

## **Planning and Highways Committee**

### **Minutes of the meeting held on Thursday, 22 September 2022**

**Present:** Councillor Curley - In the Chair

**Councillors:** Shaukat Ali, Andrews, Y Dar, Davies, Flanagan, Hewitson, Kamal, J Lovecy, Lyons, Riasat, and Stogia

**Apologies:** Councillors Baker-Smith, Leech and Richards

**Also present:** Councillor H Priest

#### **PH/22/50      Supplementary Information on Applications Being Considered**

A copy of the late representations received had been circulated in advance of the meeting regarding application 133148/FO/2022 and 133700/FO/2022.

#### **Decision**

To receive and note the late representations.

#### **PH/22/51      Minutes**

#### **Decision**

To approve the minutes of the meeting held on 1 September 2022 as a correct record.

#### **PH/22/52      134307/FO/2022 - Land Bounded By Angel Street, Miller Street and Angel Square, Known As Plots M And N, Manchester - Piccadilly Ward**

The Committee considered the report of the Director of Planning, Building Control and Licensing that described that the proposal was for the erection of 2 Angel Square, a 14 storey building (excluding roof top plant) to form a mixed use office development (Use Class Egi) with two flexible commercial units at Upper Ground floor Level (Use Classes Ea, b, c, e, f, and / or Use Class Sui Generis (p) and (q)), and with a flexible office (Use Class Egi) and/or restaurant (Use Class Eb) space at Level 12, along with Lower Ground Level car and cycle parking, hard and soft landscaping and other associated works and 3 Angel Square, a 13 storey building (excluding roof top plant) to form a mixed use office development (Use Class Egi) with two flexible commercial units provided over Lower and Upper Ground Floor Levels (Use Classes Ea, b, c, e, f, and / or Use Class Sui Generis (p) and (q)), a further flexible commercial unit at Upper Ground Floor Level only allowing for ancillary seminar space and / or Sui Generis Use Class (t) Cinema space, together with an ancillary gym space at Upper Ground Floor, as well as Lower Ground Level car and cycle parking, hard and soft landscaping and other associated works.

The proposal would create 44,525 sqm of Grade A office space in two buildings of 13 and 14 storeys, with significant areas of public realm as part of NOMA. There had been one neutral comment and four objections.

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

The agent addressed the Committee on the application, stating that this application was submitted by NOMA subsidiary GP who have already been involved in transforming this part of Manchester, including half a million square feet of existing building and public realm spaces. The application is consistent with the strategic regeneration framework and would utilise what is currently an underused car park. A revised scheme has been developed to address the need for Grade A office space in a post-pandemic city scenario. Consideration had been given to the lifecycle of the development, taking account of construction, operation and future adaptability. A further key benefit of the revised scheme would be the enhanced linkages with the adjoining sites to deliver a more active ground floor environment with retail space and local amenities on all sides of the buildings. This would be complemented by high quality public realm that includes tiered gardens with seating. Lift access would address accessibility concerns. Enhanced linkages with Angel Gardens and Angel Square would be created with the latter helping to facilitate the delivery of some separate public realm proposals for Angel Square that are to be submitted by the applicant. The proposals also include 20 less car parking spaces, which is beneficial in supporting a shift to sustainable forms of transport in a highly accessible location. A key consideration for the proposed development has been in relation to its impact on adjoining residential uses. The proposed development has resulted in an increase in height across part of the site but has been configured and tested to ensure that impacts on daylight and sunlight are no greater than were identified as part of the planning permission on the site. The increase in height has also been necessary to underpin the viability of the scheme. The proposals would transform an important regeneration site for the city and directly support the continued evolution and prominence of NOMA and the Northern Gateway and deliver numerous economic, social and environmental benefits. The construction alone would deliver 400 full-time equivalent jobs and, once operational, support a further 4,400 full-time equivalent jobs and generate GVA of over £130 million per year. A considerable amount of this money will be spent in the local area. Should planning permission be granted, then the applicant fully intends to progress with an aim to start on site in early 2023.

The Planning Officer had nothing further to add.

Councillor Lyons stated that a flexible approach to office space was in high demand but there had to be a balance with residents living nearby. Councillor Lyons proposed a condition whereby noisy construction (this would not affect construction activity itself) was moved back one hour later to 08:30, to cut back on noise disruption for nearby residents in order to agree the officer's recommendation of Approve for the scheme.

The Planning Officer stated that the Planning team could take this proposal forward to be amended in the management plan, rather than as a separate condition, specifically for noisy construction activities.

Councillor Lyons agreed with the Planning Officer's approach, that no specific condition would be necessary.

Councillor S Ali seconded the proposal.

## **Decision**

The Committee resolved to Approve the application for the reasons and subject to the conditions set out in the printed report.

### **PH/22/53      133148/FO/2022 - The Imperial Lounge, Victoria Avenue East, Manchester, M9 7HW - Charlestown Ward**

The Committee considered the reports of the Director of Planning, Building Control and Licensing that described that the proposal was for the erection of a retail foodstore (Class E) with new access arrangements, following demolition of existing structures, alongside the creation of a new vehicular access to the adjacent sports facility. It was proposed that the store is operated by Aldi.

In response to the application as originally submitted, 14 representations have been received. 1 in support, 1 neutral and 12 of which object to the proposal. Following revised information and a further period of renotification, 4 additional representations have been received objecting to the proposal.

The Planning Officer stated that officers were aware of the late objection circulated to Members of Committee and brought the attention of Members to the section within the report which deals with Retail Impact and further stated that officers are satisfied that this matter has been properly assessed against local policies and national guidance and that sufficient information had been submitted in order for the Committee to be able to determine the application. The Planning Officer drew the Committee's attention to a minor re-wording of Condition 32, should the Committee agree the recommendation, which stated that that the retail use shall not commence until the agreed flood lighting has been provided, and in relation to condition 30, additional wording which states that a timescale for delivery of the approved works is required to be agreed in writing. Also concerns have been raised by neighbouring occupiers in relation to the location of the pedestrian crossing. The location is indicative and the final detail and location will be subject to further consultation through the Section 278 highways process. It had been confirmed that a degree of piling would be required, due to ground conditions. This had been carefully considered due to possible implications for United Utility assets beneath the site. The process would use a low vibration method and vibration monitoring would be in place. This construction issue would be subject to control through the building regulation process.

An objector attended the hearing and addressed the Committee, stating that they were representing Eastgate residents who supported the concept of an Aldi store in the area but stated that they had not had all the details of consultations. There had been a right to buy offer for the entire site which individual leaseholder had been notified of last Christmas with a tight deadline, which was not taken up. The future protection and safety of the Eastgate apartments was at risk and the objector was

seeking an agreement for confirmation that the phase 2 site investigation report is a condition of planning and will be released for inspection prior to development. Clarity on the type of foundation and vibrations that may impact on residents was sought, as well as an open line of communication with the insurers to the developer. The objector wished for confirmation that the sports ground would not add to delays in accessing homes. 24/7 access was required for residents. Timings of noisy construction and noise levels, a lighting report, landscaping and biodiversity issues were also of concern.

Councillor Priest, Ward Councillor for Charlestown, addressed the Committee and stated that she had the support of Ward Councillor Kirkpatrick, adding that they have had additional conversations with local people and that these had broadly followed what was outlined in the report. Not everything discussed had been 100% positive though. The ongoing delivery of goods to the unit, lighting and access had been raised as concerns, rather than objections. It had been mentioned that there was another supermarket nearby and was this unit necessary. It was noted that the positives outweighed the negatives and that consumer choice was a positive point as well as reliable bus routes to the other shopping areas being questioned. There were concerns around fly tipping and anti-social behaviour on the site in its current state. There had been pre-application discussions with access, biodiversity, net gain and noise from deliveries raised. The open channel of communication with the developer had been refreshing and the Ward Councillor was confident that disruption would be minimal. Delivery timings can be set as suitable for the area. It was added that the other supermarket was not a walkable distance from the proposed area and there was no bus route either. Many locals were looking forward to being able to walk to a nearby supermarket. Notwithstanding some minor concerns for ongoing discussions, the two Ward Councillors for Charlestown were in support of the scheme.

The Director for Planning stated that matters raised in relation to freehold, leasehold and insurance could not be taken into consideration when determining a planning application; however, the applicant was present and had heard the comments presented. The report addressed many of the objector's other concerns.

The Planning Officer stated that there was a construction management plan in place to address vehicles, parking, routing and access, loss of light had been assessed and included in the report, a full landscaping scheme is included with 26 new trees and hours of operation and servicing are all covered by a condition.

The applicant addressed the Committee on the application, stating that this application was recommended for approval with 140 representations of support from local residents. The site was currently used for a restaurant and car park and is permitted to be used as a retail unit without need for planning permission. Minimal investment would be required in repurposing the site but the applicant's plans were ambitious for both the local economy and community. The retail unit would be set in a disadvantaged Ward of Manchester and would be of benefit to local people. 40-50 full and part time jobs would be created, with an emphasis on employing local people with a planning condition in place to support this, as well as construction jobs during the development phase. The current site was unsightly and the applicant had worked with Manchester City Council and GMP and believe this will be a credit to the local area. 26 new trees were to be planted. Deliverable economic development was

guaranteed to attract further investment. The overall investment will exceed £5m and the retail unit could be delivered within 18 months of securing permission. Part of the site would use some of the nearby playing fields. To compensate, the applicant was proposing a package for the club comprising a new access road, flood lighting, fencing and giving some land back to the club. This has been agreed with both clubs and Sports England and are guaranteed via planning conditions. No statutory consultees had objected to the scheme. . The applicant had worked with officers to ensure that residential amenity impacts are mitigated, hours of operation and servicing were subject to controls and a delivery management plan would be put in place. The applicant requested that the Committee approve this application for investment in the local area to progress.

Councillor Andrews moved the Officer's recommendation of Approve for the application.

Councillor Riasat seconded the proposal.

## **Decision**

The Committee resolved to Approve the application for the reasons and subject to the conditions set out in the printed reports, as well as the amendments to conditions explained in the Planning Officer's presentation.

### **PH/22/54      133700/FO/2022 - Former Jacksons Brickworks Site, Ten Acres Lane, Manchester - Miles Platting & Newton Heath Ward**

The Committee considered the reports of the Director of Planning, Building Control and Licensing that described that the application relates to a former brickworks site that has been vacant for many years. Due to past use, there is a legacy of contamination across the site which has been challenging in terms of bringing forward its redevelopment. In 2021, the current applicant was able to demonstrate how the site could be remediated and a strategy was subsequently approved following a robust assessment of how this would be delivered.

The application now under consideration was for development following the implementation of the strategy. It would create 716 homes, with 378 (134 apartments and 244 houses) in a first phase together with a community building, a community and pocket parks. 338 dwellings would follow in a second phase, which also includes the provision of a secondary school. Parking, public realm and landscaping would be provided throughout.

Two objections and one general comment had been received.

The Planning Officer stated that there were other conditions recommended for the scheme. A requirement for details on the long-term management and maintenance of the community centre, the implementation of a monitoring plan for the pedestrian access from Hallam Road (plus mitigation if issues are identified while in use) and, prior to the school being operational, details of vehicle and pedestrian access routes to be agreed as safe routes, although a detailed application for the school would follow at which point this issue can also be addressed. The officer also drew the

attention of Committee to the late representation and the recommendation for an addition to the construction management plan that no construction related traffic can use Hallam Road at any time to access the site. It had also been requested that the final detailed wording of the above conditions be delegated to the Director of Planning in consultation with the Chair of Planning.

The agent addressed the Committee on the application, stating that the developer is proposing quality, affordable housing for rent and sale. The provider has access to grant funding, which gives the opportunity to develop a site that has been ready for redevelopment for 25 years and that it would be undeliverable without this funding. This also presents the opportunity to establish a development that would maximise environmental, social and economic benefits for the area. Drainage, ecological enhancements and biodiversity gain were part of the proposal, with seven new green spaces and tree planting included. The development would be climate resilient and energy efficient with new homes incorporating renewable technology. 716 new homes were planned across the two phases with open market housing and grant funded affordable housing, which is a sizeable contribution to addressing Manchester needs. An agreement had been reached with the Department for Education on the proposed Secondary School on site which was time critical due to high demand for spaces in the city. The location of the school was carefully considered to allow the best position for playing fields and also for safe access and egress. The Community hub could also deliver some community infrastructure. Extensive community consultation was conducted and access to the site was to use Hallam Road at all stages, but altered to pedestrian and cycle access only, which connects to other areas as well as creating a sustainable transport plan. The proposed Secondary School would have its own designated pick up and drop off site and the applicant was happy to commit to providing the access road to the school connecting from Ten Acres Lane to Mitchell Street. The housing aspect would form Phase 1 of the development with the school following with potential for access to mitigate any concerns. This proposal would be a benefit for this area and the city as a whole and the Committee were respectfully requested to approve the application.

Councillor Flanagan, speaking as Ward Councillor for Miles Platting and Newton Heath, stated that he and fellow Ward Councillors found themselves in a difficult position in being behind the development and the decontamination of the former brickworks site and the delivery of affordable housing but had concerns about the safety of children and young people in the area with access to the proposed Secondary School, which is not part of this application. Hallam Road has a nursery and primary school and considerable money had been spent on the relocation of traffic lights to make the area safer for children. Ward Councillors have maintained all along that Hallam Road should not be available for traffic, which the developers had agreed to, making it pedestrian and cycle only. The concern was that parents would still use Hallam Road to drop off and collect children, making it busy and potentially dangerous. This Secondary School would be built within the next two years and the access to this is included in the application. It had been noted in the report that the applicant considered access to Ten Acre Lane had the potential to lead to Highway safety issues with associated pick up and drop off arrangements. The main concern was of children having to walk 500 metres on a construction site road to access the school with the pick up and drop off point not in place until Phase 2. Further to this, there was a need for extra infrastructure in this area due to the

amount of proposed housing, with GPs, dentists and further primary school places required. Councillor Flanagan requested that the Committee make a site visit to consider his points raised at the hearing.

The Director of Planning stated this had been a difficult site to regenerate for many years and that there had been a planning application in 2014 which was not progressed. A remediation strategy had already been submitted by the applicant and approved prior to the submission of the current proposal for 700 plus new homes, 67% as affordable stock, plus a much needed Secondary School. No detailed designs for the school had been progressed as more certainty around planning permission was required in order to allow for funding to be drawn down. It was confirmed that Hallam Road had a proposed vehicular access removed prior to the application being submitted and that there had been no late changes to the scheme. The school was part of this application with the design to follow; a pick up and drop off point would be provided. The applicant has stated that the first phase would comprise 300 plus new homes with the section of the access road from Ten Acres Lane, this would be in advance of the school being built. If the school building was to come forward before this phase<sup>1</sup>, there would be safe connectivity secured through a safer route to school condition, it is also noted the applicant has now said they would address the connection to Mitchell Street This should address the concerns any members may have regarding the school and access issues; the late representations included photographs of the site in relation to Hallam Road (the site itself is secured).

The Planning Officer added that there had been no changes to the application and no changes to access from Hallam Road, pedestrian only.

Councillor Andrews proposed a site visit on the basis he was not familiar with the area and therefore it was necessary to visit the site as suggested by Councillor Flanagan.

Councillor Hewitson seconded the proposal.

## **Decision**

The Committee resolved to defer the application in order to undertake a site visit for the reasons raised by the Ward Councillor for Miles Platting and Newton Heath.

(Councillor Flanagan spoke on the application as Ward Councillor for Miles Platting and Newton Heath and thereafter left the meeting, taking no part in the consideration or decision making process).