

## **Planning and Highways Committee**

### **Minutes of the meeting held on Tuesday, 31 May 2022**

**Present:** Councillor Curley (Chair)

**Councillors:** Shaukat Ali, Andrews, Baker-Smith, Y Dar, Davies, Flanagan, Kamal, Leech, J Lovecy, Lyons, Richards and Stogia

**Apologies:** Councillor Hitchen and Riasat

**Also present:** Councillors: Bayunu, Igbon, Robinson, Wheeler and Wright

#### **PH/20/20. Supplementary Information on Applications Being Considered**

A copy of the late representations received had been circulated in advance of the meeting regarding applications 131344/FO/2021, 132489/FO/2021, 132626/FO/2022, 130922/FO/2022, 131859/FO/2021 & 131860/LO/2021, 130387/FO/2021, 132530/FO/2021 and 133030/FO/2022.

#### **Decision**

To receive and note the late representations.

#### **PH/20/21. Minutes**

#### **Decision**

To approve the minutes of the meeting held on 14 April 2022 as a correct record.

#### **PH/20/22. 131344/FO/2021 - Shell UK Ltd, 1081 Stockport Road, Manchester, M19 2RE - Levenshulme Ward**

This application sought permission for the installation of 7 electric vehicle charging points, and 2 jet wash bays, together with related canopies, electricity sub station and associated infrastructure, following revisions to the originally submitted proposal to enable the retention of a significant proportion of the existing grassed area and existing trees to the Cringle Road and Stockport Road frontages.

The Planning Officer had nothing to add to the printed report and thus the Chair invited the Committee to make comments or ask questions.

A member of the Committee queried if the Planning Officer was satisfied that the tree would not be damaged.

The Planning Officer stated that this had been inspected and they were satisfied it would be retained in place.

Councillor Andrews moved the officer's recommendation of Minded to Approve the application. Councillor S. Ali seconded the proposal.

## **Decision**

The Committee agreed the recommendation of Minded to Approve.

### **PH/20/23. 132489/FO/2021 - Port Street, Manchester, M1 2EQ - Piccadilly Ward**

This application was a proposal for 485 homes with two commercial units in a part-34, part-11, part 9, part 7 storey building with hard and soft landscaping. 210 letters of objection were received from 2 rounds of notification and 34 letters of support. Many did not object to the principle of the site being developed, supporting the creation of more housing with appropriate facilities and are keen to see it brought back to life but object to the form of development.

The objections related to design and scale, heritage and townscape, affordable housing, need and viability, privacy and living conditions of adjacent residents, provision of public realm, traffic, highways and parking, climate change/embodyed carbon, compliance with Planning Policy, precedent, and the consultation process.

The Planning Officer informed the Committee of a representation from a Local Ward Councillor who raised concerns at the profit margin of 11% during difficult times for residents, noting that previously approved schemes had had a lower profit. Another Local Ward Councillor had raised concerns that the building would have been too tall, impacting on light and privacy and would impact traffic and pollution. A neighbouring Ward Councillor considered the application domineering in its size. A second neighbouring Ward Councillor felt that the application should offer 20% affordable housing.

An objector, representing a local resident's group, addressed the Committee on the application. They felt that the impact of the application on the local community would be severe, with an inappropriate scale and character for the area. The objector felt the application was not in-keeping with the area, which is home to a conservation area that the application would over tower and overwhelm. The objector stated the application would be at least 20 storeys' higher than any other building in the area. They felt that without a decrease in height, there would be a loss of privacy for residents already in the area and would dim the light in the area. The objector stated that the details provided by the developer had not eased their concerns and they continued to oppose the development in its current form.

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

A Local Ward Councillor addressed the Committee, stating that the application would harm, and have a direct impact, on the area. They felt there was not substantial support for the application and that the objections received far outweighed the support. The Ward Councillor stated that other developments, such as the Chapel Town Street development, in the area had been restricted on height. They felt no evidence had been provided to show that pedestrian routes would be created. In

terms of Affordable Housing, the Ward Councillor noted that the developer had stated they would still turn a profit should they have offered 20% Affordable Housing, but they had not committed to that. The Ward Councillor felt a huge amount of work had gone in to regenerating the area, but this development would harm that progress.

The Planning Officer stated that the issues that had been raised had been addressed in the report. However, they did state that the other development referenced was compliant, at 14 storeys, with the Portugal Street SRF and similarly, this application was compliant with the Piccadilly Basin SRF.

A member sought clarity on if this application would provide a gateway to other applications for taller buildings and if the courtyard referenced in the application was private for residents or open to the public.

The Planning Officer said that there would be a private resident's courtyard at 750m<sup>2</sup>, however there would also be a public space at 1500m<sup>2</sup> that would be a route through the site from Great Ancoats Street to Port Street. The Planning Officer also re-stated that the size of the building was compliant with the Piccadilly Basin SRF.

The member responded, stating they felt that 34 storeys was still too high for the area. The member felt the application would have a significant impact on the Ancoats and Stevenson Square conservation areas due to its height.

The Planning Officer stated that the harm to heritage was set out clearly in the report, and it was found to have been less than substantial. The Planning Officer said that the public benefits of an application needed to outweigh the harm. They felt they did but acknowledged that was a decision for the Committee.

A member stated that this application was 20 storeys higher than the next tallest building in the area and felt that to be excessive. They felt that should the application have been allowed, other applications would be received for similar or taller buildings. The member also noted their concerns on Affordable Housing and felt that too many developers had been allowed to get away with not building enough.

The Planning Officer re-stated that the size of the building complies with the areas SRF, and any future applications would have to be compliant too.

A member then sought clarity on whether the application would be two or three stories higher than the framework or if it was compliant. The member also noted their concerns regarding viability assessments and their frustration with most applications not offering the 20% Affordable Housing policy.

The Planning Officer responded stating that the framework allows for two buildings on the site, one of 30 storeys and another of 25. This application was for one building at 34 storeys. The Officer also informed the member that the Affordable Housing policy requires 20% across the City, not on each individual development.

Councillor Andrews moved Minded to Refuse. Councillor Flanagan seconded the proposal.

## Decision

The Committee agreed Mindful to Refuse on the basis of the scale of the application and the impact on the conservation area.

### **PH/20/24. 132626/FO/2022 - 48 Store Street, Manchester, M1 2WA - Piccadilly Ward**

This application proposed 54 homes in a 15-storey building. There were 31 objections and 1 letter of support received. The objections related to: design and scale, townscape, affordable housing, amenity including sunlight and daylight, privacy and living conditions of adjacent residents, traffic, highways and parking provision, loss of trees and biodiversity and the consultation process.

The Planning Officer informed the Committee of a representation received by a Local Ward Councillor, who felt that the Affordable Housing commitment within the application does not comply with Council policy. This representation also stated that given the climate crisis, the removal of 30 trees without replacements was a concern. A second Local Ward Councillor felt the application was too tall and would have a negative impact on the area in terms of traffic and pollution, light and privacy. They also felt the application would impact on the Grade II listed style aqueduct.

No objectors to the application attended the meeting or addressed the Committee on the application.

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

A Local Ward Councillor addressed the Committee, stating that they felt the application showed the applicant to have had no knowledge of the local area. The Local Ward Councillor informed the Committee that the proposal was not in-keeping with other buildings in the area as the proposal was for a gold tower next to traditional red-brick buildings. The Local Ward Councillor questioned if the figures on the Council website regarding the Viability Assessment were incorrect and if they were, felt they should be withdrawn. The Local Ward Councillor also addressed an article that stated they had met with the developer and had their concerns addressed, something they stated was false. They stated that there is a policy for the replacement of trees that are cut down by developers and the applicant had not adhered to this by cutting down the trees prior to putting in an application. The Local Ward Councillor felt that, whether deliberate or not, it certainly went against the spirit of what is trying to be achieved with that policy. The Local Ward Councillor stated that the Affordable Housing offered in this development went no way to mitigating the harm the development would do. They requested that the Committee be Mindful to Refuse the application but also suggested a site visit.

A second Local Ward Councillor felt it would be beneficial for the Committee to perform a site visit.

The Planning Officer reminded the Committee that around four years ago, they had approved a similar development with similar materials and design, which was two storeys smaller.

A member raised the issue of parking at the site, in particular accessible parking.

Councillor Leech moved a proposal for the Committee to complete a site visit.  
Councillor Flanagan seconded the proposal.

### **Decision**

To arrange a site visit to assess the impact of the colour of the proposed building.

### **PH/20/25. 130922/FO/2021 - 46 Canal Street, Manchester, M1 3WD - Piccadilly Ward**

This application proposed the erection of a rooftop extension that would be part clad to the rear with glass balustrades to the sides and the front. The extension would be set back from the front elevation by 1 metre and the side elevations by 0.75. The roof would be partially retractable and glazed. The roof terrace would close at 10pm, would have a maximum capacity of 90 covers and would only operate with seated patrons with table service. Waste and deliveries would remain as existing, with access to the external bin storage at the rear via the side elevation for collection daily. The proposal included a stair lift to provide access to the rooftop extension, and the upper floors of the building that were not previously accessible.

The Planning Officer stated they had received support from a Local Ward Councillor on the access improvements this application would bring.

No objectors to the application attended the meeting or addressed the Committee on the application.

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

A Local Ward Councillor referenced objections from residents regarding additional noise emanation this proposal would bring. They felt confident that LOOH would be equipped to deal with that. The Local Ward Councillor was pleased that this would become another fully disabled accessible venue in The Village.

A member sought clarity on how the extra waste would be dealt with from this extension.

The Planning Officer stated that there would be no changes to waste provision.

Another member sought clarity on if the extension was both indoor and outdoor, if the 90 covers was the whole roof and that there would not be people using the extension past 22.00.

The Planning Officer informed the member that the LOOH team were happy with what had been proposed.

Councillor Flanagan moved the officer's recommendation of Minded to Approve.  
Councillor S. Ali seconded the proposal.

### **Decision**

The Committee agreed the recommendation of Approved for the reasons outlined within the report.

(Councillors Leech and Andrews left the room part way through this item and were therefore unable to take part in the decision-making process).

### **PH/20/26. 131859/FO/2021 & 131860/LO/2021 - 50 Fountain Street, Manchester, M2 2AS - Deansgate Ward**

This application proposed the demolition of the modern extension to the Grade II Listed building, retention and refurbishment of the original Victorian facade, the erection of a commercial building (Use Class E) with landscaping, and other associated works. There had been 6 representations.

The Planning Officer noted that a further 3 representations had been received that focussed on how the development was out of touch with the area.

No objectors to the application attended the meeting or addressed the Committee on the application.

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

A member informed the Committee of their mixed feelings regarding the application. The member wanted to see floor plates that allow lines between windows on adjacent buildings to continue. The member suggested a site visit could be beneficial for the Committee.

The Planning Officer informed the member that the floor levels of the extension would line up with number 49 Spring Gardens.

Councillor Davies moved a proposal for the Committee to complete a site visit.  
Councillor Lovecy seconded the proposal.

### **Decision**

To arrange a site visit to assess the impact of the colour of the proposed building.

### **PH/20/27. 130387/FO/2021 - The Former Gamecock Public House, Boundary Lane, Manchester, M15 6GE - Hulme Ward**

The application proposed a part 9, part 13 storey purpose-built student accommodation (PBSA) building providing 261 student bed spaces. There had been 49 objections from neighbours, an objection from 'Block the Block' a resident-led campaign support by Hopton Hopefuls, Aquarius Tenants and Residents Association,

Hulme Community Forum and On Top of the World Hulme, an objection from Hopton Hopefuls, a letter of objection from 2 employees of Manchester University, an objection from the GP practice on Booth Street West, objections from the Guinness Partnership and One Manchester and 3 representations from members of the public supporting the proposal. A Local Ward Councillor and Local MP had also objected.

The Planning Officer informed the Committee that a further 26 representations had been received, that raised similar issues to those that had already been listed in the report. The applicant had also provided further information on how the community hub would have been managed. The Planning Officer informed the Committee that the revised conditions were recommended.

An objector, representing a resident's group, informed the Committee they were there to speak for the ageing residents of the area. The objector stated that residents had a sense of security through the close community feel of the area, however that was being threatened by the prospect of a tower block looming over them. There was a fear amongst residents of extra noise emanation, not just during construction, but from students who would reside in the building in the future. Residents felt they may be driven out of the area. The objector stated that they welcome students into the area, however this application was not in the interests of the community. The objector felt that this application would have been detrimental to the mental health and wellbeing of residents.

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

A Local Ward Councillor addressed the Committee, informing them that all three Local Ward Councillors in the area wanted the application to be refused, or at the very least, a site visit arranged. They noted that applications for this site had been turned down in 2008 and 2012, with the reasons for refusal applying to this application too. The Local Ward Councillor did not consider there to be a need for more student accommodation in Hulme. They informed the Committee that a former student block had been recently redeveloped for a new purpose, highlighting the lack of need. A local campaign group had polled students regarding their accommodation preferences and found that students wanted the independence of privately rented property and parking. The Local Ward Councillor felt the application would be over dominant in the street scene. The nearest neighbours to the application would be two resident social housing blocks, and a new block of the size proposed would impact on their daylight and sunlight, particularly in communal spaces. The Local Ward Councillor also stated that whilst MMU had provided a letter of support for the application, they had given no commitment to use the accommodation for their students.

A second Local Ward Councillor informed the Committee that the development failed to consider the health and wellbeing of current residents and ignored Manchester's ambition of being a zero-carbon city. The developer planned to fell 5 trees, including 1 that was subject to a tree preservation order. The developers had suggested they would replace the trees, but the diminished sunlight caused by the development would make it difficult for them to survive. The Local Ward Councillor informed the Committee that 20% of residents at a nearby housing block had insufficient Vitamin D and a block of this size would exacerbate this. Elderly residents in the area have

been trying to develop a community cohesion that is relevant to them. The Local Ward Councillor felt the building plan was bland and uninspiring and did not give sufficient regard to surrounding area.

A third Local Ward Councillor informed the Committee that the current owner of the land chose not to work with community to develop it and that is why it lies derelict. They felt that this development would increase on-street parking in an area covered by permit parking bar one street. Local residents were concerned about the construction phase, having already had issues with previous developments in the area. Two housing providers had objected to the application, along with the Local GP surgery. The proposed 261 bed spaces would only serve to have increased noise emanation.

The Planning Officer stated that the issues raised had already been set out in the report and there was nothing useful to add. However, they did note that one of the previous applications that had been refused, had that decision overturned on appeal.

A member stated they would like to propose Mind to Refuse on two grounds. The first of these was the scale of the proposal on such a small site. The member felt this would be detrimental to the area visually and would dominate the area with its size. Their second ground for Mind to Refuse was that under National Planning Policy Framework, parking should be provided in close proximity to the entrance for those with disabilities. The member felt this could not be seen in the application.

A second member sought clarity on the Community Hub offered as part of the development. They stated that the late representations had informed them that the Community Hub would be available for hire by any Hulme based group but that was subject to the developer or owners' approval. The member felt that this could allow the developer or owner to only allow those groups they liked to use the space. The member then sought clarity on if students living in the accommodation would be eligible for a parking permit in the area and how the application could suggest there is robust evidence for the need of extra student accommodation when a former student block has been recently converted for a different use.

The Planning Officer informed the Committee that they could impose conditions on the use of the Community Hub should they be Mind to Approve. Their instinct was that students would not have been eligible for a parking permit but did not have a definitive answer. The Planning Officer then informed the Committee that a report had gone to the Executive in 20/21 that discussed the issue of student need for accommodation. They stated this report provided clear evidence of a number of students choosing to live in mainstream student accommodation both in and around the City Centre.

A member then sought clarity on the affordability of the accommodation, seeking a ballpark figure on the costs for students.

The Planning Officer stated that 20% of the accommodation was aimed at being affordable but could not provide an exact figure on costs.



Councillor Flanagan moved Minded to Refuse. Councillors Leech and Andrews seconded the proposal.

### **Decision**

The Committee agreed Minded to Refuse on the basis of the scale of the application and the parking issues in the area.

### **PH/20/28. 132530/FO/2021 - 320 Wilmslow Road, Manchester, M14 6XQ - Old Moat Ward**

The application proposed a change of the use of the ground floor of a long-established hair salon/barbers in the Fallowfield District Centre, to provide a café bar/restaurant at the ground floor with a reduced-scale salon in the basement. The existing 5-bedroom duplex residential flat above the property would be retained.

The proposed café-bar/restaurant provides 31no. covers internally and a further 20no. externally. Additional seating that was proposed on a side alleyway in the applicant's ownership has been deleted from the amended scheme, and cycle parking has been introduced on the front forecourt adjacent to the entrance.

External seating and cycle parking will be separated from the public footpath by railings which enclose the front forecourt space. On the south side, where the forecourt runs along the service road into the side alley, the railings will be erected on a new brick wall. A small (11.2m<sup>2</sup>) single storey rear extension within the rear yard curtilage is proposed to accommodate WC's. Segregated bin storage for the bar and flat are also in the yard and a new enclosed bin store for the salon is proposed towards the rear of the site.

Access for the basement salon and flat is proposed via the unadopted alleyway and a new entrance in the rear yard. There is no off-road parking associated with the site as at present, but it is well served by public transport along Wilmslow Road.

A total of 1no. letter of support and 7no. objections, including from a local residents' group had been received. Most objectors remain concerned about the prospect of another bar in the area and ongoing issues with noise, disturbance, crime and litter, which they perceive will be further intensified by any approval of the application.

The Planning Officer informed the Committee that, since its deferral at the last meeting, the scheme had been revised. This included a reduction in operating hours, a bin store being moved and the drinking area at the front of the site closing at 21.30.

No objectors to the application attended the meeting or addressed the Committee on the application.

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

The Planning Officer stated that the recommendation was to approve with the conditions suggested.

A member sought clarity on the three refuse areas in the application and where they would be.

The Planning Officer informed the member there would be a bin store for the restaurant and living accommodation in the rear yard area, and the salon would have a small area in the alleyway. They explained that a condition of the application is to explore with the applicant how this area could be moved to within the property.

Councillor Richards moved the officer's recommendation of Minded to Approve. Councillor Andrews seconded the proposal.

## **Decision**

The Committee approved the application including the conditions, as detailed in the report submitted.

### **PH/20/29. 133030/FO/2022 - Land to the South of Cavendish Road, Manchester - Didsbury West Ward**

The proposals relate to the redevelopment of an irregular shaped fenced off and grassed site adjacent to 2,3 and 4 storey residential properties developed as part of the redevelopment of the former Withington Hospital site and single and 2 storey buildings in use as nursing and dementia care homes known as Brocklehurst and Monet Lodge. The application site formed part of the wider former hospital site prior to its redevelopment and previously contained a number of buildings used for support facilities for the wider Withington Hospital complex. The site and land were cleared in the early 2000s and subsequently the majority of the land to the west and south was redeveloped for residential and commercial purposes. The application site has remained in the ownership of the NHS but was not accessible from Cavendish Road, the area was subsequently fenced off from adjacent residential flats within the past two years.

The application relates to the proposed redevelopment of the site for residential purposes accessed via the existing vehicular access from Cavendish Road for the erection of a pair of semi-detached dwellings part 2/part 3 storeys in height, with associated car parking and landscaping.

The proposals were subject to notification by way of 34 letters to nearby addresses. In response 12 objections were received, Didsbury West ward members Cllr Debbie Hilal and Cllr John Leech have both made comments objecting to the proposals. The main concerns raised relate to the loss of open green space, overlooking of existing residential properties, potential damage to trees and that the development is a back land development.

The Planning Officer had nothing to add to the printed report.

No objectors to the application attended the meeting or addressed the Committee on the application.

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

A Local Ward Councillor addressed the Committee, stating they felt this was a significant improvement on the previous proposal. The Local Ward Councillor thought there was a slight inaccuracy in the late representations, stating that they felt the access to the land was blocked off at the same time as the Didsbury Point development was built. Residents used this green space, unaware the land belonged to the NHS. The Local Ward Councillor still had concerns that the development would overlook the only outside space of Monet Lodge.

The Planning Officer confirmed that it was private space and it had been fenced off. They stated there was no direct overlooking of Monet Lodge.

Councillor Andrews moved the officer's recommendation of Minded to Approve. Councillor Richards seconded the proposal.

### **Decision**

The Committee agreed the recommendation of Approved for the reasons outlined within the report.

(Councillor Leech declared a personal interest in the application but addressed the Committee as a ward councillor before leaving the meeting and taking no part in the consideration or vote.)

### **PH/20/30. Confirmation of the Manchester City Council (Land at car park adjacent to York Street, Didsbury) Tree Preservation Order 2021 - Didsbury West Ward**

The committee was asked to consider 1 objection made to this order relating to a Tree Preservation Order (TPO) served at the above address on 1 Birch tree (T1) and 6 Callery Pear trees (T3 – T8) immediately adjacent to a car park on York Street, Didsbury, Manchester, M20 6UE.

The Planning Officer confirmed that this order had been before the Committee in November 2021.

A Local Ward Councillor stated they hoped members would confirm the Tree Preservation Order. They stated that residents were upset by the removal of trees in the car park opposite. The Local Ward Councillor themselves requested the Tree Preservation Orders to protect these trees from the same fate as they add value to the street scene.

Councillor Andrews moved the officer's recommendation to confirm the order. Councillor Richards seconded the proposal.

### **Decision**

The Committee agreed the recommendation to confirm the order for the reasons outlined within the report.

(Councillor Leech declared a personal interest in the application but addressed the Committee as a ward councillor before leaving the meeting and taking no part in the consideration or vote.)