises open the following day. All windows shall be kept closed whilst the premises are open to the public.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to Policy DM1 in the Manchester Core Strategy and saved UDP Policy DC26.

In terms of the hours of operation, given the amendments to the scheme, i.e. removal of the kitchen element and external seating, the hours of opening are not proposed to be changed and will remain as originally approved under application 091345/FU/2009/S1, namely:

Monday to Saturday 9.00am to 11.00pm
Sundays 10.00am to 10.30pm

This condition will be reapplied to this consent:

9) The premises shall not be open outside the following hours, unless otherwise agreed in writing by the City Council as local planning authority:-

Monday to Saturday 9.00am to 11.00pm
Sundays 10.00am to 10.30pm

Reason - In interests of residential amenity in order to reduce noise and general disturbance, pursuant to Policy DM1 in the Manchester Core Strategy and saved UDP Policy DC26.

The recommendation remains one of **APPROVE**.