

## **Planning and Highways Committee**

### **Minutes of the meeting held on Thursday, 30 June 2022**

**Present:** Councillor Curley (Chair)

**Councillors:** S Ali, Andrews, Y Dar, Flanagan, Kamal, Lyons, Riasat, Richards and Stogia

**Apologies:** Baker-Smith, Davies, Hitchen, Leech and Lovecy

**Also present:** Councillors Razaq and Wheeler

#### **PH/22/31      Supplementary Information on Applications Being Considered**

A copy of the late representations received had been circulated in advance of the meeting regarding applications 132626/FO/2022 and 133465/FO/2022 & 133466/LO/2022.

#### **Decision**

To receive and note the late representations.

#### **PH/22/32      Minutes**

#### **Decision**

To approve the minutes of the meeting held on 31 May 2022 as a correct record.

#### **PH/22/33      Application for 133465/FO/2022 & 133466/LO/2022 – British Muslim Heritage Centre, College Road, Manchester, M16 8BP - Whalley Range Ward**

The British Muslim Heritage Centre (BMHC) is a grade II\* listed building, set in extensive landscaped grounds between College Road and Clarendon Road in the Whalley Range Conservation Area. Boundary treatment includes a stone wall and railings to College Road, and the gate posts and entrance are grade II listed. This entrance is, however, rarely used and the main vehicle access is currently taken from the north-east corner of the site on College Road. To the Clarendon Road boundary the wall is red brick with stone coping and patterns of slightly recessed panels, there is also an access to Clarendon Road. The building sits fairly centrally within the site with more formal gardens to the north and hard standing and grassed areas to the south. There is significant, mature tree cover around the site. The area surrounding the site is predominantly residential, mainly a mix of terraced and semi-detached housing but with some larger detached properties in spacious grounds.

In 2013 the British Muslim Heritage Centre obtained planning and listed building consent for the erection of a temporary marquee for use in association with the centre. This was renewed in 2016 and 2019 subject to conditions, which have been discharged. This report relates to the planning application to retain the existing

temporary marquee for a further 3 years and for associated listed building consent.

There had been 17 objections from 15 separate addresses received from members of the public. The late representations pack gave notice of 74 letters submitted in support of the application which requested that planning permission be extended.

The Planning Officer informed the Committee of the 74 letters of support and recommended additional controls to the management strategy relating to idling, revving of engines and training for security staff.

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

The applicant addressed the Committee on the application.

A Local Ward Councillor addressed the Committee in support of the application, stating that he has been a Ward Councillor for 11 years and is aware that the marquee has been made available for free use for many voluntary groups and that this is of vital use for the area. The Councillor stated that they had a family wedding in the marquee and noted that the BMHC had laid out lots of ground rules 1 week ahead regarding noise and music being kept at acceptable levels and mentioned that there was a manager present at all times. The Councillor concluded by stating that the site maintained a good service and there were further steps in place for any future issues too.

The Planning Officer gave mention of an ongoing dialogue with the BMHC to ensure that all aspects of the approved management strategies are adhered to.

The Chair invited the Committee to make comments/ask questions.

A member stated that they had grown up in this area when it was in a much more run down state but praised the BMHC as putting Whalley Range on the international map. The site had been a great addition to the area and facilitated many charity events and the like. With regard to any complaints about the centre, the member stated that they required solid evidence and for complainants to contact the City Council directly.

Councillor Andrews moved the recommendation of Approve for the application with the replaced Condition 4 from the late representations agenda. Councillor Richards seconded the proposal.

## **Decision**

The Committee resolved to agree the recommendation of Approve with the replaced Condition 4 from the late representations agenda.

(Councillor Flanagan declared a non-pecuniary interest and took no part in the discussion or decision-making process on this item).

**PH/22/34      Application for 131859/FO/2021 & 131860/LO/2021 – 50 Fountain Street, Manchester, M2 2AS - Deansgate Ward**

The Committee deferred consideration of this proposal on 31 May 2022 to allow them to visit the site.

This proposal was for the demolition of a modern extension to the Grade II Listed building, the retention and refurbishment of the Victorian façade and the erection of a commercial building (Use Class E).

The façade of 49 Spring Gardens is Grade 2 listed and the remaining building was constructed in the 1970s and adjoins the Grade II\* listed Estate Exchange. The site is in the Upper King Street Conservation Area and there are 16 Grade II and II\* Listed Buildings within the 500m including 49 Spring Gardens, the Grade II\* Exchange House and the Grade II\* Former Midland Bank.

No objectors to the application attended the meeting. The applicant addressed the Committee and the Chair invited the Committee for comments/questions.

A member stated that this was a mix of modern and heritage styles in one building and questioned whether the more modern aspects of the scheme could be reduced. The member noted the loss of 2 trees and asked if they could be replanted/replaced.

The Planning Officer stated that all design related issues were contained within the report and noted the mix of heritage and modern styles prevalent in the area, adding that it was almost impossible to mimic the heritage designs. The Planning Officer stated that it was possible to add a condition to replace/replant 2 trees if the Committee wished.

Councillor Flanagan moved the recommendation to Approve planning permission and listed building consent for the application subject to the additional condition. Councillor S Ali seconded the proposal.

**Decision**

The Committee resolved to agree the recommendation to Approve planning permission and listed building consent for the application.

**PH/22/35      Application for 132489/FO/2021 - Port Street, Manchester, M1 2EQ - Piccadilly Ward**

The Planning and Highways Committee were 'minded to refuse' this proposal on 31 May 2022 on the basis of its size and scale and its impact on the conservation area.

This proposal was for 485 homes with two commercial units in a part-34, part-11, part 9 part 7 storey building with hard and soft landscaping. 211 letters of objection were received 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 relate 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 / embodied carbon, compliance with Planning Policy, precedent and the consultation process.

The Planning Officer confirmed that there had been a late objection from a Ward Councillor which raised similar points to those in the report. The Planning Officer confirmed that the Piccadilly Basin SRF envisaged 2 buildings on the site at 33 and 20 storeys with the taller building on Great Ancoats Street, closest to the conservation area. The tallest building in this scheme would be 34 storeys and the next tallest building at 11 storeys. The 34-storey building was set back away from the conservation area with the closest building to this area being 9 storeys. Whilst officers have set out a reason for refusal, the Planning Officer felt that this could not be substantiated as the tallest building has been set back the furthest from the Ancoats conservation area with no concerns raised by Historic England.

An objector addressed the Committee. The objector requested that the Committee stand firm in their rejection, stating that the scheme had not changed since the previous hearing in May 2022. He stated that the development would impact on local communities. The tallest building would be 20 storeys higher than any local comparable towers and was excessive in height and scale and should be reduced, the effects of light, loss of privacy and shadowing would greatly affect nearby dwellings and a local primary school, it would cause issues within the public realm with associated parking and highways issues plus increased pollution, consultation showed that 81% of those contacted were opposed to the development and that the developer will have noted concerns around the height of the tallest building but then increased it by one storey.

The applicant's agent addressed the Committee.

A Ward Councillor opposed the scheme, stating that he could not see why there was no on-site affordable housing, adding that the developer does not want Manchester residents living there, that putting a local primary school in shadows is immoral, with regard to the national benchmark and viability this is an assessment of risk and that there was no associated risk with regards to building in the city centre. He noted that the scheme had not changed since the Committee was minded to refuse at their May meeting, and exceeding the SRF by any amount would cause harm and added that the developer stood to make a profit of approximately £30m and added that it is unlikely that they would cease the project if requested to reduce the scheme and/or make a greater S106 contribution.

The Planning Officer stated that all issues were addressed within the report.

The Chair invited the Committee to ask questions/make comments.

A member stated that they had considered the scheme since the last meeting in May and felt that balancing the extra storey against the creation of 600 jobs in a cost of living crisis was making the scheme appear more acceptable, adding that there was a £1m contribution towards affordable housing and that construction costs are also rising.

The Planning Officer referred to the balance between values and costs, stating that the planning team ran an exercise with a nil value on the land to test if this scheme would be viable. The results showed that the developers profit would be 17% which is below the Government advice target and added that the S106 contribution would decrease profits by a further £1m.

A member commented, stating that the contribution was not of major concern when considered next to the breach of the SRF. The SRF had been agreed between the Executive of the City Council and sets out acceptable and defensible building scales. The member stated that this posed a problem for them in supporting the project as well as Historic England's assessment stating an associated significant impact, that if the scheme was 30 storeys high he would have to accept it but concluded by stating that he would be minded to refuse this application.

The Planning Officer confirmed that the SRF recommendation for the site was 33 storeys. Historic England considered the impact of the harm would be "less than substantial" and added that the scheme's public benefit outweighed any potential harm caused.

The member noted that the height was 1 storey more than had been agreed and referred to Historic England's comments that the scheme would "negatively contribute" with "considerable impact." The member stated that he would accept the proposal if it met with the aims of the SRF. The Planning Officer confirmed that Historic England considered the harm to be less than substantial.

A member noted that tall buildings are always difficult but that the whole context needed to be kept in focus. The member expressed that, at only 1 storey over the SRF and with a contribution of £1m and associated construction jobs during tough economic times, the application was another example of the success of the city centre and the difficulty in negating any impact on nearby residents etc. and noted that she would support a motion of Minded to Approve.

A member asked if there had been any further dialogue with the developer to keep the tower within SRF guidelines. The Planning Officer confirmed that discussions had taken place and that it was not possible to alter the scheme. He noted that the material impact of 1 extra floor had to be assessed when the tower was to be set back from Great Ancoats Street.

The member stated that the scheme had moved towards another conservation area in Stevenson Square and that there could be an impact on this and the Ancoats conservation area. The Planning Officer referred to the report, stating that impacts to all heritage sites had been confirmed as resulting in no substantial harm.

Councillor Richards moved the recommendation of Minded to Approve subject to the signing of a section 106 agreement in relation to an initial off site affordable housing contribution, with a future review of the affordable housing position. Councillor Stogia seconded the proposal.

This motion was not carried by the Committee and Councillor Flanagan moved that the Committee were Minded to Refuse due to the scheme exceeding

recommendations set out by the Strategic Regeneration Framework and requested that further dialogue take place with the developer in this respect ahead of bringing the application back to Committee.

## **Decision**

The Committee resolved to be Minded to Refuse decision for the reasons detailed.

### **PH/22/36      Application for 132626/FO/2022 - 48 Store Street, Manchester, M1 2WA - Piccadilly Ward**

The Committee deferred consideration of this proposal on 31 May 2022 to allow them to visit the site.

This proposal was for a 15 storey building comprising 54 apartments (Use Class C3) with associated residential facilities (residents lounge and terrace and office space), 2 car parking spaces and 57 cycle parking spaces, landscaping, access and associated development.

There were 31 objections and 1 letter of support. 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 confirmed that there had been a late representation from a Ward Councillor and 2 others from local residents, stating luxury accommodation, corporate greed, and the units would likely remain empty." Further comments expressed that this was an "amazing green area of Piccadilly" and that this "hideous tower will disrupt" the area.

No objectors attended the meeting.

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

A Ward Councillor explained that the Committee had already gone through the major points last month, adding that the developer mentions trees as "low value," which the Councillor stated was incorrect as they are of ecological value. The developer had already cut down 30 trees ahead of the application expressed disdain at this. It was agreed that something should be built on the site and noted that the previous application was one third of the massing of this application, adding that the proposal was aesthetically unappealing and would be a disruption to homes in there area, some of which have been there since 1991. This tower would change the housing type of this area and none of these concerns had been addressed. The Ward Councillor stated that the scheme was too large with no decent amenity, could make a profit whilst making a contribution and requested that the Committee vote as Minded to Refuse.

Councillor Lyons addressed the Committee as Local Ward Councillor and thanked the Committee for agreeing to a site visit. Councillor Lyons mentioned the removal of 30 trees, the small site on a slope and potential placing of a 15 storey tower within a

community and zero on-site affordable housing as major detracting factors. The tower was too tall and would dominate the area, the gold cladding was not in keeping with the red brick feel of the area. In conclusion, Councillor Lyons stated that there were 4 reasons for a refusal set out in the report and hoped that the developer could return with something more suitable.

The Planning Officer stated that this was only 2 storeys taller than the previous scheme considered for this site with a similar impact. There are other glass, steel and stone buildings in the area and this was a high quality material of good design. The figures in the report are clear and from an independent source, stating that the scheme cannot support on-site affordable housing. The cost of replacing the trees would have to be taken from the affordable housing contribution due to the viability assessment concluding that the scheme would be less than 20% profit.

A member stated that they accepted the assessment and were happy to see the disable parking issue now dealt with but felt that the loss of trees was significant. The member could agree the recommendation in the report with 2 additional conditions to replace trees at the developers own cost somewhere in the city and to have a discussion around colour of the cladding.

The Planning Officer stated that colour is a subjective issue and that if members require the replanting of trees in the highway, the cost would be around £7k per tree but felt certain there could be a contribution towards this.

Councillor Flanagan moved the officer's recommendation of Mind to Approve with two additional conditions; to replace the 30 trees somewhere in the city, but not in the footway and that the Director of Planning agree the colour in consultation with the Chair. Councillor Richards seconded the proposal.

## **Decision**

The Committee resolved to agree the recommendation of Mind to Approve for the reasons outlined within the report with conditions as stated.

(Councillors Lyons addressed the Committee as a Local Ward Councillor and did not take part in the decision-making process).

### **PH/22/37      Application for 131795/FO/2021 - 60A Oldham Street, Manchester, M4 1LE - Piccadilly Ward**

This unit is in the Northern Quarter. The proposal is acceptable in this location subject to there being no unacceptable impacts on residential amenity.

This application was for the creation of a bar/music venue (Sui Generis) together with associated elevational alterations following subdivision of existing commercial unit into two units

7 objections had been received.

The applicant addressed the Committee.

No objectors attended the meeting.

The Chair invited the Committee to make comments/ask questions.

A member stated that this application fits the nature of the Northern Quarter well but wanted assurances on sound proofing so as not to set the applicant up to fail.

The Planning Officer confirmed that a post completion verification would be required by a condition.

Councillor Flanagan moved the recommendation to Approve subject to the conditions within the report. Councillor Richards seconded the proposal.

### **Decision**

The Committee resolved to agree the recommendation of Approve for the application subject to the conditions within the report.

#### **PH/22/38      Application for 133613/FH/2022 - 10 Ruabon Road, Manchester, M20 5LW - Didsbury East Ward**

This application was for the erection of a two storey front extension, and part single, part two storey rear extension to provide additional living accommodation. The property is not listed or in a conservation area and is typical of the type and style of properties within the immediate area.

The main issues from the proposals were the impacts on residential and visual amenity. Most objections concerned the footprint and scale of the front and rear extensions and the protection and retention of trees situated to the rear of the curtilage. 9 neighbouring occupiers were notified of the application proposals. As a result of this process objections had been received from neighbouring occupiers.

The Planning Officer did not add anything by way of comment to the application.

No applicant attended the meeting or addressed the Committee on the application.

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

The Chair invited the Committee to make comments/ask questions.

Councillor S Ali moved the recommendation to Approve subject to the conditions within the report. Councillor Lyons seconded the proposal.

### **Decision**

The Committee resolved to agree the recommendation of Approve for the application subject to the conditions within the report.



(Councillor Flanagan declared a pecuniary interest and took no part in the discussion or decision-making process on this item)