

Planning and Highways Committee

Minutes of the meeting held on Thursday, 18 February 2021

This Planning and Highways meeting was a meeting conducted via Zoom, in accordance with the provisions of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

Present: Councillor Curley (Chair)

Councillors: Shaukat Ali, Andrews, Y Dar, Davies, Flanagan, Hitchen, Kamal, Leech, J Lovecy, Madeleine Monaghan, Riasat, Watson and White

Apologies: Councillor Nasrin Ali and Lyons

Also Present:

Councillors: Wilson (ward Councillor) and Wills (ward councillor)

PH/20/9. Supplementary Information on Applications Being Considered

A copy of the late representations that were received in respect of applications (127566/FO/2020, 121252/FO/2018, 128920/FO/2020 and 129010/FO/2020), since the agenda was issued. Additional late representations had been received in respect of the Tree Preservation Order (109 Parsonage Road, Manchester).

Decision

To receive and note the late representations.

PH/20/10. Minutes

Decision

To approve the minutes of the meeting held on 21 January 2021 as a correct record.

PH/20/11. 127566/FO/2020 - 369 Parris Wood Road, Manchester, M20 6JE - Didsbury East Ward

This application relates to a change of use from C3 (dwellinghouse) to C3 (dwellinghouse) and Class E (Osteopathy Clinic) together with a part single/part two storey side extension to provide additional living accommodation at ground and first floor and clinic at ground floor.

The Planning Officer introduced the application and informed the Committee that a further representation had been received regarding the classification of representations received as a petition rather than a joint objection from residents.

An objector to the application addressed the Committee on behalf of thirty four residents. The objections referred to the accessibility of vehicles, the proposed change of use of the property and overdevelopment that were considered to be detrimental to the area and would result in disamenity. Reference was made to a previous application for an adjacent property which had been refused and what difference there was with the application being considered. Reference was also made to changes to the street scene, increased on street parking, loss of privacy and the size of the car park on to be included on the property and the conflict with planning policies.

The applicant addressed the Committee on the planning application.

Councillor Wilson (ward councillor) addressed the Committee on behalf of the other ward councillors to raise the joint objection of a large number of local residents and Barlow High School, regarding potential parking issues, traffic volume, accessibility and road safety. Other objections related to an overdevelopment due to the change of use of the property. The Committee was reminded of a previous application (2002) for a neighbouring property that had been refused for a change of use to a commercial property due to the location within a residential area and the potential increase in use and vehicle movement and parking causing a loss to residential amenity as referred to in the UDP.

The Planning Officer reported that in reference to the points raised regarding the impact to the character of the area, a very similar extension design had also been agreed for the adjacent property to the application site. The proposed extension design would be subservient to the main house and would be set back to provide a sense of space. There would be visual improvements to the property with the introduction of soft landscaping and removal of the existing garages. The removal of part of the boundary wall would allow a view into the property, however the proposal was considered to be acceptable. The Committee was advised that the application had been required for consideration due to the number of appointments the proposed business could generate during the day and it must be noted that it is an issue of fact and degree as to whether running a business from home requires planning permission. The application includes conditions to control the operation of the business and involves enforcement action if the conditions are not met. The inclusion of two car parking spaces had been examined by the highways officer and the space was considered to be large enough for cars to safely manoeuvre.

The chair invited members of the Committee to ask questions.

Members referred to the property opposite with a similar design extension and asked officers if a business was run from the property. Officers were also asked if the building line of the proposed extension crossed the building line of properties on Craigweil Avenue and had changing the access to the property from Craigweil to Parrswood Road been considered. Officers were asked if the conditions proposed are sufficiently strong enough to prevent the intensification of the business and was a further application required if additional staff were to be employed.

The Committee was advised that the property adjacent is a private residence and did not run a business. The extension would be forward of the building line of the

properties on Craigweil Avenue and that would mirror the property opposite which has a similar impact. Parking access and manoeuvring on Parrswood Road would be more difficult due to the volume of traffic. The parking spaces at the side of the property have sufficient space for cars to manoeuvre and the front of the property provides access to a parking space for the property owner. The application includes a planning statement and refers to the employment of staff at the business and the number of appointments. The Committee was advised that the planning statement can be amended to reduce those numbers, if necessary.

Councillor Andrews moved the recommendation to approve the application, subject to:

- an amendment to Condition 5 to amend the Planning Statement to specify the number of employees for the business premises and ensure appointment only basis for clients.
- an additional condition for the requirement that the applicant applies for a “H” parking road marking to be installed at the visitor parking entrance of the property.

Councillor Shaukat Ali seconded the proposal.

Decision

The Committee approved the application, subject to the Conditions detailed in the report submitted and subject to:

- an amendment to Condition 5 to amend the Planning Statement to specify the number of employees for the business premises and ensure appointment only basis for clients.
- an additional condition for the requirement of offsite highways marking, that the applicant applies for a “H” parking road marking to be installed at the visitor parking entrance of the property.

(Councillor Flanagan did not take part in the consideration or vote on the application.)

PH/20/12. 121252/FO/2018 - Great Marlborough Street Car Park, Great Marlborough Street, Manchester, M1 5NJ - Deansgate Ward

This application is for the partial reconfiguration of existing Multi-Storey Car Park (MSCP), including temporary access off Great Marlborough Street, construction of 5 storey external ramps, closure of vehicular access to top level; and construction of new facade; and partial demolition of the surplus part of existing MSCP and erection of a part 55, part 11 storey, part 4 storey mixed-use building comprising 853 Purpose Built Student Accommodation units (sui generis), ancillary amenity space and support facilities, and 786sqm (GIA) SME incubator workspace (Use Class B1), including public realm improvements and other associated work.

The Planning Officer reported that the applicant had requested that consideration of the application be deferred to allow a technical issue on the application to be addressed. The Committee was informed that the application would be submitted to a future meeting.

Decision

To agree to defer consideration of the application.

PH/20/13. 128920/FO/2020 - Land Off Cringle Road, Manchester, M19 2RR - Levenshulme Ward

This application relates to retrospective application for the retention of 1.8 metre-high fencing to Cringle Road and Nelstrop Road North for a temporary two year period.

The planning officer introduced the application and informed the committee of the additional representatives and images received, that had been circulated to committee members prior to the meeting. The representations had outlined the introduction of the new fence and the images provided views of the area before the fence was erected and following the work. The representations had asked the committee to consider an additional condition requiring a mature hedge to be planted after the two year period had ended, the green corridor to be maintained and the walking/ cycling route to be upgraded. The planning officer stated that it was regrettable that the green vegetation had been removed from Nelstrop Road North, however planning permission was not required for the removal of the vegetation and for the erection of a one metre high fence. The removal of the vegetation had been referred to in the outline planning application and the landscaping of the development would be the subject of a reserved matters application involving the submission of the detailed scheme. Following the loss of the vegetation, five hawthorn hedge plants had been planted in the area concerned.

The objector addressed the committee on the application. Reference was made to the loss of the hedge which had been included within the representation submitted. The Committee was requested to include additional conditions on the application for the replanting of a substantial hedge. Reference was made to the continued maintenance of the green corridor between Manchester and Stockport in line with Council strategies.

The applicant's agent addressed the Committee on the application.

The planning officer reported that once the development was completed a landscaping scheme would be submitted that would allow the submission of comments by the public. Also, if the development was not commenced within the two year deadline there would be mitigation for removal of the fence and additional boundary planting on the site.

The Chair invited members of the Committee to ask questions. Members referred to the temporary time period for the fencing and sought an assurance that if after two years, the fence would be required to be removed and a boundary hedge reinstated. A member commented that if after two years no work had started it was likely that the developer may reapply for the permission to be extended and it was unfortunate that it was not possible to measure the impact of the loss of vegetation on wildlife habitat.

A member referred to the temporary application and asked Planning Officers for consideration to be given to introduce more permanent planting to the site that would form part of the planting scheme to ensure that it was not removed after the completion of the development. The member suggested that in the event that after two years no building had taken place and if an application is made to extend the permission further, the application should be submitted for consideration by the Planning and Highways Committee.

The Planning officer reported that the suggestions could be explored further with the developer. A note would be made in the application case notes in the event of a further application being made.

Councillor Andrews moved the recommendation to approve the application.
Councillor Shaukat Ali seconded the proposal.

Decision

The Committee agreed to the temporary approval for the retention of 1.8 metre high fencing to Cringle Road and Nelstrop Road North up to 18 February 2023.

PH/20/14. 129010/FO/2020 - Public Car Park Accessed Via Stockport Road And Albert Road, Manchester, M19 3AB - Levenshulme Ward

This application relates to the temporary use of the southern section of public car park as a market for a period of 4 years: operating on Saturdays 10.00 am to 4.00 pm (52 weeks per year); Fridays between 4.00 pm and 10.00 pm (up to 12 evenings per year) and Sundays 10.00 am and 5.00 pm (up to 12 days per year) with the associated retention of an existing container / generator unit and fenced enclosure to be used for storage of segregated waste/ recycling and installation of 1 x electrical power cabinet

The Planning Officer reported that there was an issue relating to the ownership of part of the application site and requested that the application be deferred.

Decision

To agree to defer consideration of the application.

PH/20/15. Confirmation of the Manchester City Council (109 Parsonage Road, Manchester) Tree Preservation Order 2020 - Withington Ward

Consideration was given to the report of the Director of Planning relating a Tree Preservation Order 2020 that sought approval of the Committee to instruct the City Solicitor to confirm the Tree Preservation at 109 Parsonage Road, Manchester, M20 4WZ, under Section 199 of the Town and Country Planning Act 1990, and that the Order should cover the tree as plotted T1 on the plan included in the report submitted.

The Chair invited the homeowner to address the Committee in objection to the Tree Preservation Order. The homeowner stated that the three trees within the property

are causing and continue to cause substantial damage to the foundation and structure of the house and also have caused damage to drains connected to the property. This is supported by a structural survey report and drainage survey. A local search was carried out and the City Council confirmed at the time, there was no TPO on trees at 109 Parsonage Road. This had influenced the current home-owners decision to purchase the property. The making of the TPO has caused a great deal of distress to the family and they feel misled by the Council. The Council did not make the homeowner aware a TPO was being made on the trees at the property. The homeowner would have not purchased the property if they were aware of this. The trees are dangerous to both the homeowners and their family and to passers-by, from the potential of falling branches and collapsing boundary wall. Flagstone(s) have lifted within the property causing a young child to trip. The homeowner intends to apply for permission to build a side extension in area currently occupied by the trees. An offer had been to the Council to help with cost to plant trees in Ladybarn Park to mitigate the loss of the trees. The local community have expressed its support to remove the trees (133 messages of support and signatures received). The family have never received correspondence on the proposal for a TPO because the letter received was addressed to the wrong person. The side bay does have sufficient footings. The family will consider selling the property if the TPO is confirmed. The trees have been monitored since July 2020 and the situation is worsening.

The applicant for the TPO addressed the Committee in favour of the Order.

Councillor Wills addressed the Committee in support of the homeowner to object against the TPO.

The Planning Officer reported that the planting of trees in Ladybarn Park would have to be carried out as an informal agreement and not as part of any conditions relating to the TPO. The Committee was advised that future maintenance work could be carried out on the trees and a request could be made to remove the trees, if damage was caused.

The Chair invited members of the Committee to ask questions.

Members referred to the benefit provided by trees in gardens but noted the sizes of the trees concerned and the structural survey carried out on the property which members of the Committee had not seen. It was noted that the homeowner would be financially liable for the maintenance of the trees.

The Planning Officer reported that the survey had been assessed by a Council arborist and a surveyor. The Committee was advised that any structural work to the property, such as underpinning would be the responsibility of the homeowner. Members raised the issue of whether it would be reasonable to modify the TPO in order to cover only one or two of the trees. In view of the questions raised regarding the confirming of the TPO, the Committee was advised that there was time available to allow the homeowner to undertake a further survey to better determine which of the trees individually could be potentially causing structural issues to the property.

The planning officer reported that any additional information provided by the homeowner would be assessed by Council officers. It was not possible for the Council to undertake a structural survey on a privately owned property.

Councillor Flanagan proposed that the Tree Preservation Order be deferred to allow time for the homeowner to provide a structural report to identify structural issues in the property that may have been caused by a tree or trees.
Councillor Andrews seconded the proposal.

Decisions

1. The Committee deferred the Tree Preservation Order to allow the homeowner to conduct a further survey on the property to determine any structural issues that may have been caused by individual trees within the property and the subject of the TPO.
2. That subject to the agreement of the homeowner, the structural survey submitted to the Council by the homeowner be circulated to members of the Committee for information.