

Planning and Highways Committee

Minutes of the meeting held on Thursday, 11 April 2019

Present: Councillor Ellison (Chair)

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

Apologies: Councillor Lyons and Madeleine Monaghan

Also present: Councillors: Wright, Noor and A. Simcock

PH/19/30. Supplementary Information on Planning Applications on this agenda.

Decision

To receive and note the late representations.

PH/19/31. Minutes

Decision

To receive and note the late representations as circulated.

PH/19/32. 121011/FO/2018 - Garages Rear Of 88 School Lane Manchester M20 6GH.

The application related to the 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.

The Committee had been Minded to Refuse the application at the previous meeting held on 14 March 2019 and amendments to the proposal were submitted in order to address the concerns that were expressed by the Committee.

A member proposed that the Committee undertake a site visit for a better understanding of the site and impacts arising from the development.

The Chair put the proposal for a site visit to the Committee and it was agreed.

Decision

To defer consideration of the matter for a site visit.

PH/19/33. 121465/FO/2018 - 52 Ainess Road Manchester M16 8HW.

The application related to the proposed conversion of existing loft space with rear dormer extension and erection of a three storey rear extension to create 3 no. Class C3a additional apartments (11 no. apartments in total) with associated elevational alterations to the existing building, the reconfiguration of external space to form amenity space, car parking, bin storage, cycle storage, landscaping and new boundary treatments

The Committee welcomed the application and the changes and improvements made to the proposed development. Officers were questioned on the term 'sustainable modes' under the heading Highway Services of the planning report and it was reported that this referred to walking and cycling. Reference was also made to the description given of a 'range of public transport facilities' with point made that the local area is served by a single bus service which has a limited frequency. Officers noted the comments made.

The Committee referred to the landscaping to the rear of the site and what arrangements were in place to ensure that the agreed layout works are carried out.

Officers reported that the site layout plan had been agreed with the developer and this included a timescale for the completion of the works, as indicated, under Condition 4 of the application report.

Decision

To approve the application, subject to the conditions and reasons detailed in the report submitted.

PH/19/34. 119100/FO/2018 - Former Hardys Well Public House 257 Wilmslow Road Manchester M14 5LN

The application related to the erection of a part two, part three, part four and part five storey building to provide 8 ground floor A1 retail/ A2 financial and professional services at ground floor and 35no. apartments above with associated access, parking and landscaping arrangements.

A member proposed that the Committee undertake a site visit to gain a better understanding of the traffic management issues involved in the proposal.

The Chair put the proposal for a site visit to the Committee and it was agreed.

Decision

To defer consideration of the application for a site visit.

PH/19/35. 121857/FO/2018 - 84 Cambridge Street Manchester M15 6BP.

The Committee undertook a site visit in the morning prior to the start of the meeting.

The application related to the 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.

A local resident spoke in objection to the proposal and said that the development proposed would, due to its scale, reduce daylight and cause the loss amenity to the adjacent properties due to overlooking of neighbouring properties.

The applicant was present at the meeting and spoke in support of the application.

Councillor Annette Wright spoke as Ward Councillor in opposition to the application and raised concerns on the impact the development would have on the local community and the loss of amenity to local residents, in particular, the loss of light.

Officers reported that it had been recognised that the development would result in a degree of impact, loss of light and loss of amenity and this had been addressed within the report to the Committee.

The Committee referred to the site visit that had taken place and raised concerns regarding the scale of the development and how this would impact on the local community, the loss of amenity and light to adjacent properties. Other concerns were raised regarding the knock on effect from a lack of parking in the area resulting from residents of the proposed development with cars and the potential for anti-social behaviour from activities taking place on the roof terrace.

Officers reported that car parking controls were already in place in the locality and it was considered unlikely that students residing in the proposed development would have a vehicle due to the close proximity of the city centre and university campuses. The use of a management plan would control activities at the development and limit the risk of anti-social behaviour. The potential disturbance from noise levels produced by residents on the roof top terrace had been assessed by the Council's Environmental Health officers and were considered to be acceptable due to the height and location of the roof top terrace, combined with the level of background noise.

Decision

Minded to refuse the application due to concerns expressed regarding the negative impact of the proposed development on neighbouring properties resulting in a loss of amenity, overlooking and reduction in daylight.

(The Head of Planning has been requested to submit a report which addresses the concerns raised and whether there are reasons for refusal which could be sustained.)

PH/19/36. 122042/OO/2018 - Land Off Cringle Road Manchester.

The application related to an outline planning application for the erection of 57 dwellings, with all matters reserved, except for access, with associated access off Cringle Road, car parking, landscaping and other associated works.

Officers reported that a previous application for planning permission had been refused by the Committee on 24 August 2017 and was the subject of an appeal to the Planning Inspectorate. The appeal was subsequently dismissed. From the findings of the appeal hearing, the Planning Inspector had considered that there was very limited recreational activity associated with the site which also held no formal recreational status and had not been designated within the City Council's 'open space study' in 2009. The Planning Inspector had considered that there would be no harm to the landscaped character of the wider area as a result of development at the application site. The reason for the decision to dismiss the appeal was based on the grounds that there had been no suitable mitigation agreed between the Council and the applicant to minimise the wider impacts on Highfield Country Park. On this basis the proposal was deemed to be in conflict with policies EN9 and EN10 of the Core Strategy and saved policy LL3 of the Unitary Development Plan.

Local residents from the area attended the meeting and a spokesperson addressed the Committee on their behalf to explain their objection to the proposal. The spokesperson said that the ecology report which informed the planning report was based on incorrect information and bats have been regularly spotted on the site. Also, none of the buildings on the site had been accessed as part of the ecology survey to check for the presence of protected species. An independent ecology report produced by a bat specialist had suggested that the buildings on the site had moderate potential to support roosting bats. The spokesperson referred to Planning Inspectors report and did not accept the suggestion that the site should not be regarded as a recreational facility as described in Policy EN 10 of the Manchester Core Strategy 2012. The spokesperson stated that the community had regularly accessed the farm area but following the agreement made with the site owner and the developer involved in the application, the farm had been purposely run down over a three-year period. The spokesperson said that the Inspector had based their decision on the current state of the site and had not recognised the site as a valuable community facility which was regularly accessed by the local community. The spokesperson stated that the Planning Inspector had concluded that there would be significant harm to the country park as result of the development. Also, the sale of the land was believed to be contrary to government guidance on the sale of land by a non-profit organisation that had received contributions from the local community. The spokesperson referred to the existing problems caused by traffic congestion in the area and the impact that the development would have on the health and wellbeing of future generations from the loss of green space.

The agent for the applicant was present at the meeting and spoke in support of the proposed application.

Councillor Noor spoke as Ward Councillor in opposition to the application and raised concerns regarding the impact of the development on the local area as a result of the loss of a valued 'community green space'. Also, the increase in the amount of traffic generated by the development would add to the existing traffic congestion problems

and the addition of new families moving into the properties would increase pressure on the existing local infrastructure.

Officers reported that the ecology report had included an assessment of buildings on the site and concluded that no bats or other protected species were present at the site. The GM Ecology Unit had reviewed and had accepted the findings. If agreed, the planning permission would include a note that would require development work to stop, if bats or other protected species were found to be living on the site, other national legislation would also apply on the protection of wildlife. Associated traffic calming measures would be introduced on the highway, as part of the development scheme and these would be funded by the developer.

The Committee referred to the financial contribution by the developer and the 20% affordable housing provision and asked for further details on how this would be determined and how the allocation of the affordable properties would be managed. Concern was expressed over the loss of the green space and how a financial contribution would not address this. The point was made that the farm site had been in private ownership at the time of the open space study in 2009, which made it inappropriate to refer to the area as recreational land. The Committee commented that the report was problematical in that the site had previously been used for landfill and concern was expressed that using the site for residential development may result in remedial action being required.

Officers reported that there would be a financial contribution, for the loss of the open space, from the developer to mitigate impacts to Highfield Country Park and to improve accessibility to the park. The 20% affordable housing on the development would be a shared ownership arrangement and this would be retained into the future. A Registered Provider would manage the shared ownership and properties, as part of a S106 legal agreement. Any subsequent changes made to the final arrangements would be subject to negotiation and agreement with Executive members and the Director of Housing. The arrangements are in accordance with current local and national policy. The developer was in negotiations with a Registered Provider that would work closely with the Council and nomination rights would be applied in accordance with their existing procedures.

Officers reported that the principle of the development of the site had been deemed acceptable based on the findings of the planning inspector and this was now a material consideration. The current recommendation was against the previous planning recommendation to the Planning and Highways Committee that had been refused, however, after the appeal process, the Council considered the inspectors report and what the mitigation between the Council and developer should be. It was determined that the mitigation would be the financial contribution to enhance Highfield Country Park, which had been negotiated through relevant officers within the Council. The Inspector, in conducting the appeal, had balanced the policies of the Council against the merits of the proposed development and did not consider the weight of the policies to be sufficient to merit a refusal of the application.

Decision

Minded to refuse the application for the reason that the proposed financial agreement between the Council and the applicant is insufficient to mitigate against the loss of green space and infrastructure and conflicts with policies:

- EN9 – Maintaining green infrastructure;
- EN10 – Safeguarding open space, sport and recreation facilities;
- Saved Policy LL3 - Environmental Improvements and Protection.

(The Head of Planning has been requested to submit a report which addresses the concerns raised and whether there are reasons for refusal which could be sustained.)

PH/19/37. 115468/00/2017 - Land To The Rear Of Whitehouse Club Middleton Road Manchester M8 4JZ.

The application related to an outline application for development comprising of the erection of part two storey, part three storey social club with associated car parking, landscaping, public realm and other associated works following demolition of the existing social club and bowling green; and an outline application (with all matters reserved except for access) for the erection of 74 residential dwellinghouses.

The applicant's agent attended the meeting and addressed the Committee in support of the application.

The Committee referred to the loss of sports facilities from the site and how this would be addressed through alternative local provision. In addition, officers were asked what arrangements were in place for the drainage of the site as part of the development.

Officer's reported that the loss of the sports pitch on the site was considered in conjunction with the Council's Sports Pitch Strategy in determining what alternative provision would be available. A financial contribution of £200,000 from the developer had been agreed for use in upgrading other sports facilities in the local area. The proposal for a financial contribution had been endorsed by Sport England in view of the loss of the provision.

Decision

Minded to approve, subject to the signing of a legal agreement in order to secure monies associated with mitigating against the loss of the sports facilities together with securing 20% on site affordable housing.