

Planning and Highways Committee

Minutes of the meeting held on 21 August 2017

Present: Councillor Ellison (Chair).

Councillors: Nasrin Ali, Shaukat Ali, Curley, Fender, Lovecy, Paul and Watson.

Apologies: Councillor Barrett, Chohan, Kamal and Madeleine Monaghan.

Also present: Councillors: Davies and Leech.

PH/17/73 Minutes

To approve the minutes of the meeting held on 27 July 2017 as a correct record.

PH/17/74 Land to the North of Marie Louise Gardens Lodge (24 Holme Road) Manchester M20 2UP - 116332/FO/2017.

A planning application 116332/FO/2017 for the erection of detached dwellinghouse and detached garage with associated landscaping, boundary treatment and car parking was received. This application relates to a plot of land currently within the curtilage of the former park keepers cottage in Marie Louise Gardens, known as The Lodge. To the south and west of the site lies Marie Louise Gardens, while to the north stands a modern residential development, namely Dundreggan Gardens. To the east of the site is The Lodge itself and beyond that a detached garage and then Holme Road.

Planning permission to erect a part 2, part 3 storey six bedrooomed detached dwellinghouse with basement parking was approved in April 2007, under reference 081612/FO/2006/S2, but never implemented. Planning permission to erect a 3 storey detached dwellinghouse and detached garage on the site was approved in March 2009 (ref. 088667/FO/2008/S2) and then subsequently renewed in February 2012 under reference 097786/REP/2011/S2. It is acknowledged that this planning permission has commenced through the excavation of an element of the foundations. Therefore, this approval can now be fully implemented.

The Committee received a request for a site visit, but after consideration decided that there was enough information within the report and the late representation to determine the matter without the need for a site visit.

A local resident spoke in objection to the proposals, and said that the development would result in significant overbearing of the nearby lodge, with associated problems of loss of light and loss of visual amenity over Marie Louise Gardens. Local residents of Dundreggan Gardens were in properties that had not been built when the original permission had been granted and while they appreciated that there was a permission in place when the houses were built, said that they were very unhappy that the proposals did not take proper account of the impact on them.

A local elected member spoke to the Committee and said that he noted the comments made by the Friends of Marie Louise Gardens, who were not objecting to the proposed development and the fact that they had submitted that the proposals were better than the last plans, but said that he regretted that permission had been given in the first place bearing in mind the nature of Marie Louise Gardens and the surrounding area.

The applicant's agent spoke to the Committee and explained that this is a high quality development which is much more suitable for the site than the previous proposals, given both the proximity to the Lodge and to Marie Louise Gardens. The size and massing of this proposal has been reduced in comparison with the previously approved and part implemented scheme and the number of windows overlooking the Gardens has been minimised. Given this, and the contemporary design approach, it is considered that this scheme is more appropriate for this sensitive location.

The Committee carefully considered all of the representations both in support and objection to the proposals. The Committee noted that the Dundreggan Gardens development was approved in August 2007 (ref. 082214/FO/2007/S2) and this pre-dates the previously approved scheme which was approved in March 2009. Consideration was given to the presence of the Dundreggan Gardens development when the application for the previously approved scheme was determined by the Planning and Highways Committee in March 2009. In addition the Committee noted that these proposals are considered more suitable to the location.

Decision

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

PH/17/75 Minshull House and Minto & Turner Building Former Manchester Metropolitan University Aytoun Street Campus Chorlton Street Manchester M1 3DT - 115570/FO/2017 & 15571/LO/2017

A planning application 115570/FO/2017 for the conversion of buildings to provided 58 residential apartments (Class C3) (26 x 1 bed and 32 x 2 bed) (41 units in Minshull House and 18 units in Minto Turner Building) above lower ground and ground floor Class A1 (shop), A2 (Financial and Professional Services), A3 (Restaurant and Cafe), A4 (Drinking Establishment), B1 (Offices), D1(Non-residential Institutions creche, nursery, clinic and health centre, art gallery only) and D2 (Assembly and Leisure - Gymnasium, indoor sport and recreation only), ground floor extension to Minshull House to provide additional commercial space (uses as specified above), creation of 59 secure cycle parking spaces and works to provide hard and soft landscaping including new public square in front of Minshull House and pedestrian route along Little David Street to the Kampus Courtyard, servicing and access was received.

In addition, a listed building consent 115571/LO/2017 for the conversion of buildings to provided 58 residential apartments (Class C3) (26 x 1 bed and 32 x 2 bed) (41 units in Minshull House and 18 units in Minto Turner Building) above lower ground

and ground floor Class A1 (shop), A2 (Financial and Professional Services), A3 (Restaurant and Cafe), A4 (Drinking Establishment), B1 (Offices), D1 (Non-residential Institutions creche, nursery, clinic and health centre, art gallery only) and D2 (Assembly and Leisure - Gymnasium, indoor sport and recreation only), ground floor extension to Minshull House to provide additional commercial space (uses as specified above), creation of 59 secure cycle parking spaces and works to provide hard and soft landscaping including new public square in front of Minshull House and pedestrian route along Little David Street to the Kampus Courtyard, servicing and access was received.

A Strategic Regeneration Framework (SRF) for the former MMU campus at Aytoun Street was endorsed by the Executive in June 2015 to ensure that the redevelopment of the site comes forward in a form which: delivers a high quality development; creates a new sustainable neighbourhood with a distinctive sense of place; and, is functionally and physically connected to the wider area. The SRF is a material consideration in the determination of this planning application.

The development is known as Kampus and delivery of the first phase, comprising the 478 apartments in 3 buildings, is underway following the grant of planning permission in September 2016 (112034/FO/2016/C2). This proposal would represent the next phase and relates to the reuse and refurbishment of two buildings.

The applicant spoke to the Committee and said that this was a sympathetic, high quality development that would be important for the overall focus and vision for Kampus, and would bring back into use buildings that are important historical assets for Manchester.

The Committee welcomed the provision of over 100% cycle parking provision, and officers confirmed that the conditions, particularly those about the condition survey of the windows would address any concerns about non-retention of viable existing windows that could be reused in a manner consistent with the development of the building. The objective is to retain as much of the listed fabric as possible.

Decision

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

PH/17/76 Land at Richmond Street Manchester M1 3WB - 115894/FO/2017

A planning application 115894/FO/2017 was received. The Committee received a request for a site visit, and after deliberation decided that a site visit would be appropriate in this instance.

Decision

To defer the matter to the next meeting of the Planning and Highways Committee to allow a site visit to take place.

**PH/17/77 Undercroft Car Park Store Street Manchester M1 2WA -
116799/FO/2017**

A planning application 116799/FO/2017 for the temporary change of use from (September 2017 to January 2018) from a car park to a car park and entertainment venue (dual use) for dance events, live music acts and DJ performances (Sui Generis). Fridays and Saturdays from 19.00 to 05.30 between 16 September 2017 and 01 January 2018, 26 December 2017 upto and including New Year's Day from 19.00 to 05.30, 31 December 2017 from 19.00 to 06.30 and Sunday 17 September 2017 from 19.00 to 23.30 was received.

A number of temporary planning applications have been granted at this site since 2010 which have allowed the premises to be used as a car park and entertainment venue for dance events, live music acts and DJ performances (Sui Generis) for specific time periods. Since the original permission was granted in 2010, some of the arches to the rear of the car park have been removed and the impact of this on the acoustic performance of the structure within which the uses operate were fully addressed under subsequent applications.

Officers confirmed that Condition 4 had been modified to strengthen the mitigation provided in relation to potential noise nuisance.

Decision

To approve the application subject to the conditions and reasons in the report and late representation, including the modification to condition 4.

**PH/17/78 Invicta House 2-4 Atkinson Street Manchester M3 3HH -
116164/FO/2017**

A planning application 116164/FO/2017 for the redevelopment of Invicta House for Use Class C1 hotel development comprising 145 no. guestrooms, with ground floor ancillary facilities. Partial demolition of existing building with retention and refurbishment of main facade and erection of a nine storey building to the rear was received.

The current proposal is to redevelop Invicta House for a 145 bed hotel (Use Class C1) with ground floor ancillary facilities. The main facade on Atkinson Street and the secondary return to Scott Place would be retained with the erection of a nine storey building behind. The internal net area would be 5,462 sq.m.

Officers notified the Committee that they had received a representation objecting to the development that morning from an adjacent local business. Officers confirmed that the business in question had been notified about the application on 6 June 2017 and 30 June 2017. The development was advertised in the Manchester Evening News as a major development and as affecting the setting of a listed building. Site notices were placed next to the site boundary. No comments were received.

Officers also confirmed that when information about the proposals had been requested on Tuesday 22 August 2017, the information was provided in full within 90

minutes of the request. Officers also told the Committee that the current proposals are almost identical to the proposals in the previous permission granted, save that the use is as a hotel rather than an office.

The Committee were told that there is no legal requirement to undertake the type of pre-application consultation that has been suggested in the representation, and while officers expressed regret that some of the detailed technical documents had not been published on the website, this had been mitigated by the speed at which they were provided when they were requested. The documents were available and could have been requested at any time within the previous 3 months.

Officers also said that the conditions contained in the report were considered more than satisfactory to mitigate against any concerns that had been raised by neighbouring businesses.

A representative of a local business spoke in objection to the proposals, and said that the pre-application, notification and consultation process had been significantly flawed, to the extent that as the most closely affected business they had not been involved in the process at all. They also said that not all of the information to support the application had been published on the website. They believe that due process has not been followed as they do not believe that the light issue has been dealt with correctly, and that they have not been identified as sensitive receptors which is an error. They also said that as they did not receive all of the required information until very close to the day of the Committee, they have not had the opportunity to appoint a specialist surveyor to look into these issues. They also raised concerns about the plant that will be used on Tivoli Street, that they think will have negative impact on businesses in the building with regard to noise amenity.

The applicant's agent spoke to the Committee and said that he did not wish to add anything to the report or the officer's remarks.

The committee requested further information about the wind microclimate assessment, and asked if more trees could be planted in Scott Place in mitigation. Officers confirmed that overall, the wind microclimate in and around the proposed scheme would be acceptable for its intended use. Wind speeds in Scott Place could readily be reduced with the incorporation or localised landscaping around seating areas and retention of the existing trees. A condition is proposed requiring details of landscaping, paving and public realm works will be reviewed to establish whether the possibility of planting more trees than the current proposals provide for would be feasible.

Decision

To approve the application subject to the conditions and reasons in the report, and to review the condition 23.

PH/17/79 Land bounded by Dantzic Street & Aspin Lane, land bounded by Gould Street & Angel Meadows and land bounded by Old Mount Street, School Street, Naples Street & Ludgate Street Manchester - 116366/FO/2017

A planning application 116366/FO/2017 for the erection of four residential buildings (22 storey building, 17 storey building, 40 storey building and part 12, part 9 storey building) to form 756 residential apartments (Use Class C3a) together with ground floor commercial uses (616 sqm) (Use Classes A1, A2, A3, A4, A5, D1 and B1) with associated car parking, landscaping, amenity areas, creation of new public realm following the closure of Aspin Lane, Mincing Street and Irk Street and other associated works following demolition of existing structures

The development proposes the construction of four residential blocks across the four sites comprising 756 residential units and 616 sq m of commercial floor space. There would be a variety of residential accommodation with over 71% being two or more bedrooms which would ensure that the accommodation is available to families and young professionals wishing to share. The remaining 29% would be one bedroom and would be large enough for 2 people.

- **Plots 2 and 3** – are rectangular in shape and are currently surface level car parks. They are situated adjacent to each other and are bounded by Little Nelson Street to the north, Aspin Lane to the east and south and Dantzic Street to the west. They are separated by Mincing Street.
- **Plot 4** – is irregular in its shape and comprises a motor mechanics work shop with its associated buildings and hardstanding. It also consists of trees and vegetation and is bounded by Gould Street to the north, Angel Meadow Park to the south and east and railway viaduct to the north west.
- **Plot 5** – is rectangular in shape and is used as a surface level of car park. It is bounded by Ludgate Hill to the north east, Naples Street to the south east, Angel Meadow residential apartments to the south west and Old Mount Street to the north west. This plot is located in a more elevated position than the other plots.

A local resident raised a technical issue that the building at 142 Dantzic Street was stated in the report as the location of King Of Kings School, but was in fact the premises of the Charter Street Mission (formerly Charter Street Ragged School), who wished to thank the developers as they have also agreed to make a financial contribution towards the refurbishment of the Charter Ragged School to ensure that they can continue to provide a place of worship and an organisation of support to the poor and needy in the area. The Charter Street Mission were keen to ensure that the official records correctly reflected the organisation that operated from 142 Dantzic Street.

The Applicant's agent spoke to the Committee and said that the proposal would have a positive impact on the regeneration of this part of the City Centre including contributing to the supply of high quality housing. Active frontages and significant improvements to the public realm would help connect this development to the wider city centre as well as Angel Meadow.

There would be cycle parking provision and well considered servicing improvements. The buildings would be of a high level of sustainability and the high quality materials on the exterior of the building are worthy of a building of landmark status.

The current condition of the development plots has a negative impact on the area in terms of wider townscape quality. There is the clearly capacity for change which could enhance the setting of adjacent heritage assets and wider townscape.

The report has outlined that the proposal would not have any unduly harmful impacts on the setting of any heritage assets and in most instances will have a positive impact on the Manchester skyline.

The Committee commented that the cycle parking provision that was proposed was only 54%, which they considered to be low given the scale of the proposed development. Officers confirmed that they would investigate the possibility of increasing the number of cycle parking spaces available as part of the ongoing discussions with the applicant.

The Committee queried why there was no provision for affordable housing given the scale of the proposed development. Officers confirmed that the proposal would consist of properties that would be available on a for sale basis. There is no provision within the development for affordable housing. The proposal is a complex scheme there requires significant financial investment in order to construct buildings of this scale. In addition, the high quality façade of the building together with the significant improvements to the public realm and compliance with the City Council space standards raises issues of viability of the overall scheme.

The development agreement with the City Council includes a financial contribution to future management and improvement of Angel Meadow Park and the Ragged School.

Scheme viability is a key strand to the consideration. A Viability assessment has been submitted, which demonstrates that in its current form the development is viable with costs associated with design/high quality materials, highway mitigation measures, space standards etc together with the development being capable of being delivered. As such, providing affordable housing in this scheme would make the scheme unviable.

Decision

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

PH/17/80 Wellington House 1 Pollard Street East Manchester M40 7FS - 116526/FO/2017

A planning application 116526/FO/2017 for the change of use of part of Wellington House from a mixed light industrial usage and storage and distribution warehouse (Class B1c/B8) to a multi-purpose use comprising creative arts and performance

space (Class D1 and D2) and night club (sui generis) with associated car parking was received.

The Committee expressed concern that the recommendation to refuse the application was at odds with the strong support expressed by local residents and local elected members. As a result they decided to defer the matter for a more detailed report into the proposals.

Decision

To defer the matter to the next meeting of the Planning and Highways Committee to allow for more detailed information to be presented to the Committee.

PH/17/81 Land off Cringle Road Manchester - 116474/OO/2017

A planning application 116474/OO/2017 for the outline planning application for the erection 57 dwellings, with all matters reserved except for access, with associated access off Cringle Road, car parking, landscaping and other associated works was received.

The applicant is seeking outline planning permission for the erection of 57 residential dwellings, with all matters reserved except for access, with that access being off Cringle Road with associated car parking, landscaping and other associated works.

The application site is allocated in the Development Plan, to which saved policy LL3 within the Unitary Development Plan for the City Manchester (1995) is applicable, which protects the site from development.

Residential development at the application site is therefore considered to be contrary to this saved policy.

The applicants agent spoke to the Committee and said that the site was not identified as open space or as recreational land. Much of the site is not open to the general public, and is of poor quality as compared to the adjacent Highfield Park, so he contended that recreational use was limited at best.

The Committee noted that while the application site was not captured by the Open Space Study, it does not follow that the site automatically becomes a development site. Indeed, in this instance the saved policy remains applicable as does policy EN10 of the Core Strategy. The conclusions indicate that the test of these policies have not been met.

Decision

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