

List No. 3

Chorlton Ward	Application Number	Date of Appln	Committee Date
	084593/FO/2007/S1	12th Oct 2007	14th Feb 2008
Proposal	Change of use from storage (Class B8) to restaurant (Class A3) including elevational alterations and erection of a side entrance porch and flue enclosed within a false chimney		
Location	135 Beech Road, Chorlton, Manchester, M21 9EQ		
Applicant	VCI Ltd, C/o Agent		
Agent	DZ Planning Ltd 1st Floor, 4 Stoke Lane, Westbury On Trym, Bristol, BS9 3DL		

Description

At their meeting of 17th January 2008 Members resolved to defer consideration of this application in order to visit the site.

The application relates to a small former chapel located on the south side of Beech Road. The building is currently vacant and was last used for storage purposes, for which planning permission was granted. The chapel is a brick built structure, which was reduced in height some 40 years ago and now has an asbestos sheet roof. The rear and east walls of the building form the boundary of the site. There is a narrow strip of land between the building and the west boundary and at the front is a deep forecourt that has been used as a burial ground and contains several headstones. There is an entrance porch on the front of the building and all the windows are bricked up. Along the front of the site is a 1.8 metre high brick wall.

Adjoining to the west is the 'Famous Trevor Arms', a public house, to the south are residential properties on Stanley Grove and to the east a vacant residential building. Facing the site across Beech Road are commercial units with living accommodation above.

Beech Road is a local shopping centre, identified as such in the UDP. The site is within the recently extended Chorlton Green Conservation Area.

Chorlton is a predominantly residential suburb to the south of the City Centre. There are two commercial centres, a large district centre, based on Wilbraham Road, Barlow Moor Road and Manchester Road and a smaller local centre on Beech Road.

This is a resubmission of a proposal that has been considered by the City Council on two previous occasions. On both occasions the applications were either refused or minded to refuse and the subsequent appeal dismissed. The City Council declined to determine a third application on the basis that the submission was made within two years of the appeal decision in respect of an identical proposal and failed to address the issues raised by the Inspector from the Planning Inspectorate in dismissing the appeal. On the first two occasions permission was sought for A3 Food and Drink use. The use classes have changed since the first application and appeal was considered. However the applicant has always maintained that consent was being sought for a restaurant.

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On this occasion, planning permission is sought for a change of use of the existing building currently used for storage to that of a restaurant (Class A3). It is proposed to construct a porch to the existing side entrance and a false chimney to incorporate the discharge point for the combined flue that will serve both the extraction systems for the kitchen and the toilets. It is intended at this stage to retain the asbestos roof, although changing the roof is an option that can be explored in the future if the change of use is established.

A detailed acoustic report is also provided giving details of the measures needed to control noise from the proposed use. The hours of opening would be 8.00am to 11.00pm seven days a week. There is no use of the outside areas proposed and this would be controlled via the imposition of a planning condition.

Consultations

Local Residents Businesses 19 letters have been received from local residents and businesses objecting to the proposed development on the following grounds.

1. There are too many food and drink uses in the area. In the past year 14 new establishments have opened, there is no need for any more.
2. The site is within the Chorlton Green Conservation Area which restricts development. When is enough enough.
3. There are currently 9 licensed restaurants and 5 take aways on Beech Road.
4. The application has already been refused twice.
5. The acoustic report does not mention overspill noise from the Trevor Arms
6. The Stanley Grove residents should be left in peace.
7. There are more people outside of premises these days with the smoking ban and this will cause more noise.
8. The audio test were carried out in 2006 since when the noise levels have increased. Another objector refers to the survey being carried out during the world cup when people were being particularly boisterous.
9. Even if the building can be acoustically insulated it will be breached by doors or windows being propped open.
10. It is believed that an A3 use would be the first step on a very slippery slope towards the end of what is currently a unique and special place to live, Stanley grove.
11. What guarantees are there that conditions would be adhered to by future owners of the property.
12. The proposed use will cause a loss of amenity to the residents of Stanley grove in terms of noise and fumes.

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13. This is an attempt to wear down the residents.
14. The introduction of more food and drink uses is changing the character of the area.
15. The site notice has not been displayed.
16. There is a strong demand for retail space in the area. Surely an A1 use could be found for the property.
17. Concern is expressed that the graveyard will be used as an outside dining area.
18. The use will draw further traffic into the area adding to the congestion and parking problems in the area.
19. There will be increased noise from people leaving the premises.
20. Concern that air conditioning units will be installed which are unsightly and cause noise.
21. One of the residents has submitted a detailed analysis of the acoustic report and expresses concern about aspects of it.
22. Not sufficient attention has been given to the fact that the burial ground still exists in front of the old Chapel, with at least 33 bodies still in their original positions, and no landscaping has been carried out, a lot of the stones being originally flat. When the Methodist Church originally sold the site in 1961, there was a covenant in the sale that the graveyard would be respected and the grounds be kept neat and tidy. It is presumed that this is still in force. Some of the graves belong to people whose descendants are still known, and should be consulted before disturbing the site. The place should be given the same respect as a Municipal Cemetery or a Churchyard.
23. The Chapel was built in 1826 and is the oldest one still standing in the Manchester area. The archivist for the Manchester Methodist District is of the opinion that it should be listed as such.
24. Has attention been given to fire exits? Apart from the main entrance, the only other way out is through the office, a narrow doorway, and leading eventually to the front again.
25. Chorlton is lacking a 'Village Hall' and the old Chapel would be ideal and in keeping with the ideals of the founders. As most users would be local there would be little extra car traffic.

In response to the published report for the meeting of 17th January 2008 a local resident made the following points:-

1. There is still insufficient information to believe the noise issue has been resolved.
2. The methodology used by the applicants consultant is questioned.

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3. It is felt that the changes circumstances, namely the designation of the Conservation Area and the anti smoking legislation, have been inadequately addressed.

4. Concern is expressed as to the Council's ability to enforce conditions should the permission be sold on.

Ward Members -Councillors Sheila Newman in addition to requesting that consideration of the application be deferred for a site visit so that members could view for themselves the relationship between the application site and houses on Stanley Grove, has made the following comments-

Councillor Newman wishes to express her concerns about and objections to this application to turn the Beech Road Chapel into a restaurant Class A3.

There have been several attempts to do this before and each time it has been turned down by Committee and upheld at appeal, because of the closeness of this property to residential accommodation. The location of the homes have not changed and the chapel is only inches from residential accommodation in Stanley Grove. Indeed the back wall of the chapel is the garden wall of some of the properties and is only 5 feet from a living room.

Councillor Newman understands that Philip's Acoustics have produced an acoustic report for the applicant and this seems very detailed and could appear reassuring but some of the information is misleading. It seems to imply that Beech Road is already fairly noisy in the evening and an extra restaurant won't make much difference whereas in actual fact this could add to the cumulative impact of noise in the area which has a detrimental effect on residents lives.

The report fails to take into account the impact on residents in Stanley Grove and Redbridge Grove. It says this area is relatively quiet apart from traffic noise but doesn't seriously consider the impact of opening a restaurant on these quiet groves. Even if all the acoustic measures could be put in place and work effectively a busy restaurant would create noise by people arriving a leaving, shouting and laughing, taxis hooting etc. This might not affect Beech Road too much as it is noisy already but it would be felt disproportionately in the Groves where it is quieter. The report admits they already suffer from break out noise from the Trevor Arms pub.

Councillor Newman is aware that a noise limiter is suggested to reduce noise from music playing but these do not eliminate noise. The Irish Club had such a limiter fitted and it still had complaints of noise from nearby residents. It is also not clear if it is feasible to fit all the proposed acoustic measurements and what the cost would be. Once planning permission is granted it could prove difficult to keep a developer (who is unlikely to be the current owner) to all the points agreed , especially if the costs are high.

Councillor Paul Ankers -comments that the parking is inadequate. This will increase pressure on roads in Chorlton that are already needing a residents parking scheme. A 64 seater restaurant will need significant opportunities for parking. The 9 staff would have a significant impact on their own. The noise pollution report is not representative. The impact of the smoking ban will push customers out making noise that will impact on residents of Stanley and Redbridge Groves. The noise analysis was undertaken before the smoking ban

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. Waste management is certainly going to be an issue. An industrial size bin can't be stored on the narrow pavements of Beech Rd for any length of time.

Members of Parliament - John leech MP objects to the above application on the following grounds:

1. Lack of available parking. Beech Road already suffers from a severe lack of available parking spaces. Adding another restaurant will result in unacceptable pressure on an already congested street.
2. The development will undoubtedly lead to significant increases in noise levels and cause disamenity to residents living next to the site in Stanley Grove. Attempts by the developer to deal with the problem of noise, while welcome, would not result in local residents being protected from additional noise. The smoking ban has significantly increased the amount of noise generated by restaurants and bars, as people go outside to smoke.

He has further requested that consideration of the application be deferred for a site visit.

Beech Road Traders - The 'alterations' are minimal, The Chapel is now in the Conservation area and the very unattractive flue at the front is scarcely in keeping with this. The confusing letter concerning noise reduction does not do anything to convince that noise levels could be contained. The 6 inches between the rear of the building and the houses behind cannot be changed, these residents will still hear and smell noise and odours. That this is still unacceptable is not altered by any of the suggested extra acoustic specification. We fail to understand how customers leaving could be completely silent.

Whilst the inspectors did not really take total absence of parking into consideration, we feel this should be a vital point. Since the flats at 123 Beech Road effectively removed our parking area, there is quite literally no spare car space at all after about 8.00 pm. A further restaurant of this size is not needed, A1 use would be preferable. No mention is made of any proposal for the grounds of the building, what is envisaged?

Chorlton Civic Society - feel that nothing of substance has changed in this latest application, and that it should be refused. It is remarkable that the applicant should attempt to overcome the last inspector's objections in two specific and trivial ways. The inspector's reasons were more general and a restaurant is still a restaurant no matter how much is written down with all that goes with it. The reasons given at the two appeals remain valid in that the noise and smells will still be there no matter how much tinkering is proposed. DC10 remains valid.

The idea that the noise can be reduced by an acoustic assessment is frankly laughable, and it surely cannot be true that an employee of the City Council has so sided with the applicant in this matter. Indeed, in this "report" it can be seen (in appendix C, position 3) that noise breakout from the Trevor Arms is noted. Can it be possible that there will be no noise breakout from the proposed restaurant? The complacency shown on page 3 of the report about street noise is typical of the one sided argument offered.

It is also not clear what kind of application this is. Although the outline application box has not been ticked, we know that the applicant is not a catering

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operator, and intends to pass on the building once planning permission has been obtained. From what we know of the state of the building it does not seem possible to convert it to an ultimate A3 use without substantial alterations so far not detailed. The asbestos roof alone gives rise to this assertion but more generally does not seem to be possible. Approval would therefore be a blank cheque to some operator not yet on the scene.

It is submitted that the status of the site has changed, however, and is now within the extended Chorlton Green Conservation Area. This must have an effect on the extraordinary proposal for the flue, which has been moved from back to front in an attempt to meet one of the second inspector's points. Even if disguised as a clock it will violate the integrity of the conservation area frontages and cannot be said to "preserve or enhance" the area at all.

Head of Enforcement and Regulatory Services - Having due regard to the material submitted it is satisfied that the issues raised by the Planning Inspectors in determining the earlier appeals has been addressed and there are no objections to the proposed development subject to conditions relating to the hours of opening, restricting the delivery hours, refuse storage fume extraction, noise insulation and restricting the use of external areas. In this case the conditions are reinforcing the measures identified in the acoustic report.

In respect of the material submitted late by local residents the Head of Enforcement and Regulatory Services remains of the opinion that the information supplied was overall satisfactory and if works to acoustically insulate the building and to duct air extracts from the building are applied to the development as recommended by the author of the main acoustic report that these will address the principle concerns of the previous two appeal Inspectors.

In addition, if the application were to be approved with conditions, but that there was evidence of disamenity/nuisance issues arising in use, then there are further controls under statutory nuisance legislation, and under the existing licensing regime, which would be applied to achieve a remedy to those problems. This would include excessive plant/equipment noise, excessive noise emanation from the building, excessive staff/patron noise, etc

Issues

Unitary Development Plan- the relevant policies are H2.2, which seeks to protect residents from the adverse effects of development. DC10, which lists the criteria by which applications for food and drink uses are considered. DC18, which seeks to ensure developments do not have an adverse effect on Conservation Areas and DC26, which addresses noise issues.

Regional Spatial Strategy - Regional Spatial Strategy (RPG13)(2003) - Policy DP1 advises that economy in the use of land and buildings is required. New development should be located so as to make the most efficient use of land, promote appropriate mixes of uses within a site and its wider neighbourhood, make efficient use of transport facilities and assist people to meet their needs locally. The proposal makes use of previously developed land within a local shopping centre and in close proximity to Chorlton District Shopping Centre and

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links into the local public transport network. It is therefore considered that the proposal generally complies with this policy.

Policy DP3 states that new development must demonstrate good design quality and respect for its setting, including the integration of new development with surrounding land use, taking into account the setting, quality, distinctiveness and heritage of the environment and the use of sympathetic materials, more eco-friendly and adaptable buildings and community safety and "designing out crime".

Policy UR4 establishes targets for the recycling of land and buildings. It sets a target of achieving 90% within Manchester between 1996 and 2016. This proposal is in accordance with the aims of Policy UR4.

Policy EC8 seeks to encourage new retail, leisure and/or mixed use developments within existing defined town centres.

Planning Policy Guidance Note 15, "Planning and the Historic Environment" - The guidance notes states in paragraph 4.14 that "...special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. "

Furthermore, it states in paragraph 4.19 "The Courts have recently confirmed that planning decisions in respect of development proposed to be carried out in a conservation area must give a high priority to the objective of preserving or enhancing the character or appearance of the area. If any proposed development would conflict with that objective, there will be a strong presumption against the grant of planning permission,...".

Planning Policy Guidance Note 24 Planning and Noise - This guidance note identifies the period between 11.00pm and 7.00am as when people are normally asleep.

Planning Policy Statement 6 Planning for town Centres seeks to make better use of land and buildings within centres and refers to the need for investment to strengthen centres.

Principle - Policy DC10 of the UDP states that Food and Drink uses will normally be acceptable within local centres. Beech Road is identified in the UDP as a such a centre, unless it adjoins or is separated from a residential property by a narrow passage. The principle of the development is therefore not clear cut and the appropriateness of the building for the proposed use would hinge on the ability of the developer to mitigate against any potential sources of a loss of amenity to the occupiers of the adjoining residential properties, in Stanley Grove to the rear and 131 Beech Road.

Use Classes Order - In 2005 class A3 of the Use Classes Order was amended to provide three separate classes that reflected the differing degrees of impact the uses had. Class A3 'Cafes and Restaurants' was deemed to be the least problematic group, whilst A5 'hot food takeaways', the most severe. Class A4 'drinking establishments' falls in the middle. To change from A3 to either of the other classes would require planning permission. Whilst Policy DC10 has not been amended to reflect these changes, the relative impact of the different classes is a material consideration.

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Crime and Disorder - Any comments from the crime reduction officer or architectural liaison officer will be reported.

Disabled access - The proposed development would be fully accessible.

Previous Appeals - In determining both the earlier appeals, the Inspectors concluded that there was not one clear issue that rendered the proposed use unacceptable but rather their cumulative impact. They also felt that due to the nature of the potential impact of these issues, they could not be controlled by the use of planning conditions.

Oversupply of Food and Drink uses - Reference is made in the objections to the over-provision of food and drink uses on Beech Road. Competition is not a material consideration in determining a planning application, though a case may be made where an oversupply has an impact on the character and function of an area. The Inspector in 2005 in response to this issue concluded that there was no clear evidence to support the claim and concluded that in general locational terms the appeal proposal accorded with the UDP. A current retrospective application for a bar at 56 Beech Road has the support of residents and the Beech Road Traders Association.

Scale of Use - In terms of the scale of the proposed use, it is indicated on the plans that the building is capable of accommodating 64 covers. It is not considered that such a number would be overly intensive and would be unlikely to have any significant impact on the amenity or character of the area.

Residential amenity - In order to minimise the impact of the use on the residents of Stanley Grove, the internal arrangement places an office and the toilets at the rear of the property. A detailed insulation scheme which includes self closers on doors, ducting the extractors for the toilets away from the rear of the property and providing a porch to the side entrance to the office will ensure that noise emanating from the property will not cause a loss of amenity and this has been confirmed by the Head of Environmental Health. The applicant has further indicated that it is not their intention to install air conditioning units, which could be a further source of nuisance. The installation of such units would require a separate planning application.

Noise and disturbance outside the property - This principally relates to people leaving the premises at the end of the evening. This activity is confined to the front of the property and is therefore most likely to affect 131 Beech Road, which is currently vacant and has been for some time. However, is situated within the commercial centre adjoined in close proximity to a number of A3, A4 and A5 uses. The Head of Environmental Health is of the view that any noise will not significantly affect the ambient noise levels in the area. The proposed 11.00pm closing time will also serve to lessen the impact of noise from patrons leaving at the end of the evening.

Use of outside areas - The applicant has confirmed that the use of the outside areas does not form part of this application. Should planning permission be granted an appropriate condition is proposed. In respect of the use of the outside areas by smokers, whilst a restrictive condition could be imposed, this would be difficult to enforce by both the operator and the City Council. It is proposed therefore to restrict access to the side of the property, thus should any staff or patrons decide to smoke outside they would be restricted to the front of the property. It is not intended to provide any shelter for use by smokers and

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any such structure would require planning permission. It is also proposed to impose a landscaping condition for the external areas, which would serve to enhance the setting of the building and the character of the conservation area.

Fumes and odours - It is proposed to discharge all fumes and odours through a flue concealed within a new chimney which also includes a ventilator for the toilets as well as the kitchens. The Head of Environmental Health concludes that this should not cause any problems for local residents in terms of fumes and odours.

Refuse Storage - Refuse storage takes place within the building and the Head of Environmental Health is satisfied that there will be no noise or fume issues arising from this arrangement. If planning permission is granted, a condition is proposed to prohibit the outside storage of refuse or material for recycling.

Elevational alterations - It was originally proposed to disguise the exit point for the flue behind a clock feature on the front elevation. This was out of character with the building and would have been somewhat incongruous. This has now been replaced with a fake chimney positioned on the roof towards the rear of the building where there is a change in roof level. This would be made of glass reinforced plastic and reflect the existing chimney at the rear of the property. In addition, it is proposed to construct a brick with slate roof porch at the side of the property to prevent noise egress from the side entrance into the office. The proposed alterations to the building are considered appropriate in their scale, design and choice of materials.

Impact on the character of the conservation area - The proposed development will bring into use one of the more unusual buildings within conservation area. The external changes are minimal and will not detract from the character of the area. In addition it is proposed to impose conditions should permission be granted regarding the replacement of the existing asbestos sheet roof with an alternative to be agreed with the City Council and to re-introduce windows where the original have been bricked up. The replacements, which would require approval of the City Council would be non opening and fitted with acoustic glazing. The landscaping of the external areas referred to earlier will also make a significant contribution to the setting of the building and the character of the conservation area.

Traffic- The site is within a local centre and as with all the other businesses on Beech Road will be serviced on-street and customers have to park in the surrounding areas. This approach is in line with Government guidance and the Inspectors in respect of the earlier appeals did not consider parking to be an issue.

Alternative uses - the current authorised use of the premises is B8 Storage or Distribution. Under the provisions of the Use Classes Order 2005 the use could change to B1 Business (this includes offices, research and development studio or laboratory or light industrial) without first applying for planning permission as the floor area is below 235 square metres. There are no other applications for planning permission relating to this property. Applications for planning permission should be determined on their merits and against local policies and national and regional guidance, permission cannot be refused solely because an alternative use may be deemed preferable.

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Conclusion - This is the third time the Committee will have considered this proposed use. There have been two appeals in which both Inspectors concluded that it was the cumulative impact of noise, fumes and odours that resulted in the dismissal of the appeals and that they did not feel able to trust the resolution of these issues to conditions. There has been a change in the Use Classes Order which will preclude the use of the premises as a bar or takeaway without a further application for planning permission. The Head of Environmental Health is now satisfied that the applicant has addressed the concerns of the Inspectors and that the proposed development could be carried out without a loss of amenity to local residents. Taking all of these factors into account and given that the Head of Planning believes that this a thriving local centre and the proposed development in its current form will make a positive contribution to ensuring its viability and vitality as well as making a positive contribution to the Character of the Conservation area by bringing into use one of its more unusual buildings, the recommendation is made accordingly.

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Head of Planning has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and country Planning Acts.

Recommendation APPROVE

On the basis that the proposal is in accordance with the City Council's Unitary Development plan in particular policy H2.2 which seeks to protect the amenity of nearby residential accommodation from the adverse affects of developments, policy DC10 which sets down the locational criteria to be considered in determining applications for food and drink uses, policy DC18 which requires new developments to preserve or enhance the Conservation Area and policy DC26 which seeks to protect residential accommodation against the adverse affects of noise and there are no material considerations of sufficient weight to indicate otherwise.

Conditions and/or Reasons

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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2) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policy H2.2 and DC18 of the Unitary Development Plan for the City of Manchester.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: drawing 526/04D, report ref 06168-004 dated July 2006 by Philip Acoustics Ltd

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2, DC10, DC18 and DC26 of the Manchester Unitary Development Plan.

4) The land to the side of the former chapel shall not be used for any trade or business purposes or by patrons or staff wishing to smoke.

Reason - To protect the amenity of the occupiers of nearby residential properties from the adverse affects of noise generated by the use of these outside areas pursuant to policies H2.2, DC10 and DC26 of the Unitary Development Plan for the City of Manchester.

5) Before development commences the fume extraction system detailed on drawing 526/04 D in report ref.06168-004 dated July 2006 shall be implemented in full and shall be maintained in accordance with the manufacturers specifications and kept in use at all times when the use hereby approved is operating.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with Policies H2.2, DC10, and DC26 of the Unitary Development Plan for the City of Manchester.

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

8.00am to 11.00pm seven days a week

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policies H2.2 and DC26 and the Unitary Development Plan for the City of Manchester.

7) No loading or unloading shall be carried out on the site outside the hours of 7.30am to 8.00pm Monday to Friday and 9.00am to 8.00pm Saturday.

Reason - In order to protect the amenity of local residents and in accordance with Policies H2.2, Dc10 and Dc26 in accordance with the Unitary Development plan for the City of Manchester.

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8) No development shall commence until a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policy Dc18 of the Unitary Development Plan for the City of Manchester.

9) Before any use hereby approved commences, the premises shall be acoustically insulated and treated to limit the break out of noise in accordance with the scheme set down in the report by Philip Acoustics ref 06168-004 dated July 2006.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies H2.2, Dc10 and Dc26 of the Unitary Development Plan for the City of Manchester.

10) All storage of refuse and material for recycling shall take place within the designated area shown on drawing 526/04D

Reason - To protect the amenity of the occupiers of nearby residential accommodation from the adverse effects of odours and noise pursuant to policies H2.2 and DC10 and Dc26 of the Unitary Development Plan for the City of Manchester.

11) None of the external areas shall be used for dining or drinking purposes at any time.

Reason -

In the interest of residential amenity, pursuant to Policy H2.2 and DC10 of the Unitary Development Plan for the City of Manchester.

12) Before the development hereby approved commences a scheme for the re-roofing of the former chapel shall be submitted to and approved by the City Council. The approved scheme shall be implemented in full prior to the use commencing.

Reason

To enhance the appearance of the building within the Chorlton Green Conservation Area pursuant to policy Dc18 of the Unitary Development Plan for the City of Manchester.

13) Before the development hereby approved commences a scheme for the re-introduction of windows into the original, now bricked up, window openings in

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the building shall be submitted to and approved by the City Council. The approved scheme shall be implemented in full.

Reason

To secure an improvement in the appearance of a prominent building within the Chorlton Green Conservation Area pursuant to policy DC18 of the Unitary Development pPlan for the City of Manchester.

14) Before the use hereby approved commences the external doors shall be fitted and maintained with self closing devices and the doors shall not be prevented in any way from closing.

Reason

To prevent the breakout of noise through open doors pursuant to policies H2.2 and DC26 of the Unitary Development Plan for the City of Manchester

15) Before the use hereby approved commences the external doors shall be fitted and maintained with self closing devices and the doors shall not be prevented in any way from closing.

Reason

To prevent the breakout of noise through open doors pursuant to policies H2.2 and Dc26 of the Unitary Development Plan for the City of Manchester.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 084593/FO/2007/S1 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Engineering Services
Environmental Health
Chorlton, Fallowfield & Whalley Range Ward Co-ordinator
Steve Hobson, Crime Reduction Officer
Chorlton Civic Society
Beech Road Traders
268 Upper Chorlton Road, Manchester
1 The Meade, Chorltonville, Manchester, M21 8FA
51 Beech Road, Chorlton, Manchester, M21 9FD
Thai Spice, 66A Beech Road, Chorlton, Manchester, M21 9EG
50 Beech Road, Chorlton, Manchester, M21 9EG
20 St. Clements Road, Manchester, M21 9HU
62 Beech Road, Manchester, M21 9EG
Clementines Of Chorlton, St. Clements Road, Manchester, M21 9HU
55a, Whitelow Road, Manchester, M21 9HG
55b, Whitelow Road, Manchester, M21 9HG

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2 Crossland Road, Manchester, M21 9DG
1 Finney Drive, Manchester, M21 9DR
3 Finney Drive, Manchester, M21 9DR
5 Finney Drive, Manchester, M21 9DR
7 Finney Drive, Manchester, M21 9DR
10 Finney Drive, Manchester, M21 9DS
2 Finney Drive, Manchester, M21 9DS
4 Finney Drive, Manchester, M21 9DS
6 Finney Drive, Manchester, M21 9DS
8 Finney Drive, Manchester, M21 9DS
1 Stanley Grove, Manchester, M21 9DT
10 Stanley Grove, Manchester, M21 9DT
11 Stanley Grove, Manchester, M21 9DT
12 Stanley Grove, Manchester, M21 9DT
13 Stanley Grove, Manchester, M21 9DT
14 Stanley Grove, Manchester, M21 9DT
15 Stanley Grove, Manchester, M21 9DT
16 Stanley Grove, Manchester, M21 9DT
17 Stanley Grove, Manchester, M21 9DT
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5 Stanley Grove, Manchester, M21 9DT
6 Stanley Grove, Manchester, M21 9DT
7 Stanley Grove, Manchester, M21 9DT
8 Stanley Grove, Manchester, M21 9DT
9 Stanley Grove, Manchester, M21 9DT
11 Crossland Road, Manchester, M21 9DU
13 Crossland Road, Manchester, M21 9DU
15 Crossland Road, Manchester, M21 9DU
17 Crossland Road, Manchester, M21 9DU
19 Crossland Road, Manchester, M21 9DU
5 Crossland Road, Manchester, M21 9DU
7 Crossland Road, Manchester, M21 9DU
9 Crossland Road, Manchester, M21 9DU
20 Stockton Road, Manchester, M21 9ED
22 Stockton Road, Manchester, M21 9ED
Flat 3, 24 Stockton Road, Manchester, M21 9ED
26 Stockton Road, Manchester, M21 9ED
28 Stockton Road, Manchester, M21 9ED
30 Stockton Road, Manchester, M21 9ED
32 Stockton Road, Manchester, M21 9ED
34 Stockton Road, Manchester, M21 9ED
36 Stockton Road, Manchester, M21 9ED
38 Stockton Road, Manchester, M21 9ED
40 Stockton Road, Manchester, M21 9ED
42 Stockton Road, Manchester, M21 9ED
44 Stockton Road, Manchester, M21 9ED
46 Stockton Road, Manchester, M21 9ED
48 Stockton Road, Manchester, M21 9ED
52 Stockton Road, Manchester, M21 9ED
Sherlock Homes Properties Ltd, 58 Beech Road, Manchester, M21 9EG
Spice Cafe, 66a, Beech Road, Manchester, M21 9EG

List No. 3

Beech Inn, 72 Beech Road, Manchester, M21 9EG
119a, Beech Road, Manchester, M21 9EQ
131 Beech Road, Manchester, M21 9EQ
Miami Pizza, 137 Beech Road, Manchester, M21 9EQ
17 Stockton Road, Manchester, M21 9FB
19 Stockton Road, Manchester, M21 9FB
21 Stockton Road, Manchester, M21 9FB
23 Stockton Road, Manchester, M21 9FB
25 Stockton Road, Manchester, M21 9FB
27 Stockton Road, Manchester, M21 9FB
29 Stockton Road, Manchester, M21 9FB
19 Chorlton Green, Manchester, M21 9FQ
21 Chorlton Green, Manchester, M21 9FQ
23 Chorlton Green, Manchester, M21 9FQ
25 Chorlton Green, Manchester, M21 9FQ
27 Chorlton Green, Manchester, M21 9FQ
29 Chorlton Green, Manchester, M21 9FQ
31 Chorlton Green, Manchester, M21 9FQ
41 Whitelow Road, Manchester, M21 9HG
45 Whitelow Road, Manchester, M21 9HG
47 Whitelow Road, Manchester, M21 9HG
49 Whitelow Road, Manchester, M21 9HG
51 Whitelow Road, Manchester, M21 9HG
53 Whitelow Road, Manchester, M21 9HG
55 Whitelow Road, Manchester, M21 9HG
61 Whitelow Road, Manchester, M21 9HG
50 Whitelow Road, Manchester, M21 9HR
52 Whitelow Road, Manchester, M21 9HR
60 Whitelow Road, Manchester, M21 9HR
62 Whitelow Road, Manchester, M21 9HR
64 Whitelow Road, Manchester, M21 9HR
66 Whitelow Road, Manchester, M21 9HR
68 Whitelow Road, Manchester, M21 9HR
70 Whitelow Road, Manchester, M21 9HR
72 Whitelow Road, Manchester, M21 9HR
74 Whitelow Road, Manchester, M21 9HR
76 Whitelow Road, Manchester, M21 9HR
78 Whitelow Road, Manchester, M21 9HR
80 Whitelow Road, Manchester, M21 9HR
82 Whitelow Road, Manchester, M21 9HR
84 Whitelow Road, Manchester, M21 9HR
1 Chorlton Green, Manchester, M21 9HS
10 Chorlton Green, Manchester, M21 9HS
15 Chorlton Green, Manchester, M21 9HS
2 Chorlton Green, Manchester, M21 9HS
3 Chorlton Green, Manchester, M21 9HS
4 Chorlton Green, Manchester, M21 9HS
5 Chorlton Green, Manchester, M21 9HS
6 Chorlton Green, Manchester, M21 9HS
8 Chorlton Green, Manchester, M21 9HS
Horse & Jockey, 9 Chorlton Green, Manchester, M21 9HS
Flat 1, 24 Stockton Road, Manchester, M21 9ED
Flat 2, 24 Stockton Road, Manchester, M21 9ED
Arax, 131a, Beech Road, Manchester, M21 9EQ
43 Whitelow Road, Manchester, M21 9HG

List No. 3

Manchester Cushion Co, 66c, Beech Road, Manchester, M21 9EG
17 St. Clements Road, Manchester, M21 9HT
19a, St. Clements Road, Manchester, M21 9HT
19 St. Clements Road, Manchester, M21 9HT
21 St. Clements Road, Manchester, M21 9HT
23 St. Clements Road, Manchester, M21 9HT
25 St. Clements Road, Manchester, M21 9HT
27 St. Clements Road, Manchester, M21 9HT
29 St. Clements Road, Manchester, M21 9HT
31 St. Clements Road, Manchester, M21 9HT
33 St. Clements Road, Manchester, M21 9HT
35 St. Clements Road, Manchester, M21 9HT
37 St. Clements Road, Manchester, M21 9HT
39 St. Clements Road, Manchester, M21 9HT
41 St. Clements Road, Manchester, M21 9HT
43 St. Clements Road, Manchester, M21 9HT
45 St. Clements Road, Manchester, M21 9HT
47 St. Clements Road, Manchester, M21 9HT
10 St. Clements Road, Manchester, M21 9HU
12 St. Clements Road, Manchester, M21 9HU
14 St. Clements Road, Manchester, M21 9HU
24 St. Clements Road, Manchester, M21 9HU
26 St. Clements Road, Manchester, M21 9HU
28 St. Clements Road, Manchester, M21 9HU
30 St. Clements Road, Manchester, M21 9HU
8 St. Clements Road, Manchester, M21 9HU
Flat 1, Beech Mews, Beech Road, Manchester, M21 9EQ
Flat 2, Beech Mews, Beech Road, Manchester, M21 9EQ
Flat 3, Beech Mews, Beech Road, Manchester, M21 9EQ
Flat 4, Beech Mews, Beech Road, Manchester, M21 9EQ
Flat 5, Beech Mews, Beech Road, Manchester, M21 9EQ
1 Dovecote Mews, Manchester, M21 9HN
3 Dovecote Mews, Manchester, M21 9HN
5 Dovecote Mews, Manchester, M21 9HN
7 Dovecote Mews, Manchester, M21 9HN
2a, Crossland Road, Manchester, M21 9DG
2b, Crossland Road, Manchester, M21 9DG
2c, Crossland Road, Manchester, M21 9DG
2d, Crossland Road, Manchester, M21 9DG
2e, Crossland Road, Manchester, M21 9DG
2f, Crossland Road, Manchester, M21 9DG
2g, Crossland Road, Manchester, M21 9DG
2h, Crossland Road, Manchester, M21 9DG
2j, Crossland Road, Manchester, M21 9DG
2k, Crossland Road, Manchester, M21 9DG
2m, Crossland Road, Manchester, M21 9DG
Flat 1, 13-15, Stockton Road, Manchester, M21 9FB
Flat 2, 13-15, Stockton Road, Manchester, M21 9FB
Flat 3, 13-15, Stockton Road, Manchester, M21 9FB
Flat 4, 13-15, Stockton Road, Manchester, M21 9FB
Flat 5, 13-15, Stockton Road, Manchester, M21 9FB
Flat 6, 13-15, Stockton Road, Manchester, M21 9FB
Flat 7, 13-15, Stockton Road, Manchester, M21 9FB
Flat 8, 13-15, Stockton Road, Manchester, M21 9FB
Flat 1, 35 Stockton Road, Manchester, M21 9FB

List No. 3

Flat 2, 35 Stockton Road, Manchester, M21 9FB
Flat 3, 35 Stockton Road, Manchester, M21 9FB
Flat 4, 35 Stockton Road, Manchester, M21 9FB
Flat 5, 35 Stockton Road, Manchester, M21 9FB
Flat 6, 35 Stockton Road, Manchester, M21 9FB
Flat 7, 35 Stockton Road, Manchester, M21 9FB
1 Hardy Avenue, Manchester, M21 9ER
3 Hardy Avenue, Manchester, M21 9ER
5 Hardy Avenue, Manchester, M21 9ER
7 Hardy Avenue, Manchester, M21 9ER
9 Hardy Avenue, Manchester, M21 9ER
11 Hardy Avenue, Manchester, M21 9ER
2 Hardy Avenue, Manchester, M21 9ER
4 Hardy Avenue, Manchester, M21 9ER
6 Hardy Avenue, Manchester, M21 9ER
8 Hardy Avenue, Manchester, M21 9ER
10 Hardy Avenue, Manchester, M21 9ER
12 Hardy Avenue, Manchester, M21 9ER
1 Crossland Road, Manchester, M21 9GU
3 Crossland Road, Manchester, M21 9GU
1 Redbridge Grove, Manchester, M21 9GX
3 Redbridge Grove, Manchester, M21 9GX
5 Redbridge Grove, Manchester, M21 9GX
7 Redbridge Grove, Manchester, M21 9GX
9 Redbridge Grove, Manchester, M21 9GX
11 Redbridge Grove, Manchester, M21 9GX
2 Redbridge Grove, Manchester, M21 9GX
4 Redbridge Grove, Manchester, M21 9GX
6 Redbridge Grove, Manchester, M21 9GX
8 Redbridge Grove, Manchester, M21 9GX
10 Redbridge Grove, Manchester, M21 9GX
12 Redbridge Grove, Manchester, M21 9GX
The Nose Wine Bar, 60 Beech Road, Manchester, M21 9EG
57 Whitelow Road, Manchester, M21 9HG
63 Whitelow Road, Manchester, M21 9HG
31-33, Stockton Road, Manchester, M21 9FB
33 Chorlton Green, Manchester, M21 9FQ
56a, Beech Road, Manchester, M21 9EG
Tampopo, 139a, Beech Road, Manchester, M21 9EQ
Magic Balloons, 50 Stockton Road, Manchester, M21 9ED
Buonissimo Delicatessen, 56 Beech Road, Manchester, M21 9EG
Marsh Associates, 62 Beech Road, Manchester, M21 9EG
De Novo, 68a, Beech Road, Manchester, M21 9EG
Beech Road Gallery, 70 Beech Road, Manchester, M21 9EG
Chorlton Wholefoods, 64 Beech Road, Manchester, M21 9EG
Pets Beauty Salon & Aquarium, 117 Beech Road, Manchester, M21 9EQ
Beijing Clinic, 119 Beech Road, Manchester, M21 9EQ
Chorlton Curry House, 139 Beech Road, Manchester, M21 9EQ
Mortgage & Investment Advice Centre Ltd, 141 Beech Road, Manchester, M21 9EQ
Flat 1, 64 Beech Road, Manchester, M21 9EG
Flat 2, 64 Beech Road, Manchester, M21 9EG
Flat 3, 64 Beech Road, Manchester, M21 9EG
Trevor Arms, 135 Beech Road, Manchester, M21 9EQ
Flat 1, Belgravia House, Beech Road, Manchester, M21 9EG

List No. 3

Flat 2, Belgravia House, Beech Road, Manchester, M21 9EG
No 68, 68 Beech Road, Manchester, M21 9EG
59 Whitelow Road, Manchester, M21 9HG
Mind Body & Matter, 66b, Beech Road, Manchester, M21 9EG
26c, Stockton Road, Manchester, M21 9ED
Flat 1, 68 Beech Road, Manchester, M21 9EG
60a, Beech Road, Manchester, M21 9EG
8c, Chorlton Green, Manchester, M21 9HS
6a, Chorlton Green, Manchester, M21 9HS
6b, Chorlton Green, Manchester, M21 9HS
8a, Chorlton Green, Manchester, M21 9HS
8b, Chorlton Green, Manchester, M21 9HS
121 Beech Road, Manchester, M21 9EQ
123 Beech Road, Manchester, M21 9EQ
Flat 3, 3-5, St. Clements Road, Manchester, M21 9HT
Flat 7, 3-5, St. Clements Road, Manchester, M21 9HT
Flat 4, 3-5, St. Clements Road, Manchester, M21 9HT
Flat 6, 3-5, St. Clements Road, Manchester, M21 9HT
Flat 5, 3-5, St. Clements Road, Manchester, M21 9HT
Flat 15, 3-5, St. Clements Road, Manchester, M21 9HT
Flat 8, 3-5, St. Clements Road, Manchester, M21 9HT
Flat 10, 3-5, St. Clements Road, Manchester, M21 9HT
Flat 9, 3-5, St. Clements Road, Manchester, M21 9HT
Flat 14, 3-5, St. Clements Road, Manchester, M21 9HT
Flat 11, 3-5, St. Clements Road, Manchester, M21 9HT
Flat 13, 3-5, St. Clements Road, Manchester, M21 9HT
Flat 12, 3-5, St. Clements Road, Manchester, M21 9HT
Flat 4, 13 St. Clements Road, Manchester, M21 9HT
Flat 5, 13 St. Clements Road, Manchester, M21 9HT
Flat 6, 13 St. Clements Road, Manchester, M21 9HT
52a, Beech Road, Manchester, M21 9EG
Flat 2, 68 Beech Road, Manchester, M21 9EG
Flat 2, 141 Beech Road, Manchester, M21 9EG
Flat 1, 141 Beech Road, Manchester, M21 9EG
Flat, 137 Beech Road, Manchester, M21 9EQ

Representations were received from the following third parties:

Councillor Sheila Newman
Councillor Paul Ankers
John Leech MP
268 Upper Chorlton Road, Manchester
, 1 The Meade, Chorltonville, Manchester, M21 8FA
, 51 Beech Road, Chorlton, Manchester, M21 9FD
, Thai Spice, 66A Beech Road, Chorlton, Manchester, M21 9EG
, 50 Beech Road, Chorlton, Manchester, M21 9EG
, 12 Stanley Grove, Manchester, M21 9DT
, 14 Stanley Grove, Manchester, M21 9DT
, 17 Stanley Grove, Manchester, M21 9DT
, 18 Stanley Grove, Manchester, M21 9DT
, 19 Stanley Grove, Manchester, M21 9DT
, 19a, St. Clements Road, Manchester, M21 9HT
, 11 Redbridge Grove, Manchester, M21 9GX
, Magic Balloons, 50 Stockton Road, Manchester, M21 9ED

List No. 3

, No 68, 68 Beech Road, Manchester, M21 9EG
46 Stockton Road, Chorlton, Manchester
12 Hardy Avenue, Chorlton
2 Stanley Grove, Chorlton-cum-Hardy, Manchester

Relevant Contact Officer : Dave Morris
Telephone number : 0161 234 4539
Email : d.morris@manchester.gov.uk