



Planning and Highways Committee

Date: Thursday, 14 March 2019

Time: 2.00 pm

Venue: Council Chamber - Manchester City Council

Everyone is welcome to attend this committee meeting.

This is a supplementary agenda and contains information that was not available when the agenda was first published.

Access to the Council Chamber

Public access to the Council Chamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk. **There is no public access from the Lloyd Street entrances of the Extension.**

Filming and broadcast of the meeting

Meetings of the Planning and Highways Committee are 'webcast'. These meetings are filmed and broadcast live on the Internet. If you attend this meeting you should be aware that you might be filmed and included in that transmission.

Membership of the Planning and Highways Committee

Councillors

Ellison (Chair), Nasrin Ali, Shaukat Ali, Clay, Curley, Dar, Kamal, Kirkpatrick, J Lovecy, Lyons, Madeleine Monaghan, Watson, White and Wilson.

Agenda

1a. Supplementary Information on Planning Applications on this agenda.

5 - 22

The report of the Head of Planning, Building Control and Licencing is attached.

Meeting Procedure

The meeting (and any site visits arising from the meeting) will be conducted in accordance with the relevant provisions of the Council's Constitution, including Part 6 - Section B "Planning Protocol for Members". A copy of the Constitution is available from the Council's website at https://secure.manchester.gov.uk/downloads/download/4030/the_constitution.

At the beginning of the meeting the Chair will state if there any applications which the Chair is proposing should not be considered. This may be in response to a request by the applicant for the application to be deferred, or from officers wishing to have further discussions, or requests for a site visit. The Committee will decide whether to agree to the deferral. If deferred, an application will not be considered any further.

The Chair will explain to members of the public how the meeting will be conducted, as follows:

1. The Planning Officer will advise the meeting of any late representations that have been received since the report was written.
2. The officer will state at this stage if the recommendation of the Head of Planning in the printed report has changed.
3. ONE objector will be allowed to speak for up to 4 minutes. If a number of objectors wish to make representations on the same item, the Chair will invite them to nominate a spokesperson.
4. The Applicant, Agent or their representative will be allowed to speak for up to 4 minutes.
5. Members of the Council not on the Planning and Highways Committee will be able to speak for up to 4 minutes.
6. Members of the Planning and Highways Committee will be able to question the planning officer and respond to issues that have been raised. The representative of the Highways Services or the City Solicitor as appropriate may also respond to comments made.

Only members of the Planning and Highways Committee may ask questions relevant to the application of the officers. All other interested parties make statements only. The Committee having heard all the contributions will determine the application. The Committee's decision will in most cases be taken under delegated powers and will therefore be a final decision.

If the Committee decides it is minded to refuse an application, they must request the Head of Planning to consider its reasons for refusal and report back to the next meeting as to whether there were relevant planning considerations that could reasonably sustain a decision to be minded to refuse.

Information about the Committee

The Council has delegated to the Planning and Highways Committee authority to determine planning applications, however, in exceptional circumstances the Committee may decide not to exercise its delegation in relation to a specific application but to make recommendations to the full Council.

It is the Council's policy to consult people as fully as possible before making decisions that affect them. Members of the public do not have a right to speak at meetings but the Committee will usually allow applicants and objectors to address them for up to four minutes. If you have a special interest in an item on the agenda and want to speak, tell the Committee Officer, who will pass on your request to the Chair. Groups of people will usually be asked to nominate a spokesperson.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Joanne Roney OBE
Chief Executive
Level 3, Town Hall Extension,
Albert Square,
Manchester, M60 2LA

Further Information

For help, advice and information about this meeting please contact the Committee Officer:

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Email: b.morgan@manchester.gov.uk

This agenda was issued on **Wednesday, 6 March 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA.

MANCHESTER CITY COUNCIL

PLANNING AND HIGHWAYS

**APPENDIX TO AGENDA
(LATE REPRESENTATIONS)**

**on planning applications to be considered by
the Planning and Highways Committee**

at its meeting on 14 March 2019

This document contains a summary of any objections or other relevant representations received by the Department since the preparation of the published agenda. Where possible, it will also contain the Head of Planning, Building Control & Licensing's own brief comment. These summaries are prepared on the day before the Committee. Very late responses therefore have to be given orally.

APPENDIX TO AGENDA (LATE REPRESENTATIONS)

Planning and Highways Committee 14 March 2019

Item No. 5

Application Number 121941/FO/2018

Ward Longsight Ward

Description and Address

Proposed change of use from Class C3 dwellinghouse to C2 residential care home for children

6 Meade Grove, Manchester M13 0SG

1. Applicant/Agent

The applicant has submitted the following comments:

They recognise and acknowledge the concerns arisen by the immediate neighbours to the property. They are more than happy to address these concerns. They are confident that offering neighbours a greater understanding of their plans and future prospects will resolve any worries that neighbours may have and make them secure and safe.

2. Head of Planning

The recommendation remains **APPROVE** subject to the conditions outlined in the printed report.

APPENDIX TO AGENDA (LATE REPRESENTATIONS)

Planning and Highways Committee 14 March 2019

Item No. 7

Application Number 120893/FO/2018

Ward Ancoats & Beswick Ward

Description and Address

Erection of a 9 storey building to form ground, first and second floor office accommodation (Use Class B1) (3124 sqm) together with 75 residential apartments (Use Class C3a) with associated car parking, amenity provision and other associated works following demolition of existing buildings

Land Bounded By Bengal Street, Primrose Street, Radium Street And Silk Street, Manchester M4 6AQ

1. Local Ward Members – Councillor Emma Taylor (Ancoats and Beswick)

Cllr Taylor welcomes the proposal for further commercial space in Ancoats which will add to the diversification of the area. The number of small and medium sized businesses in Manchester is growing at an incredible rate and space like this is in demand and welcomes Ancoats and New Islington becoming a hub for these types of businesses.

The idea of family type accommodation at this proposed development is also welcomed and more families should be encouraged to stay and move into the area of Ancoats and New Islington. The ward has so much to offer to young families – New Islington Free School is part of that offer.

The development would be a good addition to the neighbourhood of Ancoats.

Any consideration of this application should be mindful of the heritage of this particular area and take this into consideration when making this decision.

2. Head of Planning

The recommendation remains Minded to Approve subject to the signing of a section 106 agreement which retains the development as a PRS scheme for a covenant period together with a review mechanism at a future date

APPENDIX TO AGENDA (LATE REPRESENTATIONS)

Planning and Highways Committee 14 March 2019

Item No. 8

Application Number(s) 122183/VO/2018 &
122184/LO/2018

Ward Deansgate Ward

Description and Address

Erection of memorial to commemorate the 200th anniversary of the Peterloo Massacre

Manchester Central Convention Complex, Windmill Street, Manchester, M2 3GX

1. Officers/Outside Bodies

The Peterloo Memorial Campaign – Commented as follows:

- 1) The design fulfils their requirements for a Respectful, Informative and Prominent memorial to a key event in the history of Manchester and of British democracy. Their independent public poll showed the following results-
 - Strongly approve - 33%
 - Approve - 32%
 - (65% combined)
 - Neutral - 8%
 - Against - 10%
 - Strongly against - 17%
 - 89% approve of the location.
- 2) They support location which is a few yards from the original site of St Peter's Fields. Space where the middle of the actual site used to be is mostly built up. The memorial will become the focus of the annual commemoration of Peterloo, an event which has grown to attract hundreds of people, so the space around it is ideal. This location is accurate although some wrongly think that St Peter's Square is the location of St Peter's Field. .
- 3) They have helped Jeremy Deller to compile the most accurate list yet of those killed at Peterloo, as well as a description of the events of 16 August 1819 and their importance, which will be included in the memorial.
- 4) They share the concerns expressed about whether the memorial is fully inclusive of people with mobility problems, and hope that it may be

adapted it to meet those concerns. They understand that this is being taken seriously addressed by all concerned.

TFGM - Would like to see is a plan/strategy agreed with the Metrolink operator that can be followed when special events such as political party conferences or rallies take place. To mitigate against any detrimental effects on Metrolink and to maintain the safety of any gathering, the strategy should be agreed prior to commencement.

2. Publicity

3 letters of support have been received. They believe this is long overdue and would be a well thought out monument to a significant, if tragic, event in British history.

10 objections have been received which support the principle but object on the basis that the monument is inaccessible to wheelchair users. The proposal should truly promote the aspiration for which so many people gave their lives...Equality.

It would become the meeting point for the annual gathering of the Peterloo Memorial Campaign, as well as for other events related to human rights issues around the world. People will stand on it and around it at these events but the design has failed to consider the needs of all users.

The smaller ground level circle is provided because some (disabled) people will not be able to access the monument. This is like saying to disabled people...'Most people go in here...but you can have your own separate access'. This might be acceptable when adapting an existing structure but this would be a completely new structure where access should be equal.

The flat wheelchair accessible version of the memorial feels a little insulting. There are many people who will be unable to walk up the steps and 'stand' on the top of the memorial.

An inclusive environment recognises and accommodates differences in the way people use the built environment. It facilitates dignified, equal and intuitive use by everyone. *It does not physically or socially separate, discriminate or isolate.* It readily accommodates and welcomes diverse user needs.'

By explicitly stating that this artwork will be used as a physical platform, in events related to human rights, but making it inaccessible to wheelchair users and other disabled people is outrageous in a progressive city.

The exclusion and segregation of disabled people is inherent in the submitted design. Many of those injured at Peterloo would in modern day terms have been left disabled, the very people now excluded from using this memorial as a platform.

I love the work of Jeremy Deller and support the plans to build a memorial for the Peterloo Massacre but I feel that this design needs urgently rethinking.

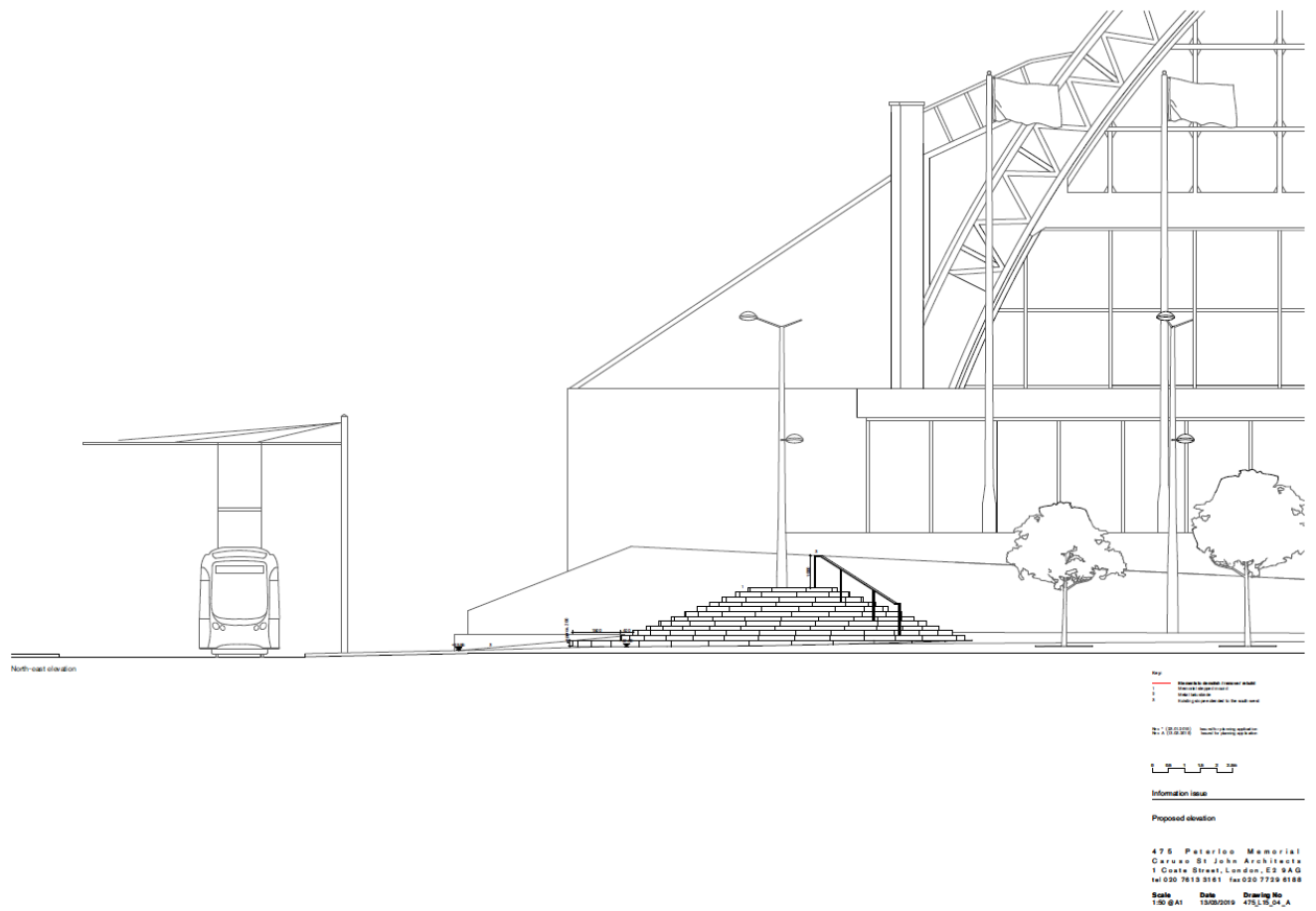
I understand that Jeremy Deller is working to create a more inclusive design and look forward to considering the result of his efforts.

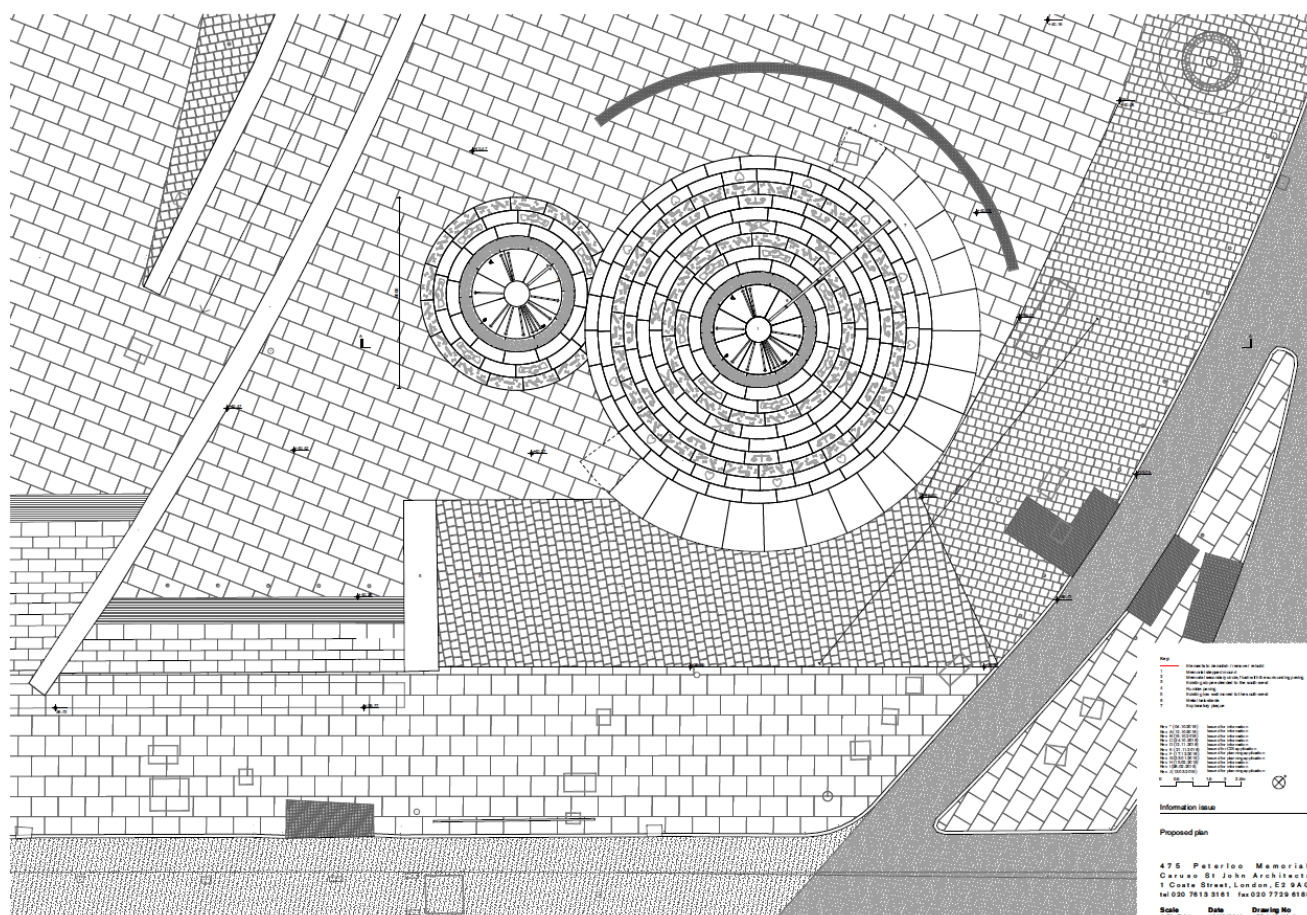
I have been impressed by Jeremy Deller's desire to listen to the voices of disabled people. I believe he is working to ensure changes can be made to ensure a Peterloo memorial that is a symbol not just of past struggles but of a desire to manifest equality, participation and justice. I applaud his openness and urge you to allow changes to be made which mean the memorial can be inclusive, respectful and truly fitting. I would be delighted to support work towards this in any way I can.

A memorial is always a symbol, and a public commemoration which implicitly excludes disabled people becomes a symbol of inequality and spatial segregation. An inaccessible monument dishonours their memory and will likely become a focal point for mockery and protest which detracts from the key messages of Peterloo.

3. The applicant

The applicant has submitted an amendment to the scheme in response to concerns raised about accessibility. This would involve the lowest step being widened to 1.5m which would allow full access to this lower level and allow greater interaction with the monument and events that are held there. The final details of this would have to be agreed through a planning condition.





4. Head of Planning - Further Observations/Modifications to Conditions

The adjustment that is required to improve access to the lower level could require the use of land outside of the site edged red. This would be a strip of no wider than 1100mm around about half of the base of the monument. This is shown on the attached plan. This is a modest amendment that would deliver an important outcome and would not materially alter the proposal as originally submitted.

The following additional condition is recommended:

Before the above ground works hereby permitted commence, full and final details of the materials to be used to widen the first step of the memorial to 1.5m, shall have been submitted to and approved by the City Council as local planning authority. These details shall be implemented before the memorial hereby permitted is brought into use and shall be retained and operational for so long as the memorial is in use.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of the Adopted Core Strategy for the City of Manchester, in particular policies CC10, T2, SP1 and DM1.

APPENDIX TO AGENDA (LATE REPRESENTATIONS)

Planning and Highways Committee 14 March 2019

Item No. 9

Application Number 121857/FO/2018

Ward Hulme Ward

Description and Address

Erection of a twelve-storey purpose built student accommodation building comprising 97 units with roof top terrace and associated landscape and highway works, following demolition of existing structures

84 Cambridge Street, Manchester, M15 6BP

1. Local Members

Councillor Annette Wright has asked that a site visit be undertaken prior to any decision being made by Planning and Highways Committee. She states that there are residential properties immediately behind this site and there are concerns about the impact of the development on the residents on the estate with regards to the effects on light, the fact that there is existing anti-social behaviour in the area and the development would create an enclosed area out of sight of the main road.

2. Objections

Further objections have been received from 36 people since the application was placed on the agenda, predominately relating to:

- Loss of the Church Inn public house which could be used as a social hub and is part of the heritage of the city and seems to have well preserved original features, we should preserve our heritage for future generations. There are very few original Hulme buildings left.
- Influx of profit driven student development into Hulme that imbalances the population mix, in the future students will attend courses online and fewer students will attend in person
- Design of the proposals being generic, the building is too tall and would result in loss of skyline.

One of the further objections was critical of the committee report stating that the Daylight and Sunlight Report submitted by the applicant was not accurately or fairly represented within four paragraphs. The attention of the local planning authority was drawn to a Judicial Review decision of another local authority who were found to mislead a committee with regards to the impacts of a proposed development on daylight. Particular concern was expressed about the impact of this scheme on Vertical Sky Component daylight amenity for occupants of Manchester House.

3. Applicant

The applicant has requested that condition 5 be altered due to enable sufficient time to secure BREEAM certification. They have requested that the condition be amended to require certification to be provided within 6 months of first occupation. This is an accepted approach in relation to delays in the certification that can occur.

4. Head of Planning

With reference to concerns expressed in relation to loss of light and to clarify potential impacts and following on from the information contained within the committee report. It is the case that the daylight / sunlight study submitted predicts impacts of the proposal on individual windows against the standards set out in the BRE Guide to Good Practice – Site layout Planning for Daylight and Sunlight Second Edition BRE Guide 2011.

The submitted daylight / sunlight study had used the following method to assess the impact of daylight on the surrounding properties:

Daylight

Vertical Sky Component (VSC) – Ratio of that part of illuminance, at a point on a given vertical plane, that is received directly from a CIE standard overcast sky, to illuminance on a horizontal plane due to an unobstructed hemisphere of this sky. Usually the 'given vertical plane' is the outside of a window wall. The VSC does not include reflected light, either from the ground or from other buildings, and;

No Sky Line (NSL) – The outline on the working plane of the area from which no sky can be seen. (Working plane – Horizontal, vertical or inclined plane in which a visual task lies. Normally the working plane may be taken to be horizontal, 0.85m above the floor in houses.

In order to achieve the daylight recommendations advised in the BRE guide, a window should retain a vertical sky component (VSC) of at least 27%, or where it is lower, a ratio of after/before of 0.8 or more. If the direct skylight to a room is reduced to less than 0.8 times its former value, this would be noticeable to the occupants.

The BRE Guide recognizes that different targets may be appropriate, depending on factors such as location. The achievement of at least 27% can be wholly unrealistic in the context of high density locations as this measure is based upon a suburban type environment (equivalent to the light available over two storey houses across a suburban street). It should be noted that the VSC level diminishes rapidly as building heights increase relative to the distance of separation. Within high density locations the corresponding ratio for building heights relative to distances of separation is frequently much greater than this.

The assessment in this application has assumed layouts for rooms in surrounding properties where it was not possible to obtain the room layouts.

Sunlight

The BRE guidance sets out that if a habitable room has a main window facing within 90 degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window:

- Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March and;
- Received less than 0.8 times its former sunlight hours during either period and;
- Has a reduction in sunlight over the whole year greater than 4% of annual probable sunlight hours.

Cambridge House

There are 15 windows identified as being affected at student accommodation at Cambridge House (5 bedrooms and 5 living kitchen diners facing Cambridge Street and 5 secondary side windows to the living kitchen diners set on the corner of the building facing towards the development). The development would see a reduction in the VSC of the side facing secondary windows to the living kitchen diners at Cambridge House beyond what it set out at acceptable within BRE guidance (resulting in 0.01/0.02 times its former value), however, these are secondary windows to the kitchen living diners, the windows facing Cambridge Street would still receive an appropriate level of daylight (marginally below the level suggested in some instances at 0.70 times its former value) and sunlight having regards to the BRE guidance above. It must be noted that these windows are to the communal areas of Student Accommodation, which forms temporary accommodation rather than a permanent place of residence.



Manchester House

There are 20 bedroom windows to the student accommodation at Manchester House that were assessed for impact (10 facing Cambridge Street and 10 facing north towards the development site). With regards to daylight the 10 windows facing Cambridge Street would be impacted upon with a VSC marginally below the 0.8 recommended (at 0.76 times its former value).

The 10 north facing windows are predicted to be impacted upon beyond the levels that are set out as acceptable with regards to BRE guidance (resulting in 0.30 times its former value). The affected habitable windows serve student bedrooms where the requirement for natural light is less in comparison to permanent residents. This is because the students occupying these rooms are transient and usually occupy rooms for a maximum of nine months. In addition, students typically follow living patterns that differ from that of a more traditional dwelling.

In terms of sunlight, all of the windows analysed are not orientated within 90 degrees of due south and as such do not require assessment with regards to the BRE guidance.



44 Cavendish Street

There are four windows which serve habitable windows (2 of which are to bedrooms which are afforded less significance in terms of protection and 2 Living room / Kitchen / Diner) affected at the flats at No. 44 Cavendish Street. The development would see a reduction in the VSC to these north facing windows greater than the levels that are set out as acceptable with regards to BRE guidance (at 0.40 – 0.63 times its former value).

In terms of sunlight, again, all the windows analysed are not orientated within 90 degrees of due south and as such do not require assessment with regards to the BRE guidance.

The loss of light to the 2 habitable living/kitchen/diner windows would not warrant a reason for refusal, given the other significant benefits of the scheme.



There are four kitchen windows affected at the three storey flats to the rear at 2 – 12 Elmdale Walk which would be impacted upon with a VSC marginally below the 0.8 recommended.

In terms of sunlight, again, all the windows analysed are not orientated within 90 degrees of due south and as such do not require assessment with regards to the BRE guidance.

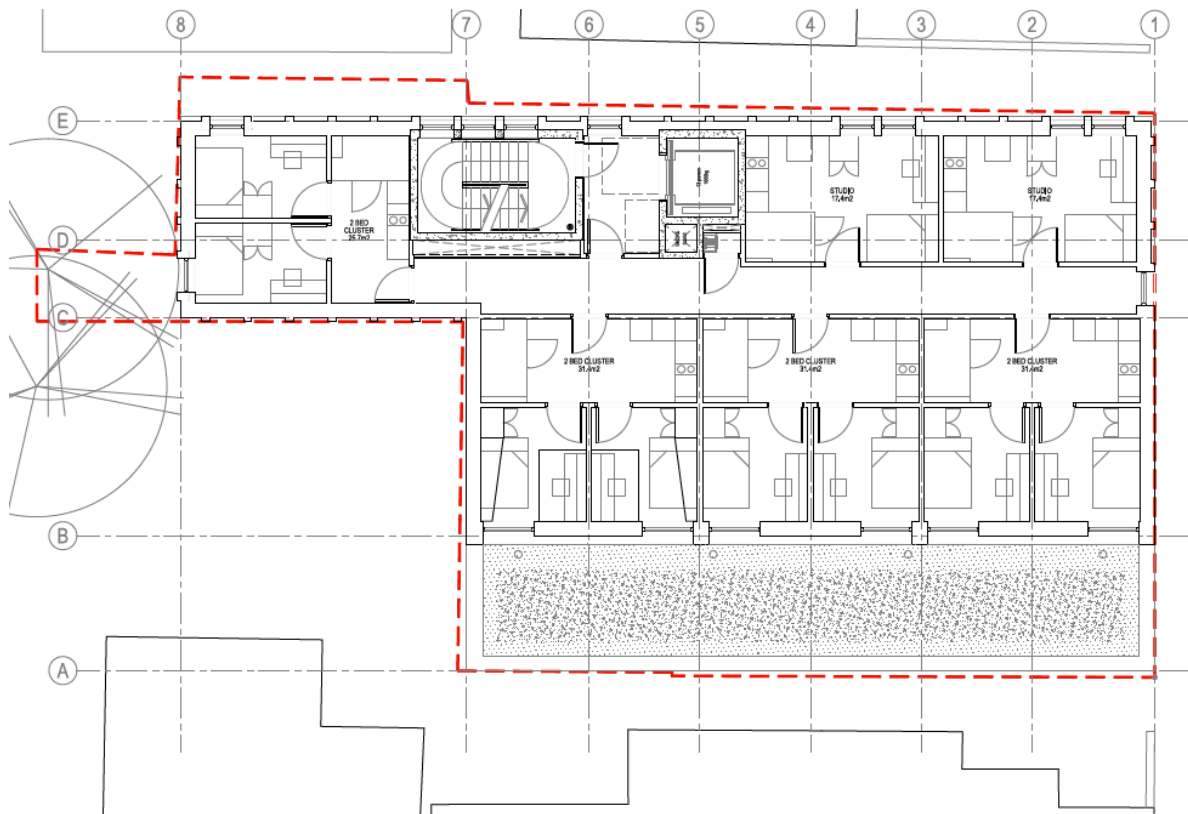


With regards to an assessment of overshadowing of amenity spaces there would be a projected 1% loss of light to 2 – 12 Matham Walk and a projected 4% loss of light to Loxford Gardens to the north. The BRE guidance states that at least half of a garden or amenity space should receive at least 2 hours of sunlight on 21 March. If the sunlight level is less than 0.8 of its former level the loss of sunlight would be noticeable. All surrounding amenity spaces analysed would achieve full BRE compliance with the development in place.

The results of the daylight / sunlight study should be interpreted in relation to the site's location where high density development is encouraged.

As stated in the committee report, light to windows to Manchester House, 44 Cavendish Street and less so at Cambridge House and at 2 – 12 Elmdale Walk would be affected by the development proposals, however, the loss of daylight to student accommodation and to four windows to flats, beyond levels acceptable under advisory BRE guidance is not considered to outweigh the overall benefits of developing the site and the regeneration benefits for the local area.

With reference to concerns in relation to loss of privacy, the first floor plan included below shows the relationship of the building to the site boundaries. It shows that there are a limited number of windows to the rear elevation in an offset position, 7.5m from the three storey flats at 2 – 12 Elmdale Walk, preventing overlooking.



The amenity space to the side of 2 – 12 Elmdale Walk is currently overlooked by existing windows within Manchester House and to 44 Cavendish Street. There would be additional overlooking of the garden space in close proximity, however it is not considered that the view from windows proposed would cause such an undue impact as would warrant a reason for refusal.



Additional comments have been received in relation to heritage issues and the loss of original features. A Heritage Statement was submitted alongside the planning application; this makes it clear that the original building has been substantially altered and was refurbished in 1900. Extensions were also added in 1986 and 2007. There are some features retained such as a tiled floor within the ground floor and some external features. However, the report to Committee confirms the building is not within a conservation area and does not meet the criteria for statutory listing.

Although it is acknowledged the building may have some local value, it has been significantly altered with very few remaining features and with its use as a public house ceasing several years ago. This loss of the building has been balanced against both its remaining value but also importantly the benefits and merits of the scheme.

There is a typing error at the top of page 18 of the report at the end of paragraph one. The last sentence should state, therefore point 7 of Policy H12 is considered to be complied with.

Condition 5 can be altered to read:

The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least 'Very Good'. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning within six months of occupation.

Reason - In order to minimise the environmental impact of the development pursuant to policies EN4, EN5, EN6 and EN7 of the City of Manchester Core Strategy, and the principles contained within The Guide to Development in Manchester 2 SPD.

The recommendation of the Head of Planning remains to **APPROVE** for the reasons set out in the committee report.

APPENDIX TO AGENDA (LATE REPRESENTATIONS)

Planning and Highways Committee 14 March 2019

Item No. 10

Application Number 121011/FO/2018

Ward Didsbury East
Ward

Description and Address

Erection of a part 2/part 3 storey terrace of four dwellings (3 bedrooms) and one detached 2 storey dwelling (3 bedrooms) following demolition of existing commercial buildings and garages

Garages Rear Of 88 School Lane, Manchester, M20 6GH

1. Head of Planning - Further observations/comments

Condition no. 13 is to be amended to include the design of the bin stores, the additional text is underlined:

13) Above-ground construction works shall not commence until a landscaping treatment scheme, including tree planting, boundary treatment and bin store design, has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the dwellings 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.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy (2012).

The recommendation remains unaltered: **APPROVE.**

APPENDIX TO AGENDA (LATE REPRESENTATIONS)

Planning and Highways Committee 14 March 2019

Item No. 11

Application Number 119951/FO/2018

Ward Didsbury West Ward

Description and Address

Use of ground floor and basement as Class A3 (cafe) and change of use of first floor and roofspace to form self-contained flat, with installation of new shop front consisting bi-folding doors, extraction flue to the side and associated elevational alterations. (Cafe opening hours:- Sundays to Thursdays 8.00am to 6pm, Fridays and Saturdays 8.00am to 8pm)

10 Whitechapel Street, Manchester, M20 6UB

1. Head of Planning - Further observations/comments

Condition no. 3 is to be amended to read as follows:

3) The premises shall not be open outside the following hours:-

*Sundays to Thursdays - 8.00am to 6.00pm,
Fridays and Saturdays - 8.00am to 8.00pm.*

Reason - To safeguard the amenities of the occupiers of nearby and adjoining residential accommodation, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

The recommendation remains unaltered: **APPROVE**