

Planning and Highways Committee

Minutes of the meeting held on 26 July 2018

Present: Councillor Ellison (Chair).

Councillors: Shaukat Ali, Clay, Curley, Y. Dar (who left the meeting at the end of item 7), Kamal, Lovecy, Watson, White and Wilson.

Apologies: Councillors Nasrin Ali, Kirkpatrick, Lyons, Madeleine Monaghan and Strong.

Also present: Councillor Wheeler

PH/18/63 Minutes

Decision

To approve the minutes of the meeting held on 28 June 2018 as a correct record.

PH/18/64 115387/JO/2017 - Lidl 2 Stanley Grove Longsight Manchester M12 4AA

The planning application site is located in Longsight District Centre and at the south-east junction of Stockport Road and Stanley Grove, which forms a traffic light controlled junction. The application relates to an established retail food store with frontages to both sections of highway. Longsight District Centre car park is situated to the east of the application building and is accessed from Stanley Grove. A main railway line with an elevated embankment runs to the east of the site leading to a railway bridge that crosses Stanley Grove and restricts access to high sided vehicles approaching it in both directions. There is no immediately adjacent housing with the surrounding area, which comprises of retail and commercial uses with incidences of upper floor residential accommodation.

The existing retail food store was authorised through planning permission 066114/FO/NORTH2/02 granted on 17 April 2003. The current opening and servicing hours relating to the existing retail use are controlled through the following conditions of planning permission 109890/JO/2015/N2:

- i. Condition 3 (opening hours) - The premises shall not trade or otherwise be open to the public outside the following hours:
 - a. Mondays to Saturdays 08:00 to 22:00
 - b. Sundays (including Bank Holidays) 10:00 to 17:00
- ii. Condition 4 (servicing and deliveries) - No loading or unloading including deliveries and waste collection to the unit shall be carried out between the hours of 20:00 to 06.30. On Sundays loading and unloading shall be restricted to the period between 08:00 and 16:00.

This application seeks to remove condition 4 allowing unrestricted servicing to be undertaken at the store. However, the existing opening times would be retained.

The Committee carefully considered all of the representations that were summarised in the report, and concluded that unrestricted servicing hours would pose a real risk of impacting the amenity of local residents. The Committee also concluded that further negotiation should take place with a view to aligning the servicing hours more closely with the opening hours of the store. Officers confirmed that such a material change to the application would need to be determined again by the Committee, after discussions with the applicant, and the Committee agreed to defer the matter to allow this process to take place.

Decision

To defer the matter for further negotiation with a view to aligning the servicing hours more closely with the opening hours.

PH/18/65 119986/FO/2018 - 22 Honor Street Manchester M13 0WY

The application site is located at the corner of Honor Street and Whiley Street.

The site relates to a roughly rectangular shaped, vacant corner plot, following the recent demolition of a terraced house due to health and safety issues arising from works undertaken to the dwelling house (demolition undertaken 28th November 2017). The three boundaries of the site currently comprise temporary herras fencing to prevent unauthorised access to the plot.

The application site is situated within a predominantly residential area largely comprising two storey, terraced dwelling houses. A short distance to the south is a terrace of three storey properties on Dickenson Road, a number of which are in commercial use at ground floor level.

Planning permission is sought for the erection of a two storey dwelling house with accommodation in the basement and loft space.

The Committee were satisfied that the proposals would renovate a currently derelict site, and noted that there was a strong condition attached to the recommendation to prevent the use of the building as an HMO. The Committee were satisfied that the proposals were proportionate and appropriate for the site.

Decision

To grant the application subject to the conditions and reasons in the report and the late representations, with an additional condition regarding ground conditions at the site.

PH/18/66 119890/VO/2018 & 119892/JO/2018 - Starlight Theatre Water Street & Colonnaded Viaduct Manchester

This is an application to amend Planning Permission and Listed Building Consent (ref no's 114294/VO/2016 and 114370/LO/2016) which were approved in January 2017 for the demolition of the Starlight Theatre, a workshop, other structures and the perimeter wall and the erection of a flexible arts and events space.

Since then the design has been developed in consultation with a specialist consultancy team, contractors and Manchester International Festival (MIF). This has resulted in a number of changes and these applications reflect these amendments. The amendments require a new planning application, but the changes to the Listed Building Consent can be dealt with via a Variation of Conditions under Section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The proposed amendments comprise a reduction in scale and shape of the theatre with its outer skin becoming more faceted and its capacity reduced from 1600 to 1520. The orchestra pit would be redesigned and the ocular window would be removed from the elevations to address operational and acoustic requirements. The truck lifts would become external to the Theatre and the layout of the foyer space would change. The number of penetrations to the arches in Grade II Listed Colonnaded Viaduct would be reduced with columns re-located.

Officers clarified that the wording on page 11 of the report could give the mistaken impression that Councillor Richard Leese had made a representation, but that he had not in fact done so. In addition, officers clarified that the provision of Blue Badge parking would be monitored through the Travel Plan process, and that this process would be comprehensively managed in conjunction with Conditions 8 and 10 as detailed in the report.

An objector stated that the revised plans were a downgrade on what should be a world class venue. He told the Committee that it was too common that developers submitted ambitious designs that they then reduced in scale and quality.

The applicant's agent spoke to the Committee and said that the proposals were as a result of the design developing in consultation with a specialist consultancy team, contractors and Manchester International Festival (MIF). This has resulted in a number of changes and these applications reflect these amendments.

The revised design would also better meet the structural, acoustic, visual and functional requirements of the Factory.

The Committee welcomed the commitment to providing skills, training and better employment for local people, as well as the creation of new public realm that would allow residents and community groups access to spaces for performances and activities. Officers confirmed that the applicant considered community involvement to be a vital part of their proposals. Officers also considered that the events strategy clause contained in Condition 11 could be strengthened as part of the process.

The Committee also asked officers to ensure that the needs of older members of the community were fully considered both with regard to the internal spaces and the public realm. Officers confirmed that they would ensure that the applicant was fully

informed of the importance that the Committee placed on Age-friendly activities and events.

The Committee also welcomed the diverse range of uses and spaces throughout the project as a whole, and commented that the proposed linkage with MOSI would be a key part of the success of the scheme overall.

The Committee asked officers what work had been done with regard to the Transport Strategy, and how this would integrate with the transport hubs at Deansgate/Castlefield and the wider city centre. Officers confirmed that a wide range of measures would seek to reduce travel by car, traffic speeds and enhance road safety. These form part of a Sustainable Travel Plan Strategy, which include City Car Club vehicles, extensive cycle facilities, located within a new walkable district with quality wayfinding and materials. Officers also confirmed that as part of the event strategy, visitors would be provided with information about the best means of travelling to and from the venue.

Decision

To approve both the applications subject to the conditions and reasons in the report and late representation, and an amendment to Condition 4 regarding accessibility for older people in addition to condition 11 to include community use strategy.

PH/18/67 119801/FU/2018 - 40 Laystall Street Manchester M1 2JP

40 Laystall Street is bounded by Laystall Street, Brock Street, Lomax Street and Great Ancoats Street. The site was previously occupied by a Grade II Listed building that was destroyed by fire in 2000. It is not within a Conservation Area, but is within the setting of the Grade II Listed 32-34 Laystall Street. Other uses in the immediate area include industrial uses, shops, residential properties, hotels, bars, car parking, a church a gym and offices.

The building has been operated as an 84 room apart hotel since 1 June 2010 and it is understood was never used as apartments. Planning permission is sought to regularise and retain the existing use as an aparthotel (C1) with the existing six commercial units (A1, A2 or B1). It contains 84 hotel apartment suites and is part 13 storeys high (including ground floor) and has two basement levels.

The applicant's agent spoke to the Committee and said that the building has been operating as an apart-hotel for 8 years with no issues or complaints. The building requires investment as it is in a poor state of repair, and in order to attract operators to the retail units, which are currently vacant, the applicant is prepared to significantly invest in the building. He explained that although the original use was for residential units, the original developer went into receivership, and the subsequent owner decided the only viable option was to use the suites as aparthotel rooms. He pointed out that the building has never been in residential use, so the formalisation of the use of the building would not result in any loss of residential accommodation in the City. The applicant's agent added that it would not be lawful or acceptable for any S106 payment to be made, given that there had already been a significant contribution by the applicant towards improved highway infrastructure.

Councillor Wheeler representing Piccadilly Ward spoke in objection to the proposals and said that it was unacceptable to change the use of the building from residential to commercial use, given the need for affordable homes in the City Centre. He also questioned why the applicant had been allowed to operate as an aparthotel for so long without any enforcement action by officers. Councillor Wheeler requested that the matter be deferred to allow for more information to be provided regarding these issues. He also asked for clarification as to whether an aparthotel could be classified as a “home” or as a “hotel” and whether in either case a S106 contribution should be sought.

Officers explained that there is often a fine line in planning terms between the use of a building as residential (C1) and as an aparthotel (C3) and it is often a matter of fact and degree. Officers explained that they had been advised of the nature of the operation in 2010 and came to the conclusion that an application for a change of use was not required. The very low level of service that was provided at this building, with no facilities for breakfast for example, and just a reception area similar to a concierge service meant the officers were satisfied that this aparthotel fell within parameters for residential use. Officers added that legal advice from leading counsel had informed them at the time that any enforcement action would not be likely to succeed. Officers also said that any future consideration or change of use was not relevant for the purpose of this application.

Officers also confirmed that there is no policy in the Core Strategy that would prevent residential buildings from being used for other purposes. He told the Committee that the use of this building as an aparthotel was consistent with approved planning policy. The use provides accommodation for people with flexible working i.e. that work in Manchester on temporary contracts or in multi-centre jobs, as it has long term options.

The Committee commented that when the building was originally used as an aparthotel, the prevalence of such use within the City Centre was much lower than now, and that there may be a need for the policies surrounding such use to be strengthened. However, the Committee also noted that this building was very close to Piccadilly Station, and that the Piccadilly SRF is a high-level document that demonstrates the potential scale of development that could be achieved. It sets the framework within which redevelopment proposals can come forward.

New development within this area will mainly focus on infilling existing sites and should reinforce the historic grain, acknowledging the scale of neighbouring city blocks and reinvigorating connections that existed in the past. The mix in this area should be governed by demand with suitability accessed on a plot by plot basis.

Decision

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