

Planning and Highways Committee

Minutes of the meeting held on 15 December 2016

Present: Councillor Ellison (Chair).

Councillors: Shaukat Ali, Barrett, Chohan, Curley, Dar, Fender, Kamal, Paul and Watson.

Apologies: Councillors: Ahmed Ali, Nasrin Ali, Madeleine Monaghan and Siddiqi.

Also present: Councillors: Davies, Hitchen, Flanagan, Grimshaw, Igbon, Knowles, Leech, N. Murphy.

PH/16/148 Minutes

To approve the minutes of the meeting held on 17 November 2016 as a correct record.

PH/16/149 30 Hulme High Street, Manchester, M15 5JS

A planning application 113852/FO/2016 for the change of use of the ground floor unit from retail (A1) to a betting shop (sui generis) at 30 Hulme High Street, M15 5JS was received. At the meeting of the Planning and Highways committee on 17 November 2016, Members resolved to defer consideration of this application for a site visit which took place on 15 December 2016. This application relates to a ground-floor unit, within the middle of a mixed use parade. The property is located on the west side of Hulme High Street, within Hulme District Centre. The property is a vacant grocery store (Class A1).

There are commercial properties either side of the application site. To the rear is a service yard. Directly above the ground-floor properties are self-contained flats. Facing the site across Hulme High Street are further commercial uses.

There are double yellow lines directly to the front of the property, with limited parking spaces along the high street, for permit holders or pay and display. However, there is an abundance of free parking available on the Asda retail park, which is a short distance away.

The applicant is seeking to change the use of the premises from a vacant grocery store (Class A1) to a betting shop (sui generis). The proposed opening hours would be 8am to 10pm seven days a week.

This application relates solely to the proposed change of use. Three further separate applications have been received for the installation of a new shop front and elevational alterations to the rear, proposed signage, and proposed satellite dishes and air conditioning units. The associated applications appear elsewhere on this agenda, with the exception of the signage application.

A local resident spoke in objection to the proposal and said that there were significant concerns about the location of the proposed betting shop, as from local knowledge it would increase problems that they currently experience with parking, anti-social behaviour and litter. The resident said that despite the applicant's submission that there was ample free parking on the nearby Asda retail park, in reality, visitors to the High Street persistently parked illegally on the High Street itself and ignored the fact that there are parking restrictions and double yellow lines along the street.

In addition the resident said that they already suffer from significant disamenity due to noise and disturbance from existing air conditioning units in current retail premises, and that the addition of another unit would exacerbate the problems.

Ward Members for Hulme spoke in objection to the application and said that they supported residents who were concerned about the impact that the proposals would have on existing residents. They highlighted the current issues with cars speeding, illegal parking, street robbery, adults and young people hanging around food outlets, rubbish and high commuter use due to colleges and university. This proposal would increase that and encourage residents to access a facility that brings nothing to the community but increased negative behaviour. Ward Members also highlighted the fact that customers would congregate on the street to smoke, which would mean they were directly underneath residential properties which would be adversely affected as a result.

The applicant's agent spoke in support of the application and said that there were stringent conditions in the proposals that would alleviate all of the residents and Ward Members concerns. He also pointed out that while this was not a concern of the Planning and Highways Committee, the premises had already been granted a Gambling Licence, which showed that the premises had passed the tests for upholding the Licensing Objectives which were specifically concerned with

- prevention of crime and disorder
- public safety
- prevention of public nuisance, and
- the protection of children from harm

The Committee expressed concern that the application did not fully address the issues raised by residents and agreed that they had specifically witnessed the problems associated with inconsiderate parking during the site visit that had taken place earlier in the day. The Committee also expressed concern at the close proximity of schools and colleges to the premises, and the possibility that young people would be exposed to undesirable behaviour as a result of the proposal being agreed.

Decision

Minded to refuse the application as the proposals had not sufficiently addressed the problems of parking, anti-social behaviour, litter and disamenity from the air condition unit.

PH/16/150 30 Hulme High Street, Manchester, M15 5JS

A planning application 113853/FO/2016 for the installation of new shop front and elevational alterations to rear at 30 Hulme High Street, M15 5JS was received. At the meeting of the Planning and Highways committee on 17 November 2016, Members resolved to defer consideration of this application for a site visit which took place on 15 December 2016. This application relates to a ground-floor unit, within the middle of a mixed use parade. The property is located on the west side of Hulme High Street, within Hulme District Centre. The property is a vacant grocery store (Class A1).

There are commercial properties either side of the application site. To the rear is a service yard. Directly above the ground-floor properties are self-contained flats. Facing the site across Hulme High Street are further commercial uses.

There are double yellow lines directly to the front of the property, with limited parking spaces along the high street, for permit holders or pay and display. However, there is an abundance of free parking available on the Asda retail park, which is a short distance away.

The applicant is seeking to change the use of the premises from a vacant grocery store (Class A1) to a betting shop (*sui generis*). The proposed opening hours would be 8am to 10pm seven days a week.

This application relates solely to the proposed change of use. Three further separate applications have been received for the installation of a new shop front and elevational alterations to the rear, proposed signage, and proposed satellite dishes and air conditioning units. The associated applications appear elsewhere on this agenda, with the exception of the signage application.

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Decision

Minded to refuse the application as the proposals had not sufficiently addressed the problems of parking, anti-social behaviour, litter and disamenity from the air condition unit.

PH/16/151 30 Hulme High Street, Manchester, M15 5JS

A planning application 113855/FO/2016 for the installation of 3no. satellite dishes and 2no. air conditioning units to roof at 30 Hulme High Street, M15 5JS was received. At the meeting of the Planning and Highways committee on 17 November 2016, Members resolved to defer consideration of this application for a site visit which took place on 15 December 2016. This application relates to a ground-floor unit, within the middle of a mixed use parade. The property is located on the west side of Hulme High Street, within Hulme District Centre. The property is a vacant grocery store (Class A1).

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people would be exposed to undesirable behaviour as a result of the proposal being agreed.

Decision

Minded to refuse the application as the proposals had not sufficiently addressed the problems of parking, anti-social behaviour, litter and disamenity from the air condition unit.

PH/16/152 Site Bounded By Princess Road, Bowes Street, Broadfield Road And The Existing Alley Way To The South Linking Princess And Broadfield Road, Manchester, M14 7LS

A planning application 113982/FO/2016 for the erection of 1 no. part 5/part 6 storey apartment building, 1 no. part 2/ part 3 and 4 storey extra care apartment building, 4 no. 4 storey apartment buildings (total no. apartments including extra care: 204) and 54 no. 2 and 3 storey family houses with associated hard and soft landscaping, amenity spaces, car parking and works to public highways; and, OUTLINE APPLICATION for the siting and massing of a part 3 / part 4 storey health hub facility fronting onto Princess Road with associated car parking, with all matters reserved was received.

The application site measures approximately 2.47 hectares and is bounded by Bowes Street to the north, Broadfield Road to the east, 'The Avenues' (Alexandra Avenue, Elmswood Avenue, Regent Avenue, Yew Tree Avenue, Laurel Avenue) to the south and Princess Road to the west.

The site was historically home to the Stagecoach tram depot, which became a bus depot and Bishop Bilborrow Primary School.

The land is currently cleared following the demolition of the former bus depot in 2011 (with the exception of an electricity substation fronting Bowes Street to be relocated as part of the redevelopment to Broadfield Road). The land is remediated and fenced. There is some self seeded growth on site and a group of 12 lime trees to the east fronting Broadfield Road. The site has accommodated meanwhile uses since 2011, in the form of a community garden and a temporary contractors compound. The area within which the site is located is predominantly residential, consisting mainly of Victorian terraced accommodation. The area to the north constitutes refurbished two storey terraced housing and a number of two and three storey new build properties facing Bowes Street. To the south of the site are two storey terraced properties known as 'The Avenues' off Parkside Road.

The site lies within the Moss Side ward, to the south of Moss Side Local Centre. Located to the west of the development site is Princess Road, a main arterial route running in a north – south direction, into the City Centre and out to the M56 motorway, acting as a major transport corridor serving the city as a whole. Further to the west is the recently restored Alexandra Park.

The planning application is a hybrid application for detailed and outline planning approval.

Detailed consent is sought for an apartment block fronting Princess Road, an Extra Care unit fronting Bowes Street and Elmswood Avenue, residential apartments fronting Bowes Street and housing north of 'the Avenues', fronting Broadfield Road, with associated road, car parking and landscaping.

Block A	Part 5, part 6 storey 40 No. apartment building fronting Princess Road 33 x 2 bed, 5 x 1 bed, 2 x 3 bed To include 2 No. A3 units at ground floor fronting Bowes Street and Princess Road 16 car parking spaces on plot and 5 street spaces, 47.5% 41 Cycle Parking Spaces (103% per unit – 53% per bed space) Balconies provide private amenity space.
Extra Care	Part 2, part 3, part 4 storey 72 No. Extra Care apartment building with associated care 19 x 2 bed, 53 x 1 bed 22 car parking spaces on plot and 14 street spaces, 50% 46 Cycle Parking Spaces (64% per unit – 51% per bed space) Private and communal amenity spaces (in the form of balconies, a garden and a private terrace)
Blocks B, C, D, E	4 No. 4 storey 92 No. apartment buildings fronting Bowes Street 48 x 2 bed, 44 x 1 bed 54 on plot and 20 on street spaces. 80%. 104 Cycle Parking Spaces (113% per unit – 74% per bed space) Private amenity spaces

Total number of apartments, including Extra Care is 204.

54 No. 2 and 3 storey houses with 32 car parking spaces on plot and 22 on street spaces, 100% allocation, with secure internal bicycle parking, making the total number of residential units proposed 258.

Outline consent is sought for the siting and massing of a part 3, part 4 storey Health Hub facility with associated car parking (86 spaces) and vehicular egress onto Princess Road.

4 no. new vehicular and pedestrian highways would link Bowes Street to 'The Avenue' to the south.

The existing alleyway running east (Broadfield Road) to west (Princess Road) alongside the side gables of the properties on 'The Avenues' would be retained.

A representative of the local residents association spoke to the Committee to object to the proposals. He said that in the opinion of residents, the scheme did not meet the requirements of the Draft Manchester Residential Quality Guidance (July 2016) in that it failed to provide an acceptable level of communal outdoor spaces for residents, especially bearing in mind the number of properties that were proposed.

Residents were also concerned that the proposal to open up the Avenues, which are currently cul-de-sac's would lead to a major increase in traffic and associated anti-social behaviour and nuisance parking. They commented that the car parking provision with the scheme was inadequate which would have the effect of pushing parking to adjoining streets. Residents were further concerned that the increase in through traffic would lead to problems with speeding vehicles, and greater accessibility would result in a loss of security and an increase in crime for existing properties.

The Committee agreed that the proposals, while welcomed, were not detailed enough with regard to addressing the security and crime safety concerns of residents. The Committee recommended that additional conditions regarding the provision of alley gates to the Avenues would be appropriate. In addition, the Committee recommended that conditions regarding the provision of employment and apprentice opportunities for local residents also be attached to any permission granted.

Decision

To **approve** the application subject to the conditions contained in the report and with additional conditions regarding the provision of alley gates to the Avenues and the provision of employment and apprentice opportunities for local residents.

PH/16/153 17 Chandos Road, Manchester, M21 0SS

A planning application 113585/FO/2016 for the erection of single storey rear extension; creation of lightwells to front, side and rear; conversion of basement and enlargement to existing rear dormer in connection with a reduction from 5 flats to 4 was received.

This application relates to a large two storey semi-detached villa currently in use as five self-contained flats for which a Certificate of Lawful Use was granted in March 2015 (reference 101950/LE/2013/S1). The accommodation comprises four, one bed studio flats and one, two bed apartment. The property has an elevated ground floor with space in the basement as well as accommodation in the roof void. On the front elevation there is a two storey bay with a flat roof enclosed by railings, which it is accessible via a window and a cat slope dormer on the roof. At the rear of the property is another two storey bay, and small single storey lean to, with a cat slope dormer on the roof. There is a garden to the front of the property with a drive and a large rear garden 19 metres long.

Chandos Road is a residential cul de sac. It is approximately 172 metres long and there is no turning head. There are also a number of street trees.

According to Council records five of the 28 properties in the Road are in use as flats. Four of which, including the application site, are let in five flats and one in three flats. It must be noted that this application is for external works to the property and the change of use to four apartments does not require planning permission.

Permission is now sought to erect a dormer window on the rear elevation of the property, a basement and ground floor extension at the rear of the property, the creation of a sunken terrace at the rear and the provision of lightwells to three existing windows, one at the front of the property and two at the side and a fourth at the rear on an existing window that would be enlarged as part of the extension.

These works form part of a wider refurbishment of the property which will see the number of flats reduced from five to four, albeit they will all be two bedroom and the currently vacant basement will be brought into use. The reduction in the number of flats would itself not be development for which planning permission is required. The proposed rear dormer is of the cat slope style and replaces the existing dormer. The dormer which is located on the rear roof is 6 metres wide, and the front face 1 metre high, set in 0.8 metres from the eaves. It is set in 0.7 m from the shared boundary with the adjoining property and 0.5 metres from the edge of the roof. The dormer would have a sloping roof starting from a point 0.5 metres down the pitch of the roof from the ridge. There would be two windows in the face of the dormer and two roof lights. The dormer would accommodate the second bedroom and the bathroom for the upper flat. The dormer would have a slate roof to match the existing and submitted drawings show the face and cheeks clad in grey uPVC shiplap cladding.

Local residents spoke in opposition to the proposals and said that while they appreciated the application was to reduce the number of flats in the property, this was in fact an overdevelopment as the number of bedspaces would increase to 16. In addition, local residents said that the proposals amounted to a conversion of the property to an HMO and were inappropriate in an area where properties were predominantly single family dwellings.

The applicant spoke to the Committee in support of the proposals and said that this was a very high quality development and great care had been taken to consider the impact, size and mass of the proposed development. They agreed that the number of bedspaces would increase to 16, but also pointed out that the Council's current practice is to require one space per dwelling. Whilst the development makes no provision for off street parking, the survey carried out by the applicant suggests that there is space available on street. Further, as the development would result in the loss of a flat there would be less pressure on street parking as the development would only require four not five spaces.

The Committee considered the concerns of the residents very seriously, but overall were of the opinion that the proposals would be an asset to the area and agreed that the reduction in the number of dwellings was appropriate.

Decision

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

(Councillor Watson declared an interest in this matter and took no part in the discussion or the decision. Councillor Barrett was absent from the room for part of the discussion and took no part in the decision.)

PH/16/154 45 St Werburghs Road, Whalley Range, Manchester, M21 0UN

A planning application 112570/FO/2016/S1 for the erection of detached 3 storey 5 bedroom dwellinghouse (Plot 1) and 2 pairs of 2 storey 3 bedroom semi-detached dwellings (Plot 3,4,5 and 6) with associated car parking, landscaping and boundary treatments was received.

At the meeting of 17th November 2016 Members resolved to defer consideration of this application to the next available date to allow for further negotiations to mitigate against concerns raised about potential disamenity and the loss of protected trees.

Following discussions with the applicant amended drawings have been submitted. The principle differences being that the proposed dwellings that front Chatburn Road have been moved forward by 2.6 metres, to the edge of the root protection area for the retained tree on that frontage. The front gardens are therefore reduced in depth from 10.6 metres to 8 metres.

The ridge height of the properties fronting Chatburn Road has also been reduced by 0.5 metres with a commensurate reduction in the size of the front gable. The eaves height remains the same as in the earlier scheme. There are also now no stairs leading into the roof void.

The applicant is currently preparing a revised landscaping scheme to take account of the amendments to the siting of the properties.

Local residents spoke in opposition to the proposals and made the following points.

- The amendments are minimal and fail to address the key issue raised by the committee of trying to squeeze 4 units onto the Chatburn Road frontage.
- Moving the properties forward exacerbates the parking issues for units 4 and 5 by reducing the space available for parking.
- The lowering of the ridgeline and the removal of the stairs to the roof void are welcomed.
- The retention of the gables on the front elevation are inconsistent with the character of the area.
- The chimney to 16 Chatburn Road is half a metre higher in the street scene than in reality.
- The properties have not been brought forward to the established building line.

The applicant also addressed the Committee and said that the application would provide high quality family homes that would be an asset to the neighbourhood. In addition she said that development of the site would restore a currently derelict building and that the benefits overall would mitigate any loss of amenity for current residents.

The Committee decided on balance the proposed development has been designed in such a way as to minimise the loss of trees on site whilst bringing forward a residential development that will enhance the residential offer in the area. The proposals have been designed to reflect the character of the area and it is

considered that the development would not give rise to unacceptable impacts to warrant refusal of the application subject to the entering into a section 106 agreement for a tree replacement scheme and scheme for the management of on site protected trees.

Decision

Minded to approve subject to the signing of a section 106 agreement for the provision of off-site trees and their management and Protected trees.

PH/16/155 Land Bounded By Cavendish Road, Cavendish Primary School, Houseman Crescent & Georgia Avenue, Manchester, M20 2LR.

A Reserved matters application 113937/MO/2016 arising from outline planning approval reference 109777/OO/2015/S1 relating to the appearance, landscaping, layout and scale for the erection of 74 no. dwellings (24 apartments and 50 dwellinghouses) was received.

The application site is located adjacent to Cavendish Road Primary School and is bounded by Cavendish Road to the north, Cavendish Road Primary School to the east, and the rear of residential dwellings to the south (Houseman Crescent) and west (Georgia Avenue) within the Chorlton Park ward of Manchester.

Until recently the site formed part of the Withington Hospital Estate operated by the University Hospital of South Manchester NHS Foundation Trust (UHSM). At the northern end of the site facing onto Cavendish Road there is a derelict NHS building and car park. At the southern end of the site there are some older two storey buildings which were until recently used by NHS services as a furniture factory. Between these two areas the existing buildings have been demolished leaving a predominantly cleared site but with a few mature/semi-mature trees adjacent to the existing access road that runs north to south along the western boundary of the site.

The houses located along Cavendish Road are terraced and are generally two stories in height with some having dormer windows at roof level. Also on Cavendish Road, immediately to the west of the development site is the Brocklehurst Nursing Home which is predominantly two stories in height.

The residential properties along the southern and eastern boundaries are a mixture of both houses and apartments and have small rear gardens and yard areas that back onto the site. These properties are generally 3 stories in height.

The area of land to the west, occupied by Cavendish Road Primary School, is more open, with a car park and a playing field surrounded by mature trees.

To the immediate east and north of the application site is the Albert Park Conservation Area.

There are trees on site that are subject to a Tree Preservation Order.

At its meeting on the 10th December 2015 Committee were minded to approve, subject to the signing of a section 106 agreement, outline planning application reference 109777/OO/2015/S1 for the erection of 79 x 2 and 3 storey residential units (Use Class C3) with access to be considered from Cavendish Road and all other matters reserved. A section 106 legal agreement was subsequently signed in accordance with the Committees resolution to make available 20% of residential properties on the site for first time buyers.

This outline approval set that the principle for residential development of the site for up to 79 dwellings up to 3 storeys in height, with access and 8 private driveways from Cavendish Road subject to consideration of detailed matters reserved for future applications.

The current reserved matters application seeks permission for the erection of 74 no. dwellings on the site with parking, landscaping, boundary treatment and associated works. The vehicular access to the site from Cavendish Road is retained in the position established through the outline application.

In detail the proposals include for 24 no. 2 bedroom apartments provided within two detached three storey buildings set back by approximately 7 metres from the Cavendish Road frontage. The external materials for the buildings are proposed to be brick with roof tile finish informed by materials and brick detailing evident in the local area. The buildings would have Juliet balconies to the front and rear with pedestrian access into the buildings from entrances provided on the Cavendish Road frontage and from the car parking area provided to the rear.

The rear car parking area for the flats provides for 24 car parking spaces and an additional 6 visitor spaces. The car park provides for two bin stores for the building and two secure cycle stores to provide 26 cycle parking spaces.

The remainder of the site is proposed to be laid out to provide 50 no. houses of two to three storeys in height to provide the following accommodation:

- 22 no. 4 bedroom detached 2 storey houses;
- 10 no. 4 bedroom semi-detached/mews 3 storey houses;
- 10 no. 3 bedroom semi-detached/mews 2 1/2 storey houses;
- 2 no. 3 bedroom detached 2 storey houses; and,
- 6 no. 3 bedroom semi-detached/mews 2 storey houses.

Again the houses are to be finished in brick and roof tile to reflect that of the older housing stock in the wider area.

The main road within the development would be constructed to adoptable standards with separate pedestrian routes throughout the site, as part of any approval the applicant is aware of the need for the details of highway works to be secured through the relevant legal highway procedures.

The application also sets out a landscaping scheme for the site which includes for hedge and tree planting including the planting of 62 additional trees across the site.

Three of the existing trees on site are subject of Tree Preservation Orders, and as proposed through the original outline planning application two are to be retained as

part of the development whilst one existing TPO Hawthorn tree would need to be removed, this was surveyed as part of the Outline approval process and was classified as a low quality tree.

An objector spoke to the Committee and said that the proposals would result in significant parking issues due to the very narrow approach road and narrow roads in the proposed development. The objector also said that he was disappointed at the lack of provision of affordable housing as opposed to the First Time Buyer condition contained in the report, and requested additional conditions regarding recycling rather than just waste disposal.

The applicant's agent spoke in support of the proposal and said that this was a very high quality development that would enhance the area and the housing offer that was currently available.

The Committee asked for further information regarding the First Time Buyer proposals, and asked whether this condition would include 20% of both houses and apartments or 20% of the dwellings as a whole. The Committee also asked for further information as to whether there was a restriction on the time period after which a first Time Buyer could sell a purchased property on.

Officers confirmed that 3 houses and 12 apartments would be made available to First Time Buyers, which constitutes 20% of the number of dwellings rather than 20% of the houses and a further 20% of the apartments. This corresponds with the S106 agreement according to the Committees resolution in 2015 to make available 20% of residential properties on the site for first time buyers.

Officers also confirmed that there is no legal restriction on when properties can subsequently be sold after purchase by a First Time Buyer.

After discussion, the Committee were satisfied that the proposals were acceptable.

Decision

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

PH/16/156 7 Arley Avenue, Manchester, M20 2LQ.

A planning application 113938/FH/2016 for the erection of rear dormer extension to form additional living accommodation was received.

This is a retrospective application in respect of a partially constructed rear dormer. The application relates to a two storey mid terraced residential property. There are no outriggers to the property which has a small rear yard. The property has a simple dual pitched slate roof.

The property is located within the Albert Park Conservation Area. The property itself is located in a residential area adjacent to the Burton Road local centre. To the rear of the application site is a parallel terrace of similar properties, separated from the

site by a narrow alley. The end gable of the terrace within which the application property sits abuts Nell Lane from which there are views along the rear alley. No other properties backing onto the alley have rear dormers.

Permission is sought to modify the partially constructed dormer which is located on the rear slope of the roof following concerns raised by officers in respect of the design of the dormer as constructed. The dormer as constructed has a flat roof at ridge height and occupies almost the full width of the roof, wrapping around the retained shared chimney stack. The front face of the dormer is set back 0.8 metres from the eaves along the slope of the roof. The faces of the dormer would be finished in hung slates to match those on the existing roof. There would be two windows in the rear elevation of the dormer. The dormer would provide a new master bedroom with en-suite.

The replacement dormer would comprise a pair of dormer windows with dual pitched roofs linked by a mansard roof. The ridge height of the dormers would match that of the original house and they would have a hung slate finish. Three windows would be provided in the rear elevation, one in each dormer and the other in the mansard.

An objector spoke to the Committee and said that the proposals were not appropriate to the conservation area for several reasons, which were summarised as:-

- The properties only have small rear yards and the dormer will result in overlooking from an elevated position of the properties to the rear and a consequential loss of privacy.
- Due to the close proximity of the properties any enlargement of the roof will result in a loss of daylight and overshadowing.
- The dormer would be incongruous as there are no others overlooking the alley.
- It is thought that the dormer does not comply with the Building Regulations.
- The dormer is highly visible from Nell Lane.
- The dormer spoils the lines of the houses.
- Extensions to properties within the Conservation Area ought to respect its heritage.

The applicant's agent spoke to the Committee in support of the proposals, and said that while they accepted the concerns of local residents, they could not agree that there were no other dormers in the immediate area and had provided information to the Committee in support of this.

After discussion, the Committee were of the opinion that the proposal would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

Decision

To refuse and enforce.

(Councillor Barrett left after this item of business and took no further part in the proceedings)

PH/16/157 Red Lion Street / 2 Union Street, Manchester, M4 1PT

A planning application 113713/FO/2016 for the erection of 3, 5, 7 and 8 and 11 storey building to comprise 38 residential apartments (Class C3) (12 no 1 bedroom units, 25 no 2 bedroom units and 1 no. 3 bedroom unit) above ground floor commercial space (Use Class A1 (Shop), A2 (Financial and Professional Services), A3 (Restaurant and Cafe) and B1 (Office)) with retention and restoration of facade to no. 2 Union Street following demolition of the rear of the building and provision of associated cycle parking, landscaping and ancillary works was received.

Consideration of this application was deferred at the meeting of the Planning and Highways Committee on 17th November 2016 to enable a site visit to take place.

The Application relates to a T-shaped site of approximately 0.07 hectares, bounded by Union Street, Red Lion Street, Church Street and Catlow Lane. It has largely been cleared for many years. It shares a boundary with a 5 storey residential building at 4-6 Union Street which has a number of windows abutting the site boundary and, a courtyard boundary with a 4 storey commercial property at 27-29 Church Street. This latter building is used for a variety of commercial purposes including a tattoo studio that is accessed by an external stairwell, which is within the applicants ownership and within the site edged red. The former Bull's Head public house at 2 Union Street, a 2 storey late Georgian building lies within the otherwise vacant site

Number 2 Union Street is in a very poor condition and has suffered previously from fire damage. It has been boarded up for the last 5 years. The cleared area of the site is enclosed by security fencing and contains an illuminated advertising hoarding on the corner of Red Lion Street and Church Street. The gable end of 27-29 Church Street features some artworks.

The application site lies within part of the City Centre known as the Northern Quarter a unique area characterised by its distinctive architecture, red brick alleys and converted grand warehouses. The neighbourhood is considered by many to be Manchester's 'alternative' and 'bohemian' heart. Whilst it runs adjacent to the mainstream presence of the Market Street and Piccadilly areas, the concentration of independent retail and leisure outlets in the area and hotbed of cultural production and consumption, set it apart.

The area immediately surrounding the application site is characterised by a variety of uses including: digital, media and technology-based companies; creative and cultural industries; an established residential population that has grown over the past 15 years; more traditional offices, retail units and a number of mainly independent bars and restaurants. There is an NCP multi-storey car park on the opposite side of Red Lion Street to the application site.

There are residential developments adjacent to the site including 4-6 Union Street (13 units owned by a Housing Association), 25 Church Street (80 units, which has an elevation facing the site on the opposite side of Union Street), 23 Church Street

(Conran Building 49 units – junction of Church Street and High Street) and Pall Mall House (169 units) on the opposite side of Church Street). A planning application ref no 114146/FO/2016 is currently under consideration for the site at the junction of Tib Street and Church Street on the NCP surface car park site at rear of Debenhams at the junction of Tib Street and Church Street. This proposes the redevelopment of the site for a residential building (Class C3) with ground floor commercial uses (Class A1, A2, A3, A4, B1, D1, D2) varying in height from 9 to 10 storeys to provide 183 apartments (56 x 1 bed, 125 x 2 bed and 2 x 3 bed) with associated landscaping and other works following demolition of existing structure and artwork.

The site is within the Smithfield Conservation Area but there are no listed buildings within the immediate vicinity. The site is well located in relation to all forms of public transport being close to Piccadilly Gardens, Manchester Victoria and Piccadilly train stations and Shudehill interchange.

It should be noted that the current application is the second application to be submitted by the applicants on this site. Application ref no 111389 (submitted February 2016) was withdrawn by the applicants (August 2016) to allow the resubmission of a revised scheme following consideration of objections received on the previous application. The current application is the result of those considerations and further consultations with adjacent residents.

The key changes to the previously submitted scheme are as follows:

- A new useable and secure external residential courtyard space for residents of 4-6 Union Street and an opportunity to comment on the detailed landscaping of the courtyard;
- Improved visibility for residents with windows to the rear of 4-6 Union Street through to Red Lion Street through the inclusion of lightweight 'floating walkways';
- Use of lighter materials within the courtyard facing elevations to create a brighter outlook;
- A lowered block of accommodation of similar height to 4-6 Union Street on the corner of the site;
- Improved daylighting to existing windows of 4-6;
- An allowance for maintenance access for Riverside Housing Association which does not exist currently;
- Increased building height at junction of Church Street and Red Lion Street from 10 to 11 storeys;
- A reduction in building height on Union Street, in response to concerns expressed by the neighbouring residents of 25 Church Street;
- A reduction on the number of apartments from 40 to 38.

Local residents spoke to the Committee and said that they believed that the proposals are contrary to the Conservation Area Guidance Leaflet, Paragraph 64 of the NPPF, Section 72 of the Listed Building Act, section 12 of the NPPF, Core Strategy policies EN12, EN1, EN2, EN3, EN15, CC6, CC9, H1, DM1 and UDP policies DC18.1, DC26.1 and Small Area Policies RC20 (Area 4) for reasons that can be summarised as follows:-

- The design does not respond to the character and features of the Smithfield Conservation Area and is not in keeping with the historical character of an area where the majority of buildings are Victorian;
- Large buildings such as this change the very fabric, character and uniqueness of an area the character of which the City Councils should be seeking to retain and would further banalise the visual quality of the area;
- The vast majority of properties in the Northern Quarter are of modest height, and in the sector of the Northern Quarter that includes Church Street, all the properties are either the traditional old, red brick, converted buildings, or are new, but have been designed in keeping with the look and feel of the Northern Quarter. This creates a special character and ambience which is unique to the Northern Quarter which would be compromised by this proposed very modern development; The proposed structure would be out of keeping with this aesthetic in terms of scale and the materials proposed would be cheap looking and would not improve the visual amenity of this area.
- 11 storeys would tower above adjacent buildings and would be taller than is characteristic of the area. The building would be unreasonably and disproportionately tall for its width on this narrow strip of land. This would diminish the use value of one of few public open spaces in the conservation area;
- The proposals would erode the uniqueness of the Northern Quarter ruining its character and one of the major points of attraction for Manchester with non-descript buildings;
- The proposed site of the development is currently open space and should be retained and improved (e.g. with a small greenspace or allotment) to meet local needs, rather than developed;
- The proposed design compromises the rhythm of the street wall on Church Street, Union Street and Red Lion Street.
- The proposed development is contrary to Core Strategy policy EN2 (Tall Buildings) as the proposed development does not respect local context and street pattern and would be out of character for the area.
- The development would be overbearing and an eye sore. The proposed pictures show a huge square block which looks oppressive, obtrusive, and overbearing compared to the lower buildings it is attached to;

- The thoughtful design of the contemporary arched roof that Sir Terence Conran designed for 25 Church Street adds to the character of the Northern Quarter in views walking down Dale Street onto Church Street where this can be seen amongst the characterful mix of old brick and should remain visible. The new build would completely block this building which will make the area lose character and interesting design features;
- The proposals would be contrary to paragraph 64 of the NPPF which states that ' permission should be refused for development of poor design that fails to take the opportunities available for improving character and quality of an area;
- Plans for a development at the Tib Street Car Park show a building at 9 storeys so why is the maximum height of this 11 storeys;
- The development would both obscure the current views of a mish mash of new and old buildings view for some apartments and ruin it irreversibly;
- Residents feel very strongly about this site's importance for creating a sense of place by maintaining the scale and volumes of the area;
- Whilst it is understand that the city council might wish to pursue a high rise development policy in some areas in order to boost population growth in the city centre buildings there is no shortage of brownfield sites outside conservation areas where High Rise clusters can be planned in a way that does not affect local communities or sites of unique heritage beauty and conservation areas;
- The proposals would include the demolition of a set of buildings that have been a landmark of the Northern Quarter and are a much loved feature of the area and would destroys the place making character of the existing site;
- The proposal in effect changes the boundaries and reduces the footprint of the Smithfield conservation area, by extending a high rise development into the heart of this unique conservation area;
- The Northern Quarter and the Smithfield conservation area in particular are amongst the most significant heritage sites of Manchester and the UK, and have been nominated for International Heritage site status. This particular site on which the new development is proposed holds a special place in enhancing and emphasizing the conservation character of the area. This gives the contemporary resident or visitor a glimpse into the feeling scale and urban fabric of Manchester's past.
- The sense of place one gets when walking by the site is conveyed through scale textures and low density which is exactly what the character of the conservation area is about. The design has none of the textures and playfulness of volumes and materials it will be replacing. Moreover, it 'blocks' the entry to the heritage site by raising an 11 storey high building. The height and mass of the proposed development also blocks the views to other historical buildings, notably, of Abel Heywood, Union Street, thus negatively

predisposing the visitor to move further inside and explore the conservation area;

Local Elected members also spoke to the Committee and supported all of the concerns raised by residents. They also said whilst welcoming the development of the site which has a lain undeveloped and unused too long it is noted that some residents will be severely impacted by this development, most obviously in the Union Street building which houses a number of social housing apartments.

Given this they object to the proposals on the basis of the impact on the light levels that would be received within some apartments as a result of this development and make the following points:

Firstly that the appropriateness of the height in terms of its suitability for this location is questioned. It is noted that the site is surrounded by buildings of different heights and it is noted that that this is a matter on which the planning committee would wish to reflect, possibly after visiting the site.

Secondly concerns are raised about the light impact on existing residential apartments and particularly the Union Street apartment building which they consider would be particularly badly affected such that certain apartments will suffer considerable loss of daylight/sun light.

They believe that the statement quoting percentages masks the fact that for some residents 100% of their windows will be affected. It is noted that the argument is presented that this is acceptable in the city centre environment and that 25 Church Street and 4-6 Union Street currently receive more than their fair share of daylight from over the application site which is cleared. However they consider the arguments presented in the report to be incomplete as they do not define what levels would be acceptable and consider that a clearer definition of this might be helpful to the committee to better define the boundary of acceptability.

It is noted that the reference to "more than their fair share of daylight" is also undefined. If a mirror building is meant to reflect this, it was not in place when the consent for the conversion of the Union Street building was granted and it is also noted that no doubt the Committee feels the need to be certain that the Union Street Apartments that were created can still be apartments which are attractive to live in.

Concern is also raised in relation to the residents' detailed criticisms of the light study.

The applicant's agent spoke in support of the application and said that this was a high quality development that would provide significant redevelopment of a currently derelict site, and that while they acknowledged that concerns raised by residents of adjoining buildings and local elected members, the poor condition of the site and remaining building present a run down appearance of inactivity and dilapidation on a prominent site in the Northern Quarter. Despite the artwork on the side of 27-29 Church Street, the site provides a poor quality street scene on the edge of Northern Quarter.

A high quality development within the conservation area would deliver significant regeneration benefits, by 'mending' of the primary street-frontages and helping to establishment a sense of place at a prominent location. The proposal would complement ongoing population growth, contribute to the economy and help to sustain the Northern Quarter as a vibrant place to work and live. It would create employment during construction along with permanent employment from the proposed uses. The uses proposed would complement the existing retail and leisure uses within the Northern Quarter.

The applicant's agent also said that the scheme has been modified since the first submission in order to reduce the impact on adjacent property, including a reduction in the number of apartments from 40 to 38. The development would impact on the levels of sunlight and daylight received in habitable rooms to the rear of 4-6 Union Street more than any other adjacent property. These current levels could, to some extent, be maintained if there was no development in this part of the site but this would be at the expense of reinstating the historic building line that had been absent since the site was cleared and, in terms of viability, would require more accommodation on other parts of the site which would accentuate impacts on other nearby residents. In order to respond to those impacts, the block at the junction of Red Lion Street and Catlow Lane has been reduced to a similar height to 4-6 Union Street and a new useable and secure external courtyard space has been created for the exclusive use of residents of that building. The use of lighter materials within the courtyard facing elevations would also create a brighter outlook. In addition improved from windows to the rear of 4-6 Union Street through to Red Lion Street has been created by breaking the new block to Red Lion Street.

The height has also been lowered on Union Street to reduce the impact on residents of 25 Church Street. However, the changes also include an increase in height at junction of Church Street and Red Lion Street from 10 to 11 storeys in order to maintain viability. This additional height would have some additional impact on some residents within 25 Church Street.

After discussion, the Committee determined that the proposal would deliver a high quality building and regenerate a previously developed vacant site. The design is appropriately based on an evaluation of the particular characteristics of the site's context and would respond well to this with the tallest element being located as a placemaking element on Church Street where the principle of taller buildings has previously been established through previous approvals. The site is considered of be capable of accommodating a building of the scale and massing proposed whilst avoiding any substantial harm to the character of the Smithfield Conservation Area. The street-frontages along Union Street and particularly Church Street and Red Lion Street would be re-vitalised and retain street-edge enclosure, while also complementing the vertical rhythms, established scale and visual texture of the individual streets. The development would enhancement of the city's wider historic landscape by creating a positive outward facing expression on each of the sites street-frontages. The scheme would add activity and vitality to the area and would reintegrate the site into its urban context, reinforcing the character of the streetscape

Decision

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

PH/16/158 Tree Top Trek, Heaton Park, Middleton Road, Manchester, M25 2SW.

A planning application 113932/FO/2016 for Listed Building Consent for the creation of Treetop Trek Site to include two Treetop Trek courses, a net course, reception and storage building (Class D2) was received.

The proposal relates to the development of a Tree Top Trek facility in Heaton Park. The site extends to 12 acres within the overall site of Heaton Park (640 acres/240 hectares). It will primarily utilise trees to the west of and adjacent to the Hall car park and north of the recently refurbished children's play area.

The scheme includes the creation of two Tree Top trek courses, and a nets course , the installation of an extension to the rear of the Grade II listed Dutch Barn (for office and storage purposes), and a free standing single storey structure directly adjacent to the northeast of the Dutch Barn to form a reception and associated offices. The Dutch Barn would be retained and used as a 'holding area' for waiting participants. Tickets for the facility would be issued at the existing visitor facility within the Heaton Park stable block, where staff and visitor cycle storage , and toilet and café facilities are also located, which is a short distance from the proposed development.

The proposed facility includes a Tree Top nets course suitable for 3 years and upwards, a lower ropes course for 5 years and upwards and a high ropes course for 7 years and upwards.

Heaton Park's opening times (between 8am to dusk). The proposed facility would operate between 08:00 and 20:00 hrs on Mondays to Sundays. 16 full time employees would be based at the facility, with up to 20 staff on-site at any one time.

Public access to the site would be via existing routes to and within the park . The nearest vehicular access point to the proposed facility is from St. Margaret's Road to the west, whilst one access point is provided from the A665 Bury Old Road (to the southwest), two from the A6044 Sheepfoot Lane (to the south) and two from the A576 Middleton Road to the east. There are various pedestrian, cycle and vehicular routes provided through the park.

After discussion, the Committee determined that the scheme would facilitate an outdoor sporting facility which would create a further visitor attraction within Heaton Park. It is considered that the impact of the works on the character and appearance of the listed park would not diminish the historic qualities of the landscape and are therefore acceptable.

Decision

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

PH/16/159 Tree Top Trek, Heaton Park, Middleton Road, Manchester, M25 2SW.

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Decision

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

PH/16/160 Unit 1 Hillbit House , New Street, Manchester, M40 8AW.

A part retrospective application for the planning application 112433/FO/2016 for the change of use of unit (Use Class B8) to plastic waste recycling unit (Use Class B2)

together with the erection of a 3 metre high boundary wall to Oldham Road and New Street was received.

The application site consists of Hillbit House, with its associated yard, situated on the corner of New Street and Oldham Road. Oldham Road is a major road route linking the City Centre to the north eastern parts of the City. Hillbit House is a single storey building which is constructed of a brick lower base and with the upper sections clad in blue corrugated steel cladding. The site is slightly elevated from Oldham Road which has resulted in a low brick wall to the site frontage together with a chain link fence which is currently in a poor state of repair. Vehicle and pedestrian access to the site is via New Street.

The surrounding area is characterised by commercial properties which are clustered around New Street. The buildings are used for a variety of industrial purposes and are predominately single storey in height. Abutting the application site to the north east, and within the boundary treatment surrounding the application site, is land owned by Network Rail. Immediately beyond this is the railway line which is situated in an elevated position.

Beyond the commercial buildings to the south, are two storey residential terrace properties along Canada Street and New Street which have recently been subject to a local regeneration scheme.

Retrospective planning permission was refused at the application site on the 4 June 2015 for the change of use of industrial unit (Use Class B8) to waste recycling for plastic (Sui Generis) (106866/FO/2014/N1). The reasons for refusal were as follows:

- 1) The use of the external yard of Hillbit House for the storage of plastic pallets and waste in association with the recycling business is unacceptable as a result of the amount, siting and scale of the pallets/waste in the yard creating a highly visual, cluttered and intrusive feature in the street scene. In addition, there is waste and debris on the adjacent highway. The resulting effect is harmful to visual amenity of Oldham Road, a major road route within the City, and the local environment. The development is therefore contrary to policies SP1, EC1, EN1, EN19 and DM1 of the Manchester Core Strategy (2012), saved policy E3.3 of the Unitary Development Plan for the City of Manchester (1995), The Guide to Development in Manchester SPD (2007) and the NPPF/NPPG.
- 2) The use of the external yard of Hillbit House for storage of plastic pallets/waste in association with the recycling business results in servicing vehicles being unable to load and unload within the yard associated with the business. The resulting effects is large servicing vehicles servicing the development from New Street which has a harmful impact on the highway and pedestrian safety which is contrary to the provision of policies SP1 and DM1 of the Manchester Core Strategy (2007) The Guide to Development in Manchester SPD (2007) and the NPPF/NPPG.

Following the refusal of planning permission, enforcement proceedings begun. There was a temporary period of abeyance whilst discussions took place between officers and the applicant about the use and its operations.

The applicant is now seeking part retrospective planning permission for the change of use of unit (Use Class B8) to plastic waste recycling unit (Use Class B2) together with the erection of a 3 metre high boundary wall to Oldham Road and New Street. The use is currently operating from the site, and has been doing so since 2014, whilst the boundary treatment would be a new element to the development.

Local elected members spoke in objection to the proposals, and reiterated the concerns raised in the report and said that the proposals were inappropriate given the scale and nature of the proposed activity.

The applicants representative spoke to the Committee and said that the proposed facility would provide excellent recycling provision which was desirable as part of the Greater Manchester Joint Waste Development Plan which states that Greater Manchester will need to find more local sites for the provision of built facilities if it is to successfully manage waste that arises within the area. This in turn will reduce the volume of residual waste that finds its way to landfill.

The waste development plan goes on to state that waste management facilities that have the potential to utilise biogas or energy from waste fired technologies will be required to provide combined heat and power in order to incorporate opportunities for sustainable energy recovery.

After discussion, the Committee determined that the applicant has been operating the development from the application site since 2014 without the benefit of planning permission. Whilst officers have attempted to determine if there are solutions to the constraints of the application site to enable the development to sufficiently operate, the applicant has failed to demonstrate through the continued operations that they can overcome these concerns.

Decision

To **refuse** the application and enforce the compliance notice.

PH/16/161 Milliners Wharf Phase 2 (Hat Box) , Munday Street, Off Pollard Street, Manchester, M4 7BD.

A planning application 113835/JO/2016 for the variation of conditions 3, 5, 8, 22 and 31 of planning permission 109897/JO/2015/N2 to allow changes to the site layout, including revised location of protected pedestrian route, changes to the footprint of the cycle store, revisions to the car parking layout, changes to the location of the lighting columns, amendment of the width of the vehicle entrance and alterations to the layout of the skydeck was received.

This application relates to a site which had an outline planning permission (100991/OO/2012/N2 - Approved February 2014) for development comprising 1 no. 8 storey block and 1 no 9 storey block to form 144 residential apartments with

associated access, car parking and landscaping with all matters to be considered: and outline permission for a detached building to form an A1 Retail Unit (316sqm) with all matters reserved. This permission therefore approved all the details of the residential development, and a subsequent Reserved Matters permission has been granted for the retail unit in May 2014 (105147/MO/2014/N2). The site is in two distinct parts with the larger residential element to the north of the Metrolink line and a smaller site, to the south of the Metrolink line, in which the retail unit is proposed.

In March 2015 an application was approved to vary the approved drawings (condition no.4) to allow the creation of 6 additional balconies to the buildings and change to roof profile (107782/JO/2015/N2). Following this, in November 2015 a subsequent application was approved to vary Conditions 3, 5, 22 and 23 of planning permission 107782/JO/2015/N2 to allow changes to the layout of the sky deck (109897/JO/2015/N2). At the same time an application was also approved to vary condition 27 of planning permission 107782/JO/2015/N2, to allow changes to the site security plan (109743/JO/2015/N2). This variation was also incorporated into planning permission 109897/JO/2015/N2, which is therefore the current relevant consent for this development.

The permission was subject to conditions, which included the following:

3. The development hereby approved shall be carried out in accordance with the following drawings and documents:

The Supporting Planning Statement, the Crime Impact Statement, the Bett Associates Desk Study Report, the retail statement completed by ID Planning, the Bett Associates Flood Risk Assessment, the Ecological Assessment completed by RSK Environmental Ltd and the Transport Assessment, stamped as received by the Local Planning Authority on the 20th November 2013, the application form, the Design and Access Statement - Addendum, the accommodation schedules for Buildings A and B, the Cleaning and Maintenance Strategy Report, the Code for Sustainable Homes Pre-Assessment, the Pre-Assessment Part L1A (2010) Compliance Report, the drawings numbered (20)400RevC (site edge red only), (20)402RevE, (20)410RevA, (20)100RevE, (20)101RevE, (20)102RevC, (20)103RevC, (20)104RevC, (20)105RevG, (20)106RevG, (20)108RevB, (20)200RevE, (20)201RevF, (20)202RevC, (20)203RevC, (20)204RevC, (20)205RevG, (20)206RevG, (20)207RevD, (20)209, stamped as received by the Local Planning Authority on the 10th May 2013, the amended plan numbered (20)401RevI, the massing views document and the Sun Path Study, received by the Local Planning Authority by email on the 23rd May 2013.

Drawings numbered (40)300 and (40)301, stamped as received by the Local Planning Authority on the 7 November 2014.

Drawings numbered (20)400RevA, (20)401RevA, (20)402RevA, (20)403RevA, (20)404RevA, (20)405RevA, (20)406RevA and (20)407RevA, stamped as received by the Local Planning Authority on the 21 November 2014.

Drawings numbered (22)401, (22)402, (22)403, (22)404, (22)405, (22)406, (22)407 (22)408, (22)409 and (22)410, stamped as received by the Local Planning Authority on 7 January 2015.

Drawings numbered (20)400 rev C and (90)002 rev I, stamped as received by the Local Planning Authority on 26 August 2015.

5. Notwithstanding the details shown on the following drawings, within one month of the date of this planning permission, detailed landscaping specifications, for the sky deck, shall be submitted to and approved in writing by the City Council, as Local Planning Authority. The development shall incorporate the hard and soft landscaping works shown on that drawing, to be approved, and all other landscaping aspects of the development as indicated on the following drawings:

LS1406 D04 P1 Proposed External Finishes (AO),
12035N(90) 100, 12035N(90) 102, 12035N(90) 104
RF14-152L02 - Ground Floor Planting Plan

All stamped as received by the City Council, as Local Planning Authority on 4 April 2014

The approved scheme being 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.

8. Prior to the first occupation of the development hereby approved, the provision of space and facilities for bicycle parking at the development shall be completed and made available in accordance with the details within the Design and Access Statement and as shown on the Ground Floor Plan numbered (20)401Rev1, stamped as received by the Local Planning Authority on the 10th May 2013. Prior to the installation of the facilities outlined within this strategy within each phase on site, elevations/specification details of the cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

22. Notwithstanding the details shown on the following drawings, within one month of the date of this planning permission, ecological enhancement measures, for the sky deck, shall be submitted to and approved in writing by the City Council, as Local Planning Authority. The development of the site shall incorporate the ecological enhancement measures shown on that drawing, to be approved, and all other ecology aspects of the development as contained in the letter, from Envirotech, dated 13 February 2014 and indicated on the following drawings:

LS1406 D04 P1 Proposed External Finishes (AO),
12035N(90) 100, 12035N(90) 102, 12035N(90) 104
RF14-152L02 - Ground Floor Planting Plan

All stamped as received by the City Council, as Local Planning Authority on 4 April 2014

The development shall then be completed in accordance with these approved details and retained as such while the development is occupied.

31. The protected pedestrian route indicated on drawing number 12035N (90) 300 stamped as received by the City Council, as Local Planning Authority on 25 April 2014, shall be constructed as part of the development and retained as such as long as the development is occupied.

The development is now completed although some discrepancies have been identified in relation to the works implemented on site, compared to what was approved. Planning permission is therefore now sought to vary the above conditions, to allow retrospective approval of the changes that have been carried out, and thereby retain the development as now constructed.

The changes that have been carried out comprise:

Previously the approved plans included cycle parking provision for 34 cycles in the external cycle enclosure. Due to the space requirements, relating to the proposed cycle stands, and the need to create a safe buffer zone, between the car parking spaces and the cycle enclosure fence, the size and position of the enclosure had to be amended slightly. Consequently only 30 stands were able to be provided in the enclosure. To compensate the applicant has provided 4 additional stands, which are located externally, in close proximity to the cycle enclosure.

Condition 31 required a protected pedestrian route to be constructed, as part of the development, and a plan was submitted showing the location of this route adjacent to the concierge building. In actuality the route has been provided to the south of the concierge building and therefore closer to the car parking opposite.

Alterations to the soft landscaping to the sky deck including alteration and removal of areas of shrubs and trees to amenity mounds. In mitigation of this, the application has proposed four additional planters on the sky deck.

The lighting columns, adjacent to the car parking area, have been moved away from the edge of pavement and are now more centrally positioned on the paved area. The applicant has indicated that this is to prevent cars from hitting the columns whilst parking.

The width of the vehicular access point, which provides access to parking facilities in the undercroft of one of the buildings, has been reduced from 5.4 metres to 5.139 metres, due to an inaccuracy in survey information.

- The position of the external escape stairway, from the sky garden has been amended and the width of the stairway has been altered.

The proposal has been advertised on site as a major development.

After discussion the Committee determined that the modified conditions were appropriate and proportionate.

Decision

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

PH/16/162 All Souls Rectory, Every Street, Manchester, M4 7DQ.

A planning application 113955/FO/2016 for the erection of 4 storey building to form 10 apartments (Class C3) together with associated landscaping, parking and boundary treatment following the demolition of the former All Souls Rectory was received.

The application site relates to a two-storey building with attached single storey garage and associated front, side and rear garden areas.

The building which is now temporarily let and occupied as a 4 bedroom house is a former rectory (All Souls Rectory) previously, but no longer, associated with the neighbouring former church.

The site is bounded by roads on all 4 sides, with the building's primary face fronting Every Street, Ancoats.

In terms of its immediate surroundings, the site is neighboured by two-storey, terraced dwellinghouses to the east (rear) along Caterham Street and Tutbury Street, a detached part single, part two storey residential property to the west fronting Every Street and to the north by the former All Souls Church which is Grade II listed. Opposite the site on the other side of Every Street is a grass embankment which is heavily treed, beyond which is a row of single and two storey dwellinghouses.

The wider area is predominantly residential in character, including the southern end of Every Street which has become developed with recent 3 and 4 storey apartment blocks.

The site is also situated within the East Manchester Regeneration Area and is within a reasonable walking distance of the city centre, situated a short distance to the south.

In this case, planning permission is sought for the erection of 4 storey apartment block with associated car parking and landscaping following demolition of the existing building.

The proposed development comprises of 8 x 2 bedroom apartments and 2 x 3 bedroom apartments together with 6 surface level, off-road car parking spaces, cycle storage, landscaping and boundary treatment.

After discussion, the Committee determined that on balance, it is considered that the proposal represents an appropriate and satisfactory form of development that fulfils the criteria laid down in policy which seeks to provide high quality, high density, residential accommodation which will contribute to a vibrant and sustainable neighbourhood with a high level of connectivity to adjoining neighbourhoods and nearby public transport whilst allowing for shared infrastructure.

Decision

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

PH/16/163 Malcolm House, Fernside House And Fernside Stables , 27 Windsor Road, Newton Heath, Manchester, M40 1QQ.

A planning application 114133/FO/2016 for the change of use of Malcolm House, Fernside House and Fernside Stables to supported living accommodation (Use Class C2) was received.

The application site is comprised of 3 buildings within a secure boundary including Malcolm House, Fernside House and Fernside Stables. The application site measures 0.43 hectares in area with the existing building occupying the front area of the site onto Windsor Road.

Malcolm House and Fernside House are large Victorian Villa properties that are now linked via a glazed walkway, which was added following planning permission in 2004. Malcolm House is a two storey building with additional accommodation in the basement and the original house has been extended towards the road to create additional accommodation. Fernside House is a three storey building again with further accommodation in the basement. Fernside Stables is a two storey building to the front of the site that was extended and converted into residential accommodation following planning permission in 2005.

The buildings are situated to the front of the site onto Windsor Road with expansive landscaped grounds to the rear, with mature gardens and car parking. This includes a car park for 16 cars at the bottom of the rear garden, 6 parking spaces within the courtyard area to the front of Fernside House and further additional parking adjacent to the main entrance into Malcolm House. All parking can be accessed directly from Windsor Road. The buildings at the application site were previously used by Manchester College as a guest house with temporary accommodation for overseas students, however this use has now ceased.

The application site is located within the Graver Lane Conservation area, which was designated in 2005. None of the buildings within the designated area are listed, however whilst the architectural qualities of the individual buildings and the terraced properties vary, the historic architectural characteristics of red brick, vertically proportioned window openings with sliding sash windows well set back from the exterior brick surface and with slate covered pitched roofs remain consistent features. The eight large houses accessed from Windsor Road and facing the open space of Lords Brook are important because of their contrasting sites (gardens), their orientation and their relationship with the much larger natural landscape of the valley in which the brook flows.

Planning permission was granted in May 2005 for the conversion of a two storey stable building into residential accommodation with five bedrooms, to be used in association with the existing educational use of Fernside House and Malcolm House (072766).

A Planning Application for the erection of a two-storey building, with six bedrooms, to be used in conjunction with Fernside House, following the demolition of the stable building, was withdrawn in January 2005 (074446).

Planning permission was granted in June 2004 for the erection of a single storey glazed link building between Malcolm House and Fernside House to allow disabled access, along with the creation of seating at rear of properties (070729).

Planning permission was granted in 2003 for the change of use of dwellinghouse (Class C3), to conference centre with overnight staying facilities (sui generis) (066943).

Planning permission was granted in 2000 for provision of additional car parking spaces (058068).

Planning permission was granted in 1995 for the conversion of Home for the Aged to a College Guest House for the Manchester College of Arts and Technology (047682).

As outlined above, the last permitted use of the site was a personal permission for Manchester College to use the accommodation as a guest house with rooms for overseas students. Permission is now sought to change the use of the application site to a C2 supported housing use with associated internal changes. There are no external elevational alterations proposed to the buildings or external changes proposed within the grounds of the site.

The application states that the supported living accommodation would be for adults (male and female) with a Learning disability (18 years and above) with complex care needs and behaviours that challenge.

The accommodation across the 3 buildings would include the provision of 7 self-contained apartments, 6 ensuite bedrooms, 2 staff bedrooms and communal lounges, assisted bathrooms, staff offices, a games room, a laundry room, and communal kitchens. The building requires 24/7 operation, and is expected to require 12 member of staff continuously. There are a number of staff bedrooms, offices and other facilities proposed within the 3 buildings.

The applicant has submitted some additional information in relation to a justification for the proposals on the basis of unmet need criteria currently in the area. The following points have been raised:

- This is a joint venture between a Housing provider and a care provider, with clearly defined roles and responsibilities. Select Support Partnerships is a Care and Support provider which operates across the North West of England and Cambridgeshire. Halo Housing is a social landlord which provides bespoke individualised tenancies to vulnerable adults.
- They are passionate about supporting vulnerable people in their care pathway to maximise their independence and acquire new skills to allow them to live as independently as possible. With this in mind, they would like to develop Malcolm House into a Supported Living/Extra Care Housing service for Adults with Learning Disability.
- The applicant is aware that currently this area is over prescribed for C2 accommodation, but this is the same classification as residential services, however, Supported Living/Extra Care Housing Services are very different.

- Half of the population of adults with learning disabilities in England live with their families; most of the remainder (33%) live in residential care. Only 15% of adults with learning disabilities have a secure long-term tenancy or their own home. This is in comparison with 70% of the general adult population who own their own home and nearly 30% who rent. Having a home guarantees a place in the community and is part of how people are accepted as equal citizens. There are many ways that people with learning disabilities can have their own homes, live with people they choose and get the support they need, and this proposal is around supporting this need.
- In Manchester Learning Disabilities services are experiencing increased demand because of increased life expectancy, higher numbers of young people with complex needs transitioning to adult services, and growing numbers of citizens with complex and multiple needs (e.g. learning disability and dementia, learning disability and mental health). It is anticipated that over the next three years, around 200 young people with a learning disability will be transitioned into adults' services. In 2014, there were around 8,843 adults aged 18-64 with a learning disability and around 3,641 adults aged 18-64 with autistic spectrum disorders (ASD) in Manchester. The number of adults in Manchester with a learning disability is projected to increase by 7.7% between 2014 and 2030 while the number of adults with ASD is projected to increase by 9.9% over the same period. From the research completed, the applicant has found that there is a shortage of Supported Living/Extra Care Services within this area.

Residents and local elected member spoke in objection to the application, and said that

- Significant objections to the provision of a C2a use in this residential location. It is not acceptable for a prison, young offenders institute or secure detention centre opening up on Windsor Road. This is a peaceful, crime free place to live that is safe for families. You will be putting the residents in danger.
- Within half a mile of this site, there are 4 primary schools, 2 local parks, 2 nursing homes and a day nursery. These contain vulnerable people that would be at risk from a facility of this type.
- The proposed use would result in the proliferation and overconcentration of C2 uses in the local area. If the application was to be approved this would result in an unbroken stretch of four C2 uses in a row along Windsor Road which would jeopardise the established residential character of the area and conflict with Saved UDP Policy DC2.1 (f). This overconcentration is considered to be undesirable and does not assist with the creation of a mixed and sustainable 'neighbourhood of choice', a key priority of Manchester City Council. The provision of any further C2 uses along Windsor Road should be resisted in principle.
- The application has been amended since the start of the application which itself raises questions to the intentions of the purchaser. Can we be certain that this won't change again to be amended to suit? The underhanded way this application has come about is a significant concern.

- Changing the use of the building will have a detrimental impact on this area especially from the increased traffic. This is a quiet residential area that will suffer from traffic pollution and pedestrian pollution.
- This areas roads are already far too busy. This would create chaos in the area making the roads even more unsafe than they already are.
- This use is not in keeping with a Conservation Area. This part of Newton Heath has been acknowledged as having architectural character and in 1995 was given the status of an area possessing recognisable townscape value.
- This will bring down the value of properties in the area.
- Lack of consultation with the local community. No consultation or feedback from the Local Councillors.
- The company SSP are listed on the NHS website as providing care for people 'detained under the mental health act' that have 'struggled to cope with environments' and for 'substance abuse' problems. The poor record in this field of the company making the application should be considered. The applicant's previous business and directorships are on the internet for anyone to search and its disturbing reading. The report findings by the care quality commission for the applicants current centre did not meet the standards on any of the criteria on which they were assessed, so it is felt that myself and the other residents would be at risk due to the poor management. The sheer fact alone that he has held 30 Directorships of LTD Companies (24 of which are now dissolved) should raise serious concerns as to whether this person is fit and able to run this type of establishment. This fact may be outside Planning jurisdiction, but the inability to run such a facility in a correct and proper manner could have a profound effect on the neighbourhood. After some research, it has been found that the applicants business cares for, amongst others, people detained under the Mental Health Act. It would not feel safe for me and my family if I knew there was such a facility on my doorstep.
- The noise and disturbance to existing residents caused by the comings and goings of the 24/7 staff facility is another factor in a small suburban environment.
- There is an absence of improved security around the site.
- The Design and Access Statement advises that existing planting hedges and mature trees will be retained. Contrary to this, we understand that unauthorised works have recently been carried out to prune/fell trees on the site. These trees are protected by virtue of their conservation area status and it is understood that no prior notice was given before these works were undertaken. Our client was also informed by the tree contractors on site that the applicant's intention is to be operational within 2 weeks. This would clearly be in breach of planning.

- The submitted application lacks detail on key aspects of the proposed operation and will have a significant detrimental impact on the amenity of existing residents living adjacent to the site. Allowing the conversion of another building on Windsor Road to C2 use would also represent an overconcentration which should be resisted in principle. On this basis, the application conflicts with relevant provisions of the NPPF, Core Strategy Policy DM1, and Saved UDP Policies DC2.1, DC2.1a, DC26.1 and DC26.3. For these reasons, it is respectfully requested that planning permission should be refused accordingly.

After discussion, the Committee determined that the purpose of the Council's policies in respect of Special Needs and Supported Housing is to ensure that such uses are distributed evenly across the City in a manner that ensures that over concentrations do not occur and put unacceptable pressure on local resources and to ensure that the communities within the City are sustainable. Due to the application site being located in a wider neighbourhood area that is categorised as unsustainable and a high concentration of supported living accommodation already existing on Windsor Road, it is considered that the proposed development would place an additional burden on local facilities including health care and would create an unacceptable balance of uses on this road contrary to creating and fostering sustainable neighbourhoods. As such, the proposed development is contrary to the provisions of Core Strategy policy H10, saved Unitary Development Plan policy DC2.1 and the Supplementary Planning guidance in respect of Special Needs and Supported Housing.

Decision

To **refuse** to grant the application for the reasons contained in the report.