

## **Planning and Highways Committee**

### **Minutes of the meeting held on Thursday, 18 October 2018**

**Present:** Councillor Ellison (Chair)

**Councillors:** Nasrin Ali, Shaukat Ali, Clay, Curley, Dar, Kamal, Kirkpatrick, J Lovecy, J C Lyons, Watson, White and J Wilson

**Apologies:** Councillor Madeleine Monaghan and Strong

**Also present:** Councillors: Akbar, Davies, Hacking, Igbon and Wright.

#### **PH/18/87. Minutes**

To approve the minutes of the meeting held on 20 September 2018 as a correct record.

#### **Decision**

To approve the minutes of the meeting held on 20 September 2018 as a correct record.

#### **PH/18/88. 391 Palatine Road, Manchester, M22 4JS**

Planning application 120665/FO/2018 was deferred to allow the applicant to submit a daylight/sunlight analysis to consider further the impact of the proposal on nearby residents.

#### **Decision**

To defer consideration of the application for the reasons given in the late representation.

#### **PH/18/89. 318 Barlow Moor Road, Manchester, M21 8AY**

Planning application 116753/FO/2017 for the erection of a part three-storey, part single-storey building to form ground floor retail unit with four residential flats above, following demolition of the existing building was received.

318 Barlow Moor Road is located at the southern edge of Chorlton District Centre and is the end property of a staggered group of three, linked-detached, two-storey properties with commercial uses at ground floor and residential above. The group of properties has a large forecourt to the front and this is used for car parking in connection with the two end properties, and middle unit has raised decking area.

The proposal involves the demolition of the existing property and the erection of a three- storey building which steps down to single-storey at the rear. The ground floor would form A1 retail space and there would be four apartments above.

The proposal has undergone a number of revisions to its design, scale and density following negotiations with the applicant.

Neither the applicant nor any objectors were present, and the Committee carefully considered the report and the information that it contained.

Officers advised that should the Committee be minded to approve the application, further conditions should be attached regarding the details of the landscaping to the site. In addition a further condition should be added to ensure that the use of the ground floor retail units be restricted to Class A1 – shops and retail outlets.

The Committee asked for further clarification as to why the ground floor use should be restricted to Class A1, and officers confirmed that the condition would be to protect this usage and would prevent the units being used for Class A5 – hot food and takeaway without a change of use application.

The Committee also asked for clarification as to the number of bedrooms in each of the proposed flats, and officers confirmed that the accommodation units would be 2-bedroom. The Committee also considered Condition 10 in the report that specified that the units would remain C3 use and would not be able to be used as Class C4 - Houses in multiple occupation.

On balance, the Committee considered that the proposed development would make a positive contribution in terms of improving the visual amenity of the area and was considered to conform to national and local policies.

## **Decision**

To approve the application subject to the conditions and reasons in the report and the additional condition regarding landscaping.

### **PH/18/90. Land known as Birley Plot E, Stretford Road, Manchester**

Planning application 120896/FO/2018 for the construction of a part 6, part 11 and part 16 storey building comprising 491 student bed spaces (sui generis), amenity space, cycle parking, landscaping, and associated highways work was received.

The site lies in a prominent location on Stretford Road next to the Hulme Arch to the east of Princess Road in Hulme. The site is viewed in the context of the Mancunian Way and Manchester City Centre when approaching Manchester using the Princess Road arterial route from the south.

The proposal comprises the redevelopment of the site to create a part 6, part 11 and part 16 storey building to be used as purpose built student accommodation. A total of 491 student rooms would be provided within the development, arranged in clusters of

7 and 8 single occupancy rooms (en-suite), organised around kitchen and lounge area.

The development would provide communal areas in the form of a social area with TV lounge, games room, gym, an informal study room and group study areas. The ground floor would include a reception area, management offices, storage, post room and a show flat.

Officers advised that in addition to the amended condition 3 in the late representation, there should be an additional condition regarding acoustic insulation to control noise breakout from the accommodation. Officers also recommended that condition 13, in relation to a scheme of highway works is revised to include any requirement for alterations to traffic regulation orders. In addition officers confirmed that additional information has been received from the applicant which explains how the University promotes respectful behavior in the community and in the Halls. The applicant confirmed that the University would deploy staff on a 24 hours basis as well as students employed as residential assistants to help create a sense of community for both students and local residents and to ensure that any issues are dealt with promptly and effectively as they may arise. Officers also confirmed that there would be an ongoing programme of community engagement and that students would be encouraged to engage positively with local residents.

A representative of local residents spoke in objection to the proposals, and said that Hulme had undergone several rounds of regeneration in her lifetime. The last round of regeneration was the one that local residents had endorsed, and that the aims of this regeneration would not be met by the current proposals. She pointed out that there have been over 50 objections, and that there is a lot of discontent within the Hulme community as the University are reaping the benefits of the community that was built by residents.

Residents do not hold any resentment to the University, or to students, but the residents do object to the height and scale of the proposed development, given that they were told that the regeneration framework would prevent development of buildings over 6 storeys. She told the Committee that the height of the building would lead to problems with loss of light and lack of privacy. The local resident also explained that she lives next to the current student accommodation, and that residents can see into student bedrooms and students can see into resident's bedrooms, which was not acceptable.

The resident also said that the consultation exercise had been inadequate, and that they were unhappy that the University seemed to be under the impression that they were running the Hulme Masterplan and not the residents who had formulated it. She said that the Aquarius Community Association had not been consulted, and neither had residents of Hopton Court.

Local residents were also unhappy that they were subjected to homophobic abuse and attacks by students, which were not dealt with adequately by the University.

She also said that the analysis of parking problems in the area was not credible as it took no account of the fact that many students do have cars, despite the applicant

not providing any parking spaces at the proposed development. She said that the University needed to start communicating with the community in a meaningful way, as at the moment residents had no faith in the plans being proposed.

The applicant's agent also spoke to the Committee in support of the proposed development. He said that this was a scheme that was a significant part of the University estate development programme. The principle of student accommodation at this location had been well established. Outline planning permission had been granted in 2012, and that permission was broadly similar to the current proposals in terms of bedspaces and height. He admitted that there had been an increase in bedspaces across the campus, but that this was necessary due to the success of the University overall. He told the Committee that the student headcount had been growing steadily, and that current projections indicated that this growth would continue.

He said that the University had identified a need to provide their own controlled student accommodation as an alternative to agreements with 3<sup>rd</sup> parties where the University is not able to exert the same level of management controls. The University also considers that the provision of affordable, purpose built accommodation would encourage to return of HMO's to family accommodation, which would benefit local communities.

He added that there have been 3 separate engagement events in a sustained effort to engage with local residents, invitations had been distributed across a wide area with local elected members being fully briefed on the process. There has also been an investment of over £5m in public realm around the campus, and the University takes its responsibilities to the permanent residents very seriously.

Councillor Wright spoke to the Committee and endorsed the concerns raised by residents. She said that there were significant concerns about the proposed development, and the way in which the consultation process had taken place. She said that there was some attempt to engage with residents, but that they must be given the opportunity to take part in discussions about the nature of development. Councillor Wright told the Committee that the history of regeneration in Hulme was that of change and development being imposed on residents, which led to failure as this did not take into account what residents actually wanted and needed.

Councillor Wright also said that the original outline permission was for 4 x 4 storey buildings, which was significantly different to the current proposals. She said that the proposed tower would overshadow the Hulme Archway, which was a significant local landmark. To move away from this configuration with regard to height was unacceptable.

Councillor Igbon also spoke to the Committee to endorse and support the concerns raised by residents. She said that the development of the Brooks Building had gone well, and that the University had engaged well with residents during this process. However, the team that had led the community engagement at that time were no longer with the University, and that when they left the level of community engagement declined significantly. Councillor Igbon also said that the University must

understand that Hulme residents were not part of MMU, but that MMU was part of Hulme.

She added that the Hulme Councillors were not opposed to the development of this plot, but they were opposed to the overall height of the development. In addition, she said that the report was inaccurate with regard to the perceived lack of crime and disorder and pointed out that the area policing team had a dedicated officer allocated to support students. She also said that the impact of the increased student number had not been considered properly with regard to local amenities such as GP's, dentists and other community infrastructure.

Officers confirmed that the principle of development of this number of bedspaces had been established for some time, and that the height of the development had been informed by the scale of buildings near to this site. Officers added that a detailed sunlight and daylight analysis had been completed and submitted as part of the application process. In addition, with regard to the notification process he confirmed that the City Council had notified all surrounding addresses, including those occupied by local businesses, beyond statutory requirements. Officers also confirmed that they had contacted a representative of residents on the Aquarius Estate to seek their views.

The Committee expressed concern that the proposed scheme provided no disabled parking, as this would be a barrier to any potential disabled student wishing to live or study in the City. They also expressed concern at the very low level of cycle parking that was proposed. The Committee also queried why developments of this nature were exempt from the requirements of S106 assessment.

Officers confirmed that condition 13 in the report would ensure that there was a dedicated disabled on street parking space provided. Condition 12 also required an increased provision for cycle parking space. Officers also explained that with regard to affordability, purpose built student accommodation is not covered by the Policy, and that there is no requirement for student accommodation to give a contribution.

The Committee asked for further clarification of the impact on the adjacent school with regard to loss of daylight/sunlight. The Committee also noted that there was an existing residents' parking scheme and that students would be prevented from applying for parking permits from this scheme, and asked for clarification as to how drop off and pick up at the start and end of term would be managed given the lack of parking provision.

Officers confirmed that condition 16 did provide for the implementation of an access strategy relating to students moving in and out of the accommodation, and that there was a service bay with removable bollards which would allow access during these periods. With regard to the school, officers confirmed that a specific assessment was carried out to measure the impact on the playground, and that while there would be a small reduction in daylight/sunlight, the reduction was so small it was not considered significant. Officers also confirmed that students would not be permitted to apply for resident parking permits, and that the cost of any changes to traffic regulation orders as a result of the development would be met by the University and not residents.

The Committee asked if it would be possible to restrict the height of the tower to that agreed in the outline planning permission, and officers explained that this application had to be assessed on its own merits. The outline planning permission had addressed the issue of the number of bedspaces to be provided, and that this application was broadly in line with this provision.

The Committee questioned whether the proposals would enhance the local community, as required under Policy SP1 - Spatial Principles, given the level of overlooking to neighbouring buildings and the school, and officers confirmed that the distances between the buildings had been assessed and were considered acceptable.

The Committee also asked for clarification with regard to waste management arrangements, given that waste storage would be in building B, which would have no connection to building C. Officers confirmed that they would look again at this condition to ensure that there was proper and adequate access to waste disposal facilities for all people resident in the complex.

The Committee also expressed concern that local consultation had not been as comprehensive as it could have been, and asked if the application could be deferred for further consultation. The Head of Planning, Building Control and Licensing confirmed that consultation had been undertaken that exceeded the statutory requirements, and that deferral could not be recommended on this basis. The Committee asked whether there was a way of the University working with residents to restore some of the lost confidence, and The Head of Planning, Building Control and Licensing confirmed that this would be raised at the regular liaison meetings that officers held with MMU, and that they would also be working with local elected members to establish the best way forward.

On balance, the Committee concluded that the development would see the reuse of previously developed land improving that appearance and character of this particular part of Hulme with a high quality well managed facility.

## **Decision**

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

### **PH/18/91. Land at Arundel Street, Manchester, M15 4JZ**

Planning application 118045/FO/2017 for the erection of a 10 storey residential building (Use Class C3a) together ground floor commercial units (Use Classes A1, A2, B1, D1 and D2) (379 sqm) and the erection of 35 storey residential building (Use Class C3a), following demolition of existing buildings, together with the change of use of the former Department of Transport Building to form a mixed use residential and commercial building (Use Classes C3a, A1, A2, B1, D1 and D2), forming 386 residential apartments in total with associated amenity space, car and cycle parking, access, landscaping and other associated works was received.

The Planning and Highways Committee resolved that they were minded to refuse the application at its meeting on 20 September 2018 and Members requested that a report be brought back which addresses concerns and which presented potential reasons for refusal that could be substantiated on the grounds that the proposal would have unacceptable impact on the setting of the Castlefield Conservation Area and the Grade II\* Listed St George's Church.

Officers confirmed that detailed late representations had been received from the Britannia Basin Community Forum objecting to the proposals, and summarised these for the Committee's consideration. Officers also confirmed that the applicant had agreed to lower the height of the tower by 2 storeys in response to resident's concerns and the Committee comments at its meeting on 20 September 2018.

Officers also told the Committee that the applicant had met with the Britannia Basin Community Forum and had committed to provide community space for their monthly meetings and, with prior notice, community events throughout the year.

A local resident and member of the Britannia Basin Community Forum spoke in objection to the proposals, and said that other than the offer of a reduction in height of 2 storeys, there had been no effort on the part of the developer to address any of the residents' concerns. She reiterated the comments made by the Committee on 20 September 2018 and asked what was the point of a conservation area if it was going to be ignored. She also told the Committee that while the Mancunian Way had been called a "scar", which fragmented the area, a development of the nature proposed would damage the conservation area further rather than enhance it. The resident also gave examples of other proposed development that had been rejected as inappropriate for the area which were actually smaller in scale, height and massing than this development.

The resident also reiterated concerns regarding vehicle movements and parking problems in the area, and pointed out that the area was subject to a 12 month programme of road works which had severely exacerbated the problems that residents faced on a daily basis. She told the Committee that the traffic problems made the area unsafe for current residents, and that the increase in population that would result from a development of this size would only make matters worse.

Residents welcome development of the area, but said that this proposal was not appropriate and should be scaled down to deliver a more thoughtful enhancement of the area that better addresses the setting of the church and the character and appearance of the Conservation Area.

Councillor Igbon spoke in objection to the proposals, and said that she fully supported the concerns of residents. She said that she fully understood the Policy regarding City Centre development, but reiterated that although this part of Hulme did come under the Policy area, it was still a residential area. Councillor Igbon added that the highways infrastructure was inadequate for the current residential population and to add to the population with a development of this size would make matters much worse. She said that there were both accidents and near misses every day due to the volume of traffic and vehicle movements. The area will have 6000 residents with just 2 routes into the area and 1 route out of the area.

Councillor Igbon added that although the report asserted that the site was in a highly sustainable location for public transport, the reality was that the public transport available was not adequate for current residents. A development of this size would impact on residential amenity, crime and disorder and the health and wellbeing of existing and future residents.

Councillor Wright also spoke in support of Councillor Igbon and the residents. She said that some people might say that this part of Hulme was in the City Centre, but that it was a residential area and part of Hulme Ward. She said that a lot of the points raised at the previous meeting had not been addressed, including the issue of waste management and storage, parking and the highways infrastructure, and that the current proposals were not as good as the original offer had been. Councillor Wright added that this was not a “gateway to the City” but a residential area and that development should take regard to existing residents and not just people driving through.

The applicant’s agent spoke to the Committee in support of the proposals and said that they had carried out a very detailed analysis of the area which had informed the design process. They had tested the design and its impact using industry standard evaluation tools. He agreed that there was always a degree of subjectivity in developments of this nature, and that he understood that height was one of the major issues to address. He reiterated that the design could be adjusted to remove 2 complete floors, but did not think that height was an overall sustainable reason for refusal. They had looked at the overall nature of the conservation area and concluded that according to NPPF tenets, the design must be taken as a whole. He said that a development of such high quality and design should be considered to be a neutral or positive contribution to an area that was largely modern in nature, albeit slightly run down.

He agreed that there would be a degree of harm to the setting of St George’s Church, but that this was at the lower end of substantial and more than offset by the benefits of the scheme. He added that conservation areas should never be static, but should be welcoming of change and innovation to become vibrant, thriving and desirable places to enhance the economic, social and cultural life of the city. He added that small families could be easily accommodated in the 2-bed units, and that there was a degree of activity at street level that had always been included in the planned development.

Officers commented that they had not been asked to negotiate a different scheme, but had been asked to assess and comment on the height of the development and the impact on the conservation area and the setting of the listed buildings.

The Committee expressed significant concern that the affordable housing contribution was not enough. They commented that Hulme in particular is an area where there was a need for affordable, family homes and that not enough of these are being built. The Committee also agreed that the height of the tower, even when reduced by 2 floors did dominate the setting of the listed St George’s Church. In addition the Committee were concerned that the car parking provision was inadequate and should be addressed.



The Committee also acknowledged that conservation areas should not be static areas of preservation, but that development should be done in a sensitive way, and while there were aspects of this proposal that were sympathetic to the conservation area, there were other parts of the proposal that were not. The Committee could not see how the Tower aspect of the proposals would not cause significant harm to both the conservation area and the setting of the listed building. The Committee also commented that the Castlefield conservation area had been extended in the 1980's to include St George's, so this area had not been included by mistake. The Committee considered that the current proposals did not complement the conservation area but dominated it to an unacceptable degree. The Committee concluded that the proposals would cause significant harm to both the conservation area and the setting of the nearby listed buildings.

## **Decision**

To refuse the application for the following reason.

The erection of a 35 storey tower and 10 storey building would, by virtue of its siting, scale and appearance, result in a form of development that would be overly dominant and would harm the form, character and setting of the Castlefield Conservation Area and the setting of the adjacent Grade II\* listed former St George's Church.

### **PH/18/92. 39 Mason Street, Manchester, M4 5FX**

Planning application 117470/FO/2017 for the erection of 6 storey building comprising a restaurant (Class A3) and retail unit (Class A1) at ground floor level and fourteen apartments above, together with basement parking was received.

The application site relates to a rectangular shaped area of land situated at the corner of Mason Street and Marshall Street and is presently used as a surface level, pay and display car park.

The application follows the granting of planning permission in 2010 for a 7 storey building to form 15 student apartments involving the creation of 80 bedrooms and a ground floor retail unit (Ref: 087073/FO/2008/N1). Shortly after permission was granted, the public house previously situated on the site was demolished in anticipation of development, but due to economic conditions, the permission was never implemented. The permission has since lapsed and the site used as a car park since.

The Committee asked for clarification as to whether the policy of only triggering a S106 assessment for developments of 15 units or more was an NPPF policy or a Manchester Policy. Officers confirmed that this was a Manchester agreed policy that officers were bound to work to.

Neither the applicant nor any objector was present, and the Committee carefully considered the information in the report as well as the representations. The Committee asked for clarification regarding the recycling facilities, and officers

confirmed that there is space within each individual unit for recycling bins, with larger waste and recycling facilities being located on the ground floor.

The Committee asked whether there was any mechanism to prevent the ground floor retail space standing vacant for any prolonged period as other developments of this nature looked unattractive at the street scene level when vacant for extended periods. Officers confirmed that they do discuss lettings policies with applicants as part of the application process, but as this would be a commercial decision this was not something that could be controlled by means of conditions. Officers can however add conditions to ensure that the retail units have sufficient finish to preclude any unit being boarded up or providing unacceptably unattractive views at street level.

On balance, the Committee considered that the proposal represents an appropriate and satisfactory form of development that fulfils the criteria laid down in policy and City Council guidance which seeks to provide high quality, residential accommodation of an appropriate density which will contribute to a vibrant and sustainable neighbourhood with a high level of connectivity to adjoining neighbourhoods, including the city centre as well as nearby public transport. The proposal will involve the regeneration of a brownfield site, whilst contributing to national housing growth objectives and the continued evolution of the aspirations contained within the New Cross Neighbourhood Development Framework.

## **Decision**

To approve the application subject to the conditions and reasons in the report and an additional condition regarding the finish to the retail units.