

Planning and Highways Committee

Minutes of the meeting held on Thursday, 29 August 2024

Present: Councillor Lyons (Chair)

Councillors: Shaukat Ali, L Bell, Chohan, Collins, Curley, Davies, Gartside, Hassan, Hughes, Kamal, Kilpatrick, Lovecy and Riasat

Apologies: Councillor Hewitson

Also present: Councillor Reid

PH/24/43. Urgent Business

The Director of Planning provided a verbal update regarding the government consultation on a new draft National Planning Policy Framework. It was believed to have limited weight but still a material consideration on decision-making. The Director of Planning considered that the recommendations within the reports were in accord with the Council's adopted Development Plan, Places for Everyone and with the existing and emerging NPPF.

PH/24/44. Supplementary Information on Applications Being Considered

A copy of the late representations received had been circulated in advance of the meeting regarding applications 137226/FO/2023, 137227/FO/2023, 137794/FO/2023 & 137795/LO/2023, and 139693/FO/2024.

Decision

To receive and note the late representations.

PH/24/45. Minutes

Decision

To approve the minutes of the meeting held on 25 July 2024 as a correct record.

PH/24/46. 137226/FO/2023 - Part Of Plot C And Plot E Great Jackson Street Manchester M15 4NP

The Committee considered a report of the Director of Planning, Building Control and Licensing regarding an application for full planning permission for the demolition of existing structures and the phased construction of four residential buildings (two at 47 storeys and two at 51 storeys) to provide 1,746 homes (Use Class C3), flexible commercial, leisure, food and drink uses (all Use Class E) and / or drinking establishment (Sui Generis), basement car parking, cycle parking, landscaping and public realm, servicing and access arrangements, highways alterations and associated works.

There were 56 representations, 3 in support and 53 objections.

The Planning Officer noted that the late representations had been circulated that included two further objections, and corrected some of the drafting of the original report. An objection considered the proposal to not comply with policy EN2 regarding delivery and viability of tall buildings. Their concerns related to the lack of a guarantee of a funding partner for funding to be available for a scheme that is unviable. The Planning Officer noted that the Committee are aware that the applicant has delivered schemes in this area, and elsewhere, in similar challenging financial circumstances, with Officers of the belief that this highlights that the scheme does comply with policy EN2 and would comply with the development plan when read as a whole.

The applicant's agent noted that the applicant had a long-term commitment to transform the area, having already delivered over 3,000 homes alongside other supporting infrastructure. They addressed the objectors concerns regarding a funding partner, noting it was rare for this type of application to have a funding partner without the necessary Planning Permission. The application could deliver a large green space that would be publicly accessible by removing a large tower originally proposed. The application was forecast to create a number of jobs, both during and after construction. The proposals are energy efficient.

Members raised concerns regarding the lack of Affordable Housing within the proposal. A member did note that the viability assessment regarding this had been done as would be expected, but the outcome was still disappointing.

The Planning Officer acknowledged the importance of Affordable Housing but accepted that the conclusion had been that it was currently not viable, and this had been tested independently. They did inform the Committee that the viability would be retested when a significant part of the scheme was completed, usually around 80%. If this showed Affordable Housing to be viable at this stage, Officer's would work to achieve the maximum amount of affordable housing possible.

Members then raised concerns about the limited provision for children within the scheme and queried if the employment opportunities would include apprenticeships.

The Planning Officer noted that whilst there was no specific provision for children within the application, that had been provided in previous schemes. The Committee could add a condition for this to be looked at further. In terms of employment, it was noted that a Local Labour Agreement would be required to be delivered, and it was expected that apprenticeships would form part of that.

A member raised concerns regarding the impact on light for nearby buildings, but noted they were pleased with the positive response regarding children's spaces.

The Planning Officer accepted that the figures did look challenging regarding light due to being a clear site, but this is an area where tall, high-density buildings were expected. They acknowledged that there were impacts but they were within acceptable levels.

A member raised again their concerns regarding the lack of Affordable Housing yet noted that the report stated the application would go towards targets. They also sought clarity on if there were any height limits on developments in this area.

The Planning Officer noted that the report clearly set out that the scheme could not deliver Affordable Housing. They stated that there was an indicative framework for the areas development and the proposals were broadly in line with that.

Councillor Curley moved the Officer's recommendations with an additional condition for the applicant to consider children's play spaces.

Councillor S. Ali seconded the proposal.

Decision

The Committee resolved to be minded to approve subject to a legal agreement for a review mechanism for a financial contribution towards off site affordable housing and for off-site bio-diversity mitigation, with an additional condition for the applicant to re-consider children's play spaces within the application.

PH/24/47. 137227/FO/2023 - Plot D Great Jackson Street Manchester M15 4NP

The Committee considered a report of the Director of Planning, Building Control and Licensing regarding an application for full planning permission for the demolition of existing structures and the erection of one residential building to a height of 71 storeys comprising 642 homes (Use Class C3) with food and drink uses (Use Class E) and / or drinking establishment (Sui Generis); and one office building (Use Class E); with basement car parking, cycle parking, landscaping and public realm, servicing and access arrangements, highways alterations and associated works.

There were 18 representations, one in support, 16 objections and 1 representation.

The Planning Officer referenced the two additional objections circulated within the late representations, which also corrected some drafting of the original report. A similar issue had been raised as in the first item regarding the application not being compliant with policy EN2. The Planning Officer noted again that the Committee are aware that the applicant has delivered schemes in this area, and elsewhere, in similar challenging financial circumstances, with Officers of the belief that this highlights that the scheme does comply with policy EN2 and would comply with the development plan when read as a whole.

The applicant's agent addressed the Committee, noting that this application proposed the tallest residential building across the development. The applicant had engaged in a rigorous design process in consultation with others, which had resulted in some changes from the 2018 masterplan. Changes included reducing the number of tall buildings from two to one, increasing the height of the one building, and introducing a stand-alone 3-storey office building. They noted that the overall impacts of the development were acceptable and identified appropriate mitigation where necessary.

A member queried if a similar condition regarding children's play spaces, as added to the previous application, would be possible for this scheme. Members also raised concerns regarding the lack of Affordable Housing contained within the proposals and how this would go towards meeting the 10,000 affordable homes target.

The Planning Officer noted that the podium takes up virtually all the ground floor of the site and therefore felt it may not be possible to deliver play facilities as part of the scheme. However, they noted that this application was next door to the previous item where that condition had been added, alongside other developments in the area that are delivering green spaces. The Planning Officer accepted that part of the housing targets included 26,000 new homes at normal market sales, which this application does go towards. At this stage, it did not contribute to the 10,000 affordable homes target but that would be re-assessed at a later point during construction. If this showed Affordable Housing to be viable at that stage, Officer's would work to achieve the maximum amount of affordable housing possible.

Councillor S. Ali moved the Officer's recommendations.

Councillor Hughes seconded the proposal.

Decision

The Committee resolved to be minded to approve subject to a legal agreement for a review mechanism for a financial contribution towards off site affordable housing, off-site tree planting and for off-site bio-diversity mitigation.

PH/24/48. 137794/FO/2023 & 137795/LO/2023 - 12 And 14 - 16 Piccadilly Manchester M1 3AN

The Committee considered a report of the Director of Planning, Building Control and Licensing regarding the erection of a 34 storey building (land at no. 14-16 Piccadilly) and conversion of adjacent building (no.12 Piccadilly) (basement to fourth floor) to create an aparthotel, including a ground floor cafe (Use Class E (b)), first floor exhibition hall (Use Class F1) and a rooftop bar and restaurant (Use Class E (b)), and associated works. The report also contained an application for Listed Building Consent for the external and internal alteration and refurbishment of no 12. Piccadilly to form aparthotel in association with the erection of a 34 storey building (land at no. 14-16 Piccadilly), including ground floor cafe (Use Class E (b)), first floor exhibition hall (Use Class F1) and a rooftop bar and restaurant (Use Class E (b)), and associated works.

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

A local resident addressed the Committee, noting that they welcomed the development but felt there was an opportunity to be more creative in the design of the application. They acknowledged that the application would reduce the view of nearby residents. Servicing at nearby premises is not done in the service yards provided and is done from outside of the housing association block. The resident had concerns that there were no further plans for servicing within this plan. They felt that the street was

already at full capacity. They accepted the scheme could work but felt that more needed to be done.

The applicant's agent addressed the Committee, noting that the site had been vacant for more than 20 years. The listed building at the site was integrated into the proposals. Within the application, there would be publicly accessible facilities, alongside the hotel. The principle of a tall building on the site has previously been accepted with two planning permissions granted previously. The scheme would provide jobs both during and post-construction. The scheme would also provide heritage benefits by bringing a Grade II listed building back into use after being vacant for more than 20 years. They noted that the applicant had a strong track record of delivery.

The Planning Officer noted that this was a relatively small site, next to a listed building. It was a key objective of the proposal to save and restore the listed building. The building would be high-quality precast concrete. In terms of servicing, the officer noted that the best fit had to be looked at nothing would be perfect. The Highways Team were satisfied with the servicing condition put forward. The Planning Officer noted that colleagues can look at enforcement where conditions of other nearby premises were not being met.

A member was happy to hear about enforcement and asked the Chair to discuss this with members to ensure that problems do not continue to arise in the future. They queried the concrete; how nice it could be kept and how it would respond to rain.

The Planning Officer noted that the concrete would be factory produced and will have to meet the standards required to be used. They assured the Committee that it would be good quality and its response to rain would form part of the assessments.

Members then queried if there was anything that could be done to allow public access to the improved heritage site and the view of Officer's on the removal of part of a wall of a Grade II Listed building.

The Planning Officer noted that the application was for a hotel and public access would likely be limited. However, the application sought to integrate the building into the development, but there could be public access to amenity space if they were part of the listed building. The Planning Officer noted, regarding the wall, that the intention is always to keep as much of a listed building as possible, however that is not always possible, and a balance must be found.

Councillor Curley moved the Officer's recommendation.

Councillor Riasat seconded the proposal.

Decision

The Committee resolved to approve applications 137794/FO/2023 & 137795/LO/2023.

**PH/24/49. 139072/FO/2024 - Particular Baptist Church Rochdale Road
Manchester M4 4HT**

The Committee considered a report of the Director of Planning, Building Control and Licensing regarding the temporary change of use of vacant former Baptist Church from Place of Worship (F1) to Storage & Distribution (B8) and the installation of a new roller shutter door to the side elevation.

Four objections had been received.

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

A member queried if the church would stay and be used as such.

The Planning Officer noted that the premises had not been used as a church for a while and this application sought to change the use.

Councillor S. Ali moved the Officer's recommendation.

Councillor Riasat seconded the proposal.

Decision

The Committee resolved to approve the application.

**PH/24/50. 139693/FO/2024 - Abbey Hey Clinic Constable Street Manchester
M18 8GD**

The Committee considered a report of the Director of Planning, Building Control and Licensing regarding the change of use of the existing vacant clinic to form 6 no. residential apartments (1 x one bedroom, 3 x two bedroom and 2 x three-bedroom apartments) together with external elevational alterations, car and cycle parking and landscaping.

Following notification of the application, an objection was received from the Abbey Hey Residents Association, and their reasons for objecting has been supported by Ward Members.

Key issues regarding the application were:

- Sustainability of the proposed use in this location and the impact on the character of the area
- Impact on potential residential amenity
- Potential over-insensitive use of the site
- Waste management
- Impact to the operation of the highway and access.

The Planning Officer drew members attention to the late representations, which included further objections from a resident's association and ward councillors. It also included information on a prior approval process in relation to the potential change of use to residential use for the application property.

A ward Councillor addressed the Committee, noting their concerns that the application was recommended for approval. The owner of the property had 21 people living at the site illegally, not responding to Council instruction to evict the tenants. The police and fire services also gave notice that the building did not comply with health and safety legislation, with no response from the owner. The ward Councillor felt it surprising that the building only required small changes to become six apartments and felt that the owner intended to disguise the property as an HMO. They felt there was insufficient car parking for the proposals, with inadequate road and pavement infrastructure in the immediate vicinity. There was believed to be bedrooms overlooking nearby properties in the proposal, and an anticipation of significant noise from this. The ward Councillor noted that there had been noise complaints whilst the building was being used as a hostel. They felt that the scale and massing of the building was out of character with the surrounding area. The ward Councillor had concerns that extra residents in this building would put extra pressure on an already failing sewerage system. They asked the Committee, if they were not minded to refuse, to perform a site visit.

A second ward Councillor addressed the Committee, noting that they did not believe the use of the building would change if the application was approved. They asked the Committee to perform a site visit that included the inside of the building, if possible.

The Planning Officer noted that there many issues raised by Councillor Reid, and these were dealt with in detail within the report before Members. Officers understood the concerns of ward Councillors and residents regarding HMO use but noted that enforcement action had been taken against the owner and there was a condition of permission recommended which would prevent use as a HMO. The Planning Officer summarised the changes to the scheme to give it a more residential appearance including garden areas, boundary treatment and landscaping. It was noted that six car parking spaces for 6 units was in accordance with the necessary policies. If the Committee resolved to complete a site visit, it could not be guaranteed that access inside the building would be possible.

Members raised concerns regarding the external impact of the proposals and the internal design. It was felt that clearer images were required, if an inside site visit was not possible, to give members a better understanding of the proposals. They felt that the floorplan gave no impression of what the site would look like and there was little detail provided.

The Planning Officer noted that they had negotiated the proposal down from eight to six apartments which meet the Council's space standards, utilising existing windows. It was noted that the grant of planning permission would provide control to the Planning department whereas a Prior Approval submission would only allow limited control from a planning point.

Members questioned if they would be permitted to enter the building on a site visit and if there would be any overlooking from the property. Members also raised concerns over the applicant's behaviour. There were also concerns raised about noise emanation and the detail regarding the sizes of the properties.

The Planning Officer noted that there would be no additional windows overlooking the neighbouring gardens, only existing windows would be used. It was noted that the proposals met the space standards required, but if deferred then Planning Officers could provide further detail regarding this.

Councillor Curley proposed a site visit to allow for members to see the site and what is proposed, particularly regarding issues raised by the ward Councillors.

Councillor Davies seconded the proposal.

The Director of Planning did note that there was no right of access inside the building but that can be sought from the applicant. If it was not possible to get inside, Officer's would provide as much detail as possible.

A member queried if there was a possible condition to prevent the use as an HMO.

The Planning Officer noted that a condition had been recommended to prevent HMO use.

Decision

The Committee resolved to defer the application for a site visit.

(Councillors Hughes and Kamal declared a prejudicial interest in the item and remained in the room as Ward Councillors until they had spoken, subsequently leaving the room and taking no further part in the discussion or decision-making process).