

## **Planning and Highways Committee**

### **Minutes of the meeting held on Thursday, 20 October 2022**

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

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

**Apologies:** Councillors Riasat and Stogia

#### **PH/22/55      Supplementary Information on Applications Being Considered**

A copy of the late representations received had been circulated in advance of the meeting regarding applications 130387/FO/2021 and 133576/FO/2022.

#### **Decision**

To receive and note the late representations.

#### **PH/22/56      Minutes**

#### **Decision**

To approve the minutes of the meeting held on 22 September 2022 as a correct record.

#### **PH/22/57      133700/FO/2022 - Former Jacksons Brickworks Site, Ten Acres Lane, Manchester - Miles Platting and Newton Heath Ward**

The Committee considered the report of the Director of Planning, Building Control and Licensing that described that the application related to a former brickworks site that has been vacant for many years. Due to past use, there was 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 included the provision of a secondary school. Parking, public realm and landscaping would be provided throughout.

The Committee held a site visit prior to the meeting to see the proposed access points to the site.

The applicant's agent addressed the Committee and referred to amendments to the application resulting from the comments raised at the previous meeting. The amendments related to the access to the site from Hallam Road. All vehicular access to the site has been removed from Hallam Road. A dedicated drop off/pick point will be introduced. The proposed pedestrian/cycle route is integral to the masterplan for the proposal site and provides sustainable access for school pupils from the canal tow path and the district centre. The applicant accepts the additional conditions proposed. The development will provide 716 much needed homes to the area, as well as a secondary school and associated playing fields, that will be available for the community to use and green space. The proposal will provide significant invest to the area and provide employment and training opportunities for local people.

Councillor Flanagan addressed the Committee as a ward councillor before leaving the meeting. The Committee was thanked for attending the site visit and receiving photographs from Councillor Grimshaw and were reminded of the objection made. The proposed site included an area of contaminated ground and the proposal to develop the area for new housing and a new high school is welcomed. The objection from the ward councillors relates to an agreement with the developer that Hallam Road would not be opened to pedestrian and vehicular access. The ward councillors have stated that they have seen a plan since speaking to the developer, that will open another entrance to the proposed school which would increase traffic usage. The plan is not included in the application being considered and includes a pedestrian and cycle route. The Committee visited the proposed site and noted the entrance to the nursery school at Briscoe Lane PS is on Hallam Road. Hallam Road is a narrow and congested road. A new crossing was installed to improve safety for accessing the school, however, the proposal will reduce safety for nursery children and parents. The Committee was requested to approve the proposal as submitted and to include an additional condition, to keep Hallam Road unchanged to ensure no pedestrian access or vehicular traffic is allowed through or as an access to a future school site. The local ward councillors believe that if access was allowed on Hallam Road, it would become a main drop-off/pick point for the proposed school and that would make the road a dangerous area for the young children attending the nursery.

The planning officer noted the concern expressed relating to Hallam Road as a future high school drop off/pick point. The committee was informed that allowing access through Hallam Road would provide the benefit of opening the existing community to the proposed community and the new facilities included in the proposed development. Not allowing access will result in a longer journey for those pupils accessing Briscoe Lane PS from the proposed development area and will include using main roads. The access through Hallam Road is supported. The new high school will have a travel plan with a designated drop off and pick up point to improve safety of school children. The application includes a condition to monitor the impact on Hallam Road, with possible additional mitigation if required once the high school was opened.

Members of the committee commented on the application. Reference was made to the size/ quality of the drawings of the road layout within the committee report. The proposed width of the roads on the development is limited and this will result in

vehicles parking on the pavement. There are no details of cycling being encouraged in the new development, such as storage or accessing cycle lanes around the area. Officers were asked for information regarding the depth levels of contamination to the land in the development area, what will happen to it and what investigations have taken place. Also, is there is a significant issue regarding the removal of the contaminated ground, would any additional cost impact on the number of affordable homes within the development.

The Director of Planning reported that a programme of remediation had taken place over eighteen months ago on identification and removal of the contamination from the ground on the development site. Following the earlier application for the remediation work on the site to understand what contaminants are present, a number of conditions had been included and the developer is still required to discharge the remainder of the conditions. A condition is included within the application report being considered to ensure that all of the requirements are carried out. The developer had already stated that brownfield funding has been received to deal with the removal of the contaminated ground.

The Committee was advised that all plans relating the application and all other plans for planning applications are available to view on the Council website and can be provided to members. The width of the proposed roads met the council standards and there is 100% provision for secure cycle parking and off road car parking for the site. Due to the residential nature of the estate and it being located away from the main roads, it was not necessary to include cycle lanes, but there will be access to the Rochdale Canal tow path, to join up with the cycle network. The development has included cycling infrastructure rather than retrofitting them later on. Also, the application includes the intention is to install a pedestrian cycle route on Hallam Road.

Councillor Andrews moved the Officer's recommendation of Minded to Approve, subject to a legal agreement in respect of a reconciliation clause and proposed the inclusion of an additional condition for the closure of Hallam Road as an access to the development site by pedestrians, cycles and vehicles to ensure the safety of school children.

Councillor Saukat Ali seconded the proposal.

## **Decision**

The Committee resolved to Minded to Approve the application (subject to a legal agreement in respect of a reconciliation clause), for the reasons and subject to the conditions set out in the report submitted. The Committee also approved the inclusion of an additional condition that requires Hallam Road is closed to pedestrian, cycle and vehicular access to the proposed development site.

(Councillor Richards declared a personal interest in the application and left the meeting room, taking no part in the consideration and decision making.)

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

**PH/22/58 130387/FO/2021 - The Former Gamecock Public House, Boundary Lane, Manchester M15 6GE - Hulme Ward**

The Committee considered the report of the Director of Planning, Building Control and Licensing for a part 7, part 11 storey purpose built student accommodation (PBSA) building providing 197 bed spaces. The Committee was 'minded to refuse' a proposal for a part 9 part 13 storey (PBSA) building providing 261 bed spaces on 31 May 2022 as the scale was over dominant and the lack of parking in close proximity to the entrance for those with disabilities.

There were 72 objections to the original submission from neighbours, an objection from 'Block the Block', Aquarius Tenants and Residents Association, Hulme Community Forum, On Top of the World Hulme, Hopton Hopefuls, a letter from 2 employees of Manchester University, the GP practice on Booth Street West, the Guinness Partnership and One Manchester and 3 representations from members of the public supporting the proposal. Councillors Annette Wright and Lucy Powell MP objected to the scheme considered in May. There were 25 objections from neighbours and an objection from 'Block the Block' to the revised proposal.

Councillors Wright and Igbon objected for the reasons the Committee were Minded to Refuse the earlier application and a resident objected on the grounds of overdevelopment, the council should plan for local people in Hulme and the site should accommodate 3 or 4 storey extra care homes. The council should utilise its CPO powers.

The application had been amended to reduce the height to that agreed on appeal. Ten parking spaces, were proposed for disabled people in close proximity to the site. As such a refusal could not be substantiated.

Sally Casey (Chair - Aquarius Tenants and Residents Association) addressed the Committee to object to the application. The issue of the growing number of students attending the Universities and the problems, in finding accommodation is not the fault of the people of Hulme and student accommodation should be better balanced across Manchester rather than being concentrated in Hulme and Moss Side. Hulme has already accommodated the new university developments, and this could not continue. The amended application is inappropriate, is over development and is bigger than the residential blocks adjacent to it. The proposal would have a negative impact on the community, particularly young people. The limited size of the rooms in the building may have a negative impact on students. The Committee was requested to refuse the application.

The applicant's agent explained how the application has been amended to address the points raised by Committee, including a reduction in the height by three storeys, ie 20% to that similar to a scheme agreed on appeal in 2008. The number of bedrooms had reduced from 261 to 197. Ten on street parking spaces will be converted to spaces for disabled people. Students need a safe and secure, centrally

located home and a place to study and Hulme is close to places of study. Purpose built student stock is one of the Council's only tools in managing the increase in the use of properties in residential areas. There is not enough student accommodation, and the growth of the universities will impact further with overseas students significantly increasing (2022-2026). Students are commuting because of a lack of appropriate locations in Manchester. A community space will be available to the local community. The development will provide £20m of investment and jobs and will provide benefits to the area.

Councillor Wright (Hulme ward) stated that the proposal has not changed much. The building does not benefit the area or community. The reasons for refusal still apply. The scale and massing remained a concern and will be taller than both Cooper House and Hopton Court. The parking converts existing parking spaces into those for disabled people. People who drive and work in the city centre and study locally all park on the streets in the area and this does not provide a solution to the reason to refuse. The building restricts/reduces natural light into adjacent homes and may impact on the health of residents through reduced vitamin D levels. The number of people being attracted to the area is too high. The developers have not properly demonstrated that there is need for this type of student accommodation in Hulme. Students are sharing residential houses in Hulme because it is cheaper and better than that proposed. International students are buying accommodation because they will not live in this type of student accommodation which then reduces the availability of homes. The Committee is requested to be minded to refuse the application for the reasons stated. If the Committee is unsure, then a site visit would help members to see the small size of the site and the impact the development will have on nearby homes.

Councillor Igbon (Hulme ward) explained that the Aquarius area of Hulme is surrounded by university buildings and that gives an idea of the number of people attending the ward on a daily basis and the impact this has on the lives of the people who live there. Students were located outside of Manchester as MMU, was not their first choice, and had been allocated via the clearing process. MMU have not considered the accommodation needs of the students or prepared appropriately for the numbers coming to the city. The proposal provides no amenity space and will not add to or improve the area. Students will need access local services and amenities and no reference has been made to the provision of green space. The site is located on a busy road junction and the application does not include any additional crossing facilities or provide a positive environmental change to support the community. The inclusion of a community space includes a number of conditions for the community for its use. The application assumes that students will not need parking spaces which is unrealistic. The inclusion of disabled parking is not sufficient, and it should be on site. The application does not provide any benefit for local residents or the area and shows a lack of consideration for those who may live in the proposed building with limited living space and amenity.

The planning officer stated that the applicant could only respond to the reasons for Minded to Refuse given by the Committee, relating to height and massing and a lack of parking for disabled people. The height is within parameters that have been acceptable on appeal. The parking issue was addressed with ten spaces proposed near the site.

The Chair referred to the terminology in the application that referred to student bed spaces and the similarity this has with the dispersal programme undertaken by the Home Office to provide accommodation for asylum seekers. He believed that the language provided a negative image of Manchester and students who expect a good standard of accommodation. He referenced the recent pandemic and the challenges students faced when they were unable to leave their accommodation and the impact this had on mental health and wellbeing. The officer stated that the accommodation is similar to other student accommodation schemes across City and the country. It is 6/8 bed cluster accommodation with separate study areas and on-suite facilities and shared-communal areas. Manchester has a shortage of student accommodation, and the proposal will help to address this need and free up the rented and social housing that is often used by students.

Members spoke on the application and the committee was reminded that the 'Minded to Refuse' decision was for the reason of the scale of the proposal and the dominant visual impact this would have on the area and the lack of parking in close proximity to the entrance for those with disabilities.

Councillor Flanagan stated that the height of the amended design is still too high. Provision of disabled parking in the proximity of the entrance, is a Council policy and has not been properly addressed. Students have the same requirements as all members of our society, including disabled parking spaces and developers should be held to account. The application does not improve safety for pedestrian at a busy junction. For those reasons, Councillor Flanagan stated that he was 'Minded to Refuse' the application.

The officer stated that four spaces are proposed on Booth Street West. The proposal is of a similar height to that approved through the appeal process. The distance to Hopton Court is 44 metres and 21 metres to Cooper House. The issue of safety at the junction was not previously raised by members.

Councillor Lyons commented that the development was unlikely to reduce the numbers of students living in multiple occupancy/ shared accommodation and city centre accommodation due to the cost of the new accommodation and the requirements of students who could afford more expensive, centrally located accommodation. The height and massing appeared to be excessive and for those reasons he was 'Minded to Refuse' the application.

The officer stated that students live in different types of accommodation and this proposal would help to address an overall shortage. The Council is advised by the universities and accommodation providers that the city lacks this kind of cluster accommodation. The application provides a form of development that has been allowed on appeal and the committee should consider this carefully.

Councillor Leech referred to the disabled parking being off site and suggested that the spaces could be used by non-residents. On that basis the application should be 'Minded to Refuse'.

Councillor Richards noted the points and concerns raised but considered that the planning policy for student accommodation in residential areas did not strike the right balance and needed to be reconsidered.

The planning officer stated that policy H12 in the Core Strategy is key to determining if the application is appropriate.

Councillor Lovecy referred to policy H12 and questioned whether the location is compatible with existing development. The location is close to the Oxford Road corridor but is close to a residential neighbourhood with other similar high-rise buildings and Councillor Lovecy considered it to be over development and for those reasons she would be Minded to Refuse.

The officer stated that the concerns raised are addressed in the committee report.

Councillor Davies referred to student movements and their use of taxis and free buses which indicates that movement is not limited to walking. Students occupying other types of accommodation has impacted on the availability of family homes and had increased accommodation cost and land values. Officers were asked how policy H12 impacts on housing provision.

The planning officer stated that the committee is not considering land value in considering the application.

The Director of Planning informed the committee that consideration of the application should only be based on planning policies. Issues raised on the adequacy of the policies can be noted and can be discussed when policies are reviewed.

Councillor Andrews asked the City Solicitor's to advise on the number of the times the Committee can be Minded to Refuse an application. The Committee was advised that there is no restriction, but the committee must provide planning related grounds and reasons for its decision.

Councillor Andrews acknowledged the previous allowed decision referred to but stated that this proposal had to be considered on its own merit. He proposed the Committee to refuse the application, for the reason that local residents will be caused dis-amenity.

Councillor Lyons seconded the proposal.

The Director of Planning confirmed that because the Committee is considering an amended application, it could only be Minded to Refuse.

Councillor Flanagan proposed a Minded to Refuse for reasons relating to:

- The scale of the proposal and the dominant visual impact this would have on the area.
- The lack of parking in close proximity to the entrance for those with disabilities
- The use of on-street spaces for disabled parking spaces.
- Policy PH12 (3) – High density developments should be sited in locations where this is compatible with existing developments and initiatives, and where retail facilities are within walking distance. Proposals should not lead to an increase in on-street parking in the surrounding area
- Policy PH12 (6) – Consideration should be given to the design and layout of the student accommodation and siting of individual uses within the overall

development in relation to adjacent neighbouring uses. The aim is to ensure that there is no unacceptable effect on residential amenity in the surrounding area through increased noise, disturbance or impact on the streetscene either from the proposed development itself or when combined with existing accommodation.

Councillor Andrews withdrew the proposal to refuse the application.

Councillor Lyons seconded the proposal made by Councillor Flanagan.

## **Decision**

The Committee resolved to be Minded to Refuse the application for the following reasons:

- The scale of the proposal and the dominant visual impact this would have on the area.
- The lack of parking in close proximity to the entrance for those with disabilities
- The use of on-street spaces for disabled parking spaces.
- Core Strategy - Policy PH12 (3) – High density developments should be sited in locations where this is compatible with existing developments and initiatives, and where retail facilities are within walking distance. Proposals should not lead to an increase in on-street parking in the surrounding area
- Core Strategy - Policy PH12 (6) – Consideration should be given to the design and layout of the student accommodation and siting of individual uses within the overall development in relation to adjacent neighbouring uses. The aim is to ensure that there is no unacceptable effect on residential amenity in the surrounding area through increased noise, disturbance or impact on the streetscene either from the proposed development itself or when combined with existing accommodation.

### **PH/22/59      134732/FO/2022 - Manley Park Play Centre, York Avenue, Manchester, M16 0AS - Whalley Range Ward**

The Committee considered the report of the Director of Planning, Building Control and Licensing that described planning permission was granted in March 2021 for extensions to an existing single storey community centre building located within Manley Park, this followed a previous approval in 2020 for extensions to the existing play centre. The extensions approved were to provide indoor covered activity spaces at the Community Centre to the north and south of the existing building. The approved extension to the south was to form a 9.2-metre-high activity hall, whilst the extension to the north was of a lower height (approximately 5 metres in height). Works have commenced on site to deliver these approved extensions.

The current proposals sought to provide a further enlargement to the rear of the existing building, a new front entrance, together with roof amendments to provide a more unifying design across the proposed development. The revised proposals indicate an increase in height of the activity hall to 9.3 metres.

110 addresses were notified of the proposals, 4 responses were received, 3 raising concerns with the proposals and particularly implications in terms of pedestrian and highway safety in the vicinity of the park.

Whilst a majority of the proposed works have previously been considered acceptable consideration of the additional extensions and amendments to the existing building is required in particular implications in terms of impacts on the visual amenity and character of the area together with consideration on residential amenity.

The matters raised above are set out and considered in full within the main body of this report. As the applicant is identified as an elected ward Councillor and objections have been received this application is being reported to Committee.

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

Councillor Lyons seconded the proposal.

### **Decision**

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

(Councillor Dar declared a personal and prejudicial interest in the application and left the meeting room, taking no part in the consideration and decision making.)

### **PH/22/60      134245/FO/2022 - West Didsbury & Chorlton Football Club, Brookburn Road, Manchester M21 8FF - Chorlton Ward**

The Committee considered the report of the Director of Planning, Building Control and Licensing that described the application proposals related to the retention of a temporary 50 seater stand for supporters at West Didsbury And Chorlton Football Club. The stand was originally approved for a temporary 3 ½ year period in 2013 by the Council's Planning Committee with a subsequent further temporary consent granted in 2016 which expired in April 2020. The football club submitted a further extension of time application in July 2019 with a new location of the stand, this application was not determined, with the applicant withdrawing it from consideration earlier this year after the submission of the current application.

The stand was required to enable the football club to meet the standards set out by the Football Association, the temporary stand was intended to be replaced by a more permanent structure and this is still the intention of the football club when funding and the requisite permissions are in place. In the intervening period the football club still require the temporary stand and have submitted a further application for its retention at the site.

As part of the notification of this application 68 addresses were written to and site notices were posted and advertisement placed in the Manchester Evening News given the sites location within the Chorltonville Conservation Area. 18 responses

were received, 17 of these set out objections to the proposals including, amongst other matters; impacts of noise from supporters; a further temporary permission would be contrary to planning legislation; parking issues associated with the football club on residential streets; and, residents are not being listened to and the football club continues to expand.

The Applicant's agent addressed the Committee and referred to key points in particular to objections received regarding the temporary stand. It was reported that the previous applications could not be taken forward for the replacement with a permanent structure due to the availability of funding raising to carry out the work this was made more difficult as a result of the covid pandemic. The temporary stand will enable the club to continue to fulfil the seating arrangements in accordance with the FA standards. The additional five year period will allow the club time to work towards achieving the funding required to cover the costs of a permanent structure. There will be no impact on the green belt and the club works hard to be a good neighbour to the community.

The planning officers advised the Committee that there are a set of circumstances that would warrant an additional temporary period being granted.

Councillor Flanagan noted the objections raised and that the application did not seek to increase what is already in place and moved the Officer's recommendation of Approve for the temporary approval for a temporary 50 seater stand expiring 20th October 2027.

Councillor Leech seconded the proposal and asked officer if any solution had been found to address the issue of banging on the side of the stand.

The planning officer reported that matter has been discussed with the application and not solution had not been found for the type of stand used, however Environmental Health Officers had concluded that due to the position of the stand and the distance from local resident's properties the noise would not considered excessive and was acceptable under the current arrangement.

## **Decision**

The Committee resolved to Approve a temporary 50 seater stand, to expire on 20 October 2027, for the reasons stated and subject to the conditions set out in the report submitted.

### **PH/22/61      133576/FO/2022 - Oakwood Resource Centre, 177 Longley Lane, Manchester, M22 4HY - Northenden Ward**

The Committee considered the report of the Director of Planning, Building Control and Licensing that described the applicant was proposing to erect 20 no. two storey residential dwellings on the site of the now vacant oakwood Resource Centre. The proposed accommodation would be affordable, split equally between shared ownership and social rent. Correspondence has been received from eleven local residents, as well as the adjoining children's nursery. The main concerns raised

include impact on residential amenity, pedestrian/highway safety, existing ecology and insufficient parking.

The planning officer advised the Committee of an additional recommendation would be included, in the event that the Committee approved the application, regarding secure cycle parking proposed for each plot. The condition would ensure that this is provided and retained for the future.

The applicant addressed the Committee on the application.

Councillor Andrews moved the Officer's recommendation of Approve for the application with the inclusion of the additional condition.

Councillor Leech seconded the proposal.

### **Decision**

The Committee resolved to Approve the application, with the additional condition concerning secure cycle parking, for the reasons stated and subject to the conditions set out in the report submitted.