

Planning and Highways Committee

Minutes of the meeting held on 23 July 2009

Present:

Councillor Burns - In the Chair
Councillors Boyes, Fender, Flanagan, Grant, Keller, Lewis, Loughman, Lyons, Morrison, Sandiford, Shaw, Tavernor and Watson.

Also present: Councillors Ankers, Cooper and Parkinson and John Leech MP.

PH/09/21 Interests

All members declared there were no whipping arrangements as part of this meeting.

PH/09/22 Minutes

Decision

To approve as a correct record, the minutes of the meeting held on 25 June 2009.

PH/09/23 Deferrals

The Chair requested approval of the Committee for deferral of the following applications:

090128, Sainsbury's, Heaton Park Road, Higher Blackley Ward, to allow the applicant to undertake further negotiations with officers relating to proposed hours;

089583, Chain Bar Mill, 809 Moston Lane, Charlestown Ward, to allow further negotiations to take place with the applicant to overcome concerns raised by Highway Services in relation to proposed access from Tangmere Close and the impact on highway and pedestrian safety;

088124, 140 Kirkmanshulme Lane, Longsight Ward, to allow further information to be submitted by the applicant to address concerns raised by the Head of Highway Services, relating to pedestrian and highway safety and traffic management within and adjacent to the site;

089374, Orlando's Café, 380 Barlow Moor Road, Chorlton Park Ward to allow officers to investigate issues raised in late representations;

086164, 1-3 Commercial Street, City Centre Ward, to allow proper notification to be given to objectors proposing to attend the meeting.

Decision

To agree to defer the above applications for the reasons stated.

Decisions taken under Delegated Powers

PH/09/25 Chetham's School of Music, Long Millgate and land bounded by Victoria Station Approach and Walkers Croft

Reports of the Head of Planning were submitted:

- **083013/OO/2007/C1** - Endorsement of the Strategic Masterplan for Chetham's School of Music along with means of public access to the site to a future visitor attraction, the landscaping of the site of the Palatine Building and the general layout of the courtyard and other areas following the demolition of the structures attached to the listed buildings as detailed in application ref no.s 090222 and 090223.
- **083014/FO/2007/C1** - Construction of a new school and concert hall building, improvements to existing access facilities, new public access and construction of new bridge linking the atrium within the new school with the existing main entrance lodge adjacent to the school campus entrance on Long Millgate;
- **083492/CC/2007/C1** - Conservation Area Consent - Demolition of buildings Nos. 56-78 Victoria Street (Palatine Building), which currently house the music school to allow the reinstatement of landscaped gardens and public entrance gatehouse to Chetham's Library.
- **090222/LO/2009/C1** – Listed Building Consent - Demolition of modern "lean to" type extension to College House and any associated remedial works.
- **090223/LO/2009/C1** – Listed Building Consent - Demolition of two storey extension (on courtyard elevation) to Mill gate Building and any associated remedial works.

Late representations were submitted in connection with the applications.

Decision

1. To **Approve*** application 083014 in accordance with the reasons put forward by the Head of Planning in his report and any late representations, and subject also to the conditions proposed in his report and in any late representations.
2. To be **Minded to Approve*** the following applications, in accordance with the reasons put forward by the Head of Planning in his report and any late representations and subject to any conditions proposed in his report and any late representations, and to authorise the Head of Planning to issue an approval notice in each case once outstanding issues have been resolved to his satisfaction:

Application ref no 083013, subject to the provision of revised plans illustrating an acceptable layout of the central courtyard and the landscaping of the Palatine Building;

Application ref no 083016, subject to the provision of revised plans illustrating an acceptable landscaping treatment to the Palatine Building.

Application ref no 090222, subject to referral of the application to the Secretary of State.

Application ref no 090223, subject to referral of the application to the Secretary of State.

3. To authorise the Head of Planning in consultation with the Chair to give final approval to the conditions in connection with the applications.

PH/09/24 Applications for permission for development

Reports of the Head of Planning were submitted in relation to various applications for planning permission. Late representations were also submitted in respect of applications 089669, 089941, 089876, 089908, 089750, 089925, 087900, 089491 and 090309. Further late representations were reported.

Committee heard representations made by objectors and applicants in relation to applications 087715, 089908, 088650, 089925, 087900, 089941 and 090309.

Decision

1. To **approve** the following applications, in accordance with the reasons put forward by the Head of Planning in his report and any late representations, and subject also to the conditions proposed in his report and in any late representations:

089910: 293 Victoria Avenue, Higher Blackley Ward*.

Application to vary condition 2 of planning approval 052883 to allow opening from 11.00am to 21.00pm seven days a week.

087715: The Ferns, 1065 Rochdale Road, Harpurhey Ward.

Retrospective application for a change of use to funeral directors, including chapel and offices and associated ramped access.

089908: 57 Thomas Street, City Centre Ward*

Change of use from Class A1(Shop) use on ground floor and Class B1(Business) use on first floor to Class A4 (Drinking Establishment) at ground and first floor and Class B1 (Business) use on second floor.

089750: 499 Claremont Road, Rusholme Ward*

Retention of 2 storey building comprising retail (Class A1) on the ground floor with storage over, including elevational alterations.
(Subject to a further condition in relation to footpath works)

090220: Maryfield Court, Nettleford Road, Fallowfield Ward*

Change of use from 27 warden assisted flats to a Class C2 residential institution for residents with complex care needs (excluding a residential care home for the elderly), comprising 57 bedrooms and associated communal facilities, extensions to ground and first floor and addition of second floor, alterations to car park and landscaping of site.

(Subject to a further condition relating to the occupancy of the building)

2. To be **Minded to Approve** the following applications, in accordance with the reasons put forward by the Head of Planning in his report and any late representations and subject to any conditions proposed in his report and any late representations, and to authorise the Head of Planning to issue an approval notice in each case once outstanding issues have been resolved to his satisfaction:

089669: Land bounded by the River Irwell, Cathedral Approach, Victoria Bridge Street, Chapel Street and Greengate, City Centre Ward *

Proposed footbridge within Manchester as part of creation of a bridge link across the River Irwell between Manchester and Salford.

(Subject to confirmation of how the bridge will be delivered in the context of wider public realm works for the area).

089941: Land bounded by the River Irwell, Cathedral Approach, Victoria Bridge Street, Chapel Street and Greengate, City Centre Ward *

Conservation Area Consent for removal of brick wall to allow creation of a link between Manchester and Salford through a series of urban spaces and proposed footbridge

(Subject to confirmation of how the bridge will be delivered in the context of wider public realm works for the area).

089876: 10-12 Whitworth Street West, City Centre Ward *

Erection of 18 storey hotel, restaurant/bar at first floor, conference facilities at second floor, including a separate ancillary unit at ground floor to be used for Class A1, A2, A3, A4, B1(a), B1(b), C1, D1, or D2 purposes

(Subject to the applicant submitting further information in relation to detailed design and use of materials. Head of Planning in consultation with the Chair authorised to determine the application under delegated powers once the further information has been received and subject to no new material or new planning issues being raised as a result of the further information being provided).

089491: Children's Centre, Didsbury Park, Didsbury East Ward *

Erection of single storey building to form Sure Start Centre with associated landscaping and boundary treatment

(Subject to revisions to the submitted framework Travel Plan).

090309: Children's Centre, Didsbury Park, Didsbury East Ward *

Conservation Area Consent for demolition of existing nursery building to facilitate erection of Sure Start building.

(Subject to revisions to the submitted framework Travel Plan).

3. To **refuse** * application 089605 for the erection of a single storey rear extension to form enlarged kitchen at **29 Newlyn Street, Moss Side Ward**, in accordance with the reasons put forward by the Head of Planning in his report and any late representations.

4. To **refuse*** application 087900, **72/74 Manchester Road, Chorlton Ward** for the retention of a three storey building comprising (A1 retail) and (A3 restaurant) uses on ground floor with seven self contained flats above, for the following reasons:

i. The building by reason of its scale, architectural massing and relationship to nos. 76 and 78 Manchester Road forms an over-dominant and intrusive feature in the street scene to the detriment of the visual amenity of the area. The development is therefore contrary to the provisions of policies S2.5, H2.2 and H2.7 of the Unitary Development Plan of the City of Manchester and the Guide to Development In Manchester which is a Supplementary Planning Document.

ii. The development which is the subject of this application is located approximately 110m from a landfill site and is adjacent to a number of former industrial uses which could have given rise to contamination. In line with the guidance contained in PPS23, the applicant was asked to provide a contamination survey prior to determination of the application in order to ascertain the presence or otherwise of contaminants including landfill gas and address any potential risks to future users of the development. The applicant has declined to carry out the survey prior to the determination of the application and the City Council has therefore been unable to determine whether the development has been carried out in a manner which protects future users of the development from contamination and/or landfill gas contrary to the provisions of Annex 2 of the PPS23: Planning and Pollution Control and the Council's Planning Guidance in Relation to Ground Contamination.

iii. The development fails to make satisfactory provision for the storage of refuse. There is an excessive distance between the residential units and the refuse area at the rear of the property which is difficult to use as a result of stairs, other obstacles and the need carry waste for a significant distance along the highway and to the rear of the building. The proposed development is therefore detrimental to residential amenity contrary to the provisions of policies H2.2 and is of a poor quality of design, failing to make a positive contribution to improving the City's environment contrary to policy H2.7 of the Unitary Development Plan for the City of Manchester and the Guide to Development in Manchester 2.

iv. The entrance to the bin store allocated for commercial use and shown on plan 201.28.3-P10 rev B is inadequate in that it is too narrow to admit a standard size commercial waste bin. The proposed development is therefore contrary to policies DC10.1 and DC10.4 in that it fails to provide adequate facilities for the storage and collection of refuse and is likely to result in the storage of waste bins outside the storage area causing detriment to the amenity of nearby residential areas contrary to policy H2.2 of the Unitary development Plan of the City of Manchester.

5. To **defer*** application 089925 for the retention of single storey side and rear extension at **21 Birch Grove, Rusholme Ward**, to allow for a site visit to take place.

*denotes unanimous decision