

Planning and Highways Committee

Minutes of the meeting held on 15 December 2022

Present:

Councillor Curley – in the Chair
Councillors Shaukat Ali, Andrews, Davies, Flanagan, Hewitson, Kamal, Leech, Lovecy, Lyons and Riasat

Apologies: Baker-Smith, Y Dar and Stogia

PH/22/66 Supplementary Information on Applications Being Considered

A copy of the late representations received had been circulated in advance of the meeting regarding application 135281/FO/2022, 134603/FO/2022 and 134971/FO/2022.

Decision

To receive and note the late representations.

PH/22/67 Minutes

Decision

To approve the minutes of the meeting held on 17 November 2022 as a correct record.

PH/22/68 Application 135281/FO/2022 - 32 Montcliffe Crescent, Manchester, M16 8GR - Whalley Range Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that presented an application that sought the retention of a 3-bedroom single storey dwelling house (Class C3) in the rear garden of a two storey dwellinghouse known as 32 Montcliffe Crescent in the Whalley Range Ward.

This application relates to the rear garden of a modern two storey detached house within the Whalley Range ward. The property has a single storey side extension and gardens to the front and rear. There is a drive at the front of the property and a garage in the rear garden which has been demolished and replaced with a single storey 3-bedroom dwellinghouse that is the subject of this application. The original dwellinghouse fronts a footpath linking Montcliffe Crescent to Stoneyfield Close. Montcliffe Crescent runs along the eastern side of the site where access is provided by a double metal gate to the single storey dwellinghouse in the rear garden.

The planning officer did not add anything by way of a statement.

No objector to the application attended or made any representations.

The applicant's agent for the application addressed the Committee and stated the family's reasons for retaining the building at 32 Montcliffe Crescent, stating that the dwelling had been built for the family's disabled daughter (a single mother) and her 3 children. The children were attending a school in the area and it was hoped that the family would not have to be re-housed and have to find other school places as a result. The family's needs would not easily be met outside of Whalley Range. The agent stated that these are challenging times and there would be a long waiting list for the family to await a housing solution in Manchester. The agent wished for the Planning Committee to support this family and overturn the officer's recommendation of Refuse for the application.

The planning officer stated that this decision was made all the more difficult in that the premises was currently occupied but added that there had been 2 previous applications for planning permission at this site that had been withdrawn due to having not been supported by the Planning team at the city council. Any public benefits of the scheme would be outweighed by the harm caused. Other extensions in this location had been granted but these differed in that they formed part of the main dwelling/garden and were not a separate dwelling with own fencing and sub-standard garden, parking and mentioned that this site, having already been built, was cramped and out of character for the area. The planning officer requested the Committee to refuse the application.

Councillor Leech asked how long the dwelling had been occupied.

The planning officer did not know but stated that it was not occupied prior to the previous, withdrawn applications.

Councillor Leech asked if the applicants were aware that the previous applications were deemed unsuitable by the Planning team.

The planning officer stated that they would have been made aware of this.

Councillor Lovecy felt some sympathy with the family and asked about dimensions of the building and if they met expected standards.

The planning officer confirmed that the overall floorspace of the dwelling was deemed below standards expected for a three bedroomed building for four occupants.

Councillor Andrews referred to the report whereby it stated that previous applications would not have been granted and asked what timescale would be given for the family to relocate if the Committee agreed with the officer's recommendation of Refusal for this application.

The planning officer stated that there would be a period of negotiation to agree an appropriate timescale to allow the family to relocate. Ideally, there would be no need to issue an enforcement, but the planning officer added that there would still be reasonable negotiations if notice was served on the occupants.

Councillor Davies referred to the report and a table which showed the planning history, noting that withdrawals of previous applications had been implemented prior to the building work beginning. Councillor Davies enquired about the legal aspect of removing the family, any conditions attached in this regard and the following phrasing in the Late Reps report “Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.”

The Director of Planning stated that there would be regard paid to the Equality Act, that there was an understanding of the family having a disabled member and added that there was no prescribed way of dealing with “consciously thinking about the aims of the Equality Duty.”

Councillor Davies asked what would happen if the Committee support the officer’s recommendation to refuse this application and whether the decision to remove the family is not legally a part of the Committee’s decision.

The Director of Planning stated that all factors have been considered in making the recommendation to the Committee and it is expected that the Committee take all factors into account in their decision making.

Councillor Andrews moved the officer’s recommendation of Refuse for the application and requested that any enforcement action taken would be over an appropriate period of time, taking account of the circumstances of the occupants at the property.

Councillor Lovecy seconded the proposal.

Decision

The Committee resolved to refuse the application for the reasons detailed in the reports submitted.

PH/22/69 Application 134603/FO/2022 - Pellowe House, Francis Road, Manchester, M20 9XP - Withington Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that presented an application for the erection of a three storey building to provide 24 apartments following demolition of existing buildings including creation of a new vehicular access from Francis Road, parking provision, landscaping and associated works.

The application site currently contains a former industrial building that previously contained a commercial laundry with areas of hardstanding to the front and rear used for vehicle parking associated with the use. The building on the application site is vacant.

The planning officer did not add anything by way of a statement.

No objector to the application attended or made any representations.

The application's agent attended but did not wish to add anything to the printed report as no objector had attended to make representations.

Councillor Lyons enquired whether the scheme was affordable or social and also rent and/or shared ownership.

The planning officer stated that the scheme was either for affordable or social rented accommodation which will be decided through discharging a condition of planning permission for 100% rented product, managed by the registered provider.

Councillor Leech stated that he knew this area fairly well and questioned the lack of 100% off-street parking for the scheme, with parking being a problem in this location. Councillor Leech was not convinced that the scheme would not add to additional car journeys or further parking issues in this area, noting that Christies Hospital extended parking scheme areas which has experienced problems. He noted that there were more electric vehicle charging points to come but asked what would happen for cars with no parking space for this development. Previous planning applications for this site had been deemed not sustainable at 16 places for 16 dwellings and yet this scheme had been deemed suitable at 62% parking. Councillor Leech concluded by stating that affordable rented property was welcome but should the Committee approve them if the parking was not sustainable.

The planning officer stated that there was a balance to be struck with what exists at the site already. Currently there was a factory building with limited parking on site whereas this was a scheme with a travel plan including public transport links and 100% cycle parking for all dwellings, and therefore, fully sustainable. The planning officer asked the Committee to consider the merits of this application and noted the 4 electric vehicle charging points with more to follow. Additionally, the scheme was worthy of approval on its own merits, regardless of its offer of 100% affordable rented property.

Councillor Leech noted the report stating the need for people to downsize who are under-occupying their properties. Councillor Leech felt that the majority of tenants for these dwelling places would be older people who would be less likely to cycle, adding that there was a need for larger homes in the area, contrary to the comments in the report.

The planning officer referred to his previous statement with nothing further to add.

Councillor Flanagan stated that he would not put car parking before affordable housing, was in agreement of turning a run-down warehouse into affordable rented accommodation and moved the officer's recommendation of Approve for the application.

Councillor Davies seconded the proposal, adding that the city has seen a reduction in car ownership and that this should be further encouraged and that down-sizing would free up larger family homes whilst allowing single occupants to have a more affordable solution.

Councillor Lyons added that car ownership in the city was at 44% and added that there was a need to move with the technology of the times.

Decision

The Committee resolved to agree the application for the reasons detailed in the reports submitted.

PH/22/70 Application 134971/FO/2022 - 67 Deansgate, Manchester, M3 2BW - Deansgate Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that presented an application for the use of a ground floor property on Deansgate in Manchester City Centre as an Adult Gaming Centre.

It is proposed to change the use of the ground floor to an adult gaming centre (Sui Generis), with slot machines for gambling. This would occupy the ground floor with the upper floor and basement used for storage and staff facilities. The premises would be open to the public and in use 24 hours a day, seven days a week.

This site is a three-storey building with frontages onto Deansgate and Barton Square. The building adjoins the Grade II* Listed Barton Arcade and is in St Ann's Square Conservation Area and adjacent to the Parsonage Gardens Conservation Area.

The building is not listed but is a non-designated heritage asset with decorative stone elevations and modern shopfronts.

The planning officer noted the information in the late representations report regarding the marketing that was taken to let out the property and explained why this was not successful. The applicant stated that vacancy rates had risen on Deansgate and that no other offers came forward for the property during the advertising period. The planning officer confirmed that the officer's recommendation was still to refuse the application.

No objector to the application attended or made any representations.

The applicant's agent for the application addressed the Committee and stated that there were no external alterations and that the refusal reason given was that the scheme was not compatible with Deansgate. Leisure uses in this area were permitted by the city council and the NPPF specifies that this style of property is a leisure based premises, appropriate for town centres. The agent expressed that it would surely be better to have this development and the creation of 12 jobs, rather than a derelict shop front. He noted that the client had provided a bespoke manifestations plan and that the use of digital displays would add interest to the frontage. Another gambling premises in this location with digital displays in the windows had their planning applications approved and the agent noted that a refusal reason was regarding the scheme providing insufficient natural surveillance and would be harmful to the vitality, viability and character of the area, yet there had

been no objections from the environmental agency or GMP, who had encouraged a 24 hour establishment. Having a premises open for 24 hours a day would be good for the area in terms of safety, environment and security. Adult Gaming Centres are notable for generating increased footfall in town centres, information in which had been submitted to the city council and possibly overlooked. The agent concluded by stating that the client would not have chosen this area if they did not think it suitable and requested that the Committee overturn the officer's recommendation to refuse the application.

The planning officer stated that all the reasons for the officer's recommendation to refuse were set out on page 86 of the printed report.

Councillor Davies stated that there were restrictions on traffic in this location which can lead to it feeling less safe for pedestrians with a reduced traffic flow. She noted 2 points, that units in this area had been empty and also had traffic controls in place prior to the pandemic. It had been raised that this had impacted on businesses in this location and Councillor Davies felt that it was not currently a good place for businesses. Councillor Davies supported the planning officer's recommendation to refuse this application but asked, if approved, what would the opening hours be and would security be on site?

The planning officer stated that the Committee could restrict the hours of operation if they approved the application.

Councillor Leech noted the agent's comments on other local gambling establishments and asked if the refusal reasons were robust enough for the Committee to agree without an appeal being subsequently lodged.

The planning officer expressed that the refusal reasons were robust and defensible.

Councillor Leech thanked the planning officer for their assurance.

Councillor Andrews moved the officer's recommendation of Refuse for the application, noting that the scheme was contrary to the policies contained in the report.

Councillor Davies seconded the proposal.

Decision

The Committee resolved to refuse the application for the reasons detailed in the reports submitted.