

**MANCHESTER CITY COUNCIL**

**PLANNING AND HIGHWAYS**

**APPENDIX TO AGENDA  
(LATE REPRESENTATIONS)**

**on planning applications to be considered by  
the Planning and Highways Committee**

**at its meeting on 16 February 2023**

**This document contains a summary of any objections or other relevant representations received since the preparation of the published agenda. Where possible, it will also contain the Director of Planning, Building Control & Licensing's own brief comment.**

## **APPENDIX TO AGENDA (LATE REPRESENTATIONS)**

**Planning and Highways Committee** 16 February 2023

**Item No.** 5

**Application Number** 135565/FO/2022,  
135566/LO/2022 &  
135583/LO/2022

**Ward** Deansgate Ward

### **Description and Address**

Demolition of the central atrium, car park ramps, and other elements, retention of casino (Sui Generis), bowling alley and existing food and drink unit (Use Class E) alongside to allow refurbishment, restoration and re-use of the Great Northern Car Park to provide office accommodation, retail and/or food and drink uses (Use Class E) and ancillary areas; and Refurbishment, restoration, partial demolition and erection of a 3-storey extension to Deansgate Terrace (northern section) and Goods Yard Entrance to form office, retail and / or food and drink use (Use Class E) and drinking establishments / hot food takeaway (Sui Generis), with associated public realm works comprising the reconfiguration of Great Northern Square and the introduction of additional public realm with associated hard and soft landscaping, highways works, access and servicing facilities, rooftop plant and other associated works; and

Partial demolition of the existing leisure box to erect three residential buildings (ground plus 16, 27 and 34 storeys) to provide 746 residential apartments (Use Class C3), reconfiguration of existing car parking together with the creation of office, retail and / or food and drink use (Use Class E), or Sui Generis (drinking establishments / hot food takeaway) at ground floor and level 3, hard and soft landscaping, together with highways works, access and servicing facilities, rooftop plant and other associated works; and,

External alterations and restoration of Deansgate Terrace (southern section) to provide office, retail or food and drink use (Use Class E) or Sui Generis (drinking establishments / hot food takeaway / live music venue), along with delivery of associated public realm, highways works, plant, and associated works

At Land Bounded By Deansgate, Great Bridgewater Street, Watson Street & Peter Street, Manchester M3 4EN

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### **1. Public Opinion**

10 additional objections have been received:

- Towers too high with too many flats and seriously harmful to the surrounding area.

Listed buildings and St Johns Gardens would be overshadowed. Historic England believe the development is too high and too large and dominates and damages historic and leisure spaces;

- Unlikely to attract families. No addition to outside space except to add further crowds to existing space;
- Overshadowed outdoor space is less attractive or useful;
- No affordable housing and adds to the shift in city centre demographic to a transitory population of young students and immediate post students;
- Highway proposal would seriously impact residents' ability to gain access to St Johns Garden. The closure of Bridgewater Street would make it almost impossible to get to this area from the Oxford Road side of the city centre and increase in pollution on the alternative route;
- 736 apartments, with 3 or 4 bedrooms, would create traffic for deliveries and refuse collection
- Reduction in parking would create issues when accessing events at Bridgewater Hall, HOME, The Factory, The Opera House and the Royal Exchange Theatre;
- Need for further office space is questionable given vacancy levels and the further provision of drinking and fast food outlets given the number of vacant premises. These proposals are unlikely to support the economic growth as they concentrate of weekend eating and drinking without any contribution to any other aspect of the city;
- Further scrutiny is required on the daylight effects on Porchfield Square. The report states that only bedrooms would be adversely affected and that bedrooms are not main habitable rooms. There are properties which have both living rooms and kitchens facing Longworth Street directly opposite the towers;
- Has the main private residential garden space for Porchfield Square been considered in the daylight and sunlight report. The impacts are said to be acceptable in a city centre but this is at the expense of existing residents;
- The report doesn't reference planned changes to traffic flows as part of active travel schemes (including closure of Whitworth Street West to cars and a one-way system around Porchfield Square). Closing Great Bridgewater Street would compromise vehicular access to this area, particularly with 1000 new residents;
- Overlooking and loss of privacy to windows on Longworth Street. Daylight/sunlight would be lost with overshadowing for most of the day all year.
- The impact on character or appearance of the area as highlighted by Historic England
- It is not clear what other infrastructure will be put in place, during both building works and once completed, to ensure there is the relevant egress and access to the St John's estate. Residents would be "boxed in" by one-way routes and bus gates which will increase pollution and air quality from cars and other vehicles sitting for longer with engines on;
- The new social and community spaces, employment and economic viability are welcome. The towers are out of scale and character;

- Historic England's comments on the proposal have not been adequately addressed. The scale of the towers is not in keeping with the listed buildings' and will adversely affect their historic and architectural significance;
- Impact on daylight/sunlight will be unacceptable: the bordering conservation areas of Peter Street, St John's Street, Castlefield and residential areas will all be detrimentally affected for most of the year;
- The light issue in the centre of the building complex itself seems inadequate;
- The external circulation core as Historic England comments will be detrimental to the listed building and should be reconsidered;
- Has any survey been carried out to explore the effect on the grade II listed canal that runs below the site or has it just been assumed that building level buildings will not affect it? The site is a Flood Zone 1 with critical drainage;
- What provision is given for the likely archaeological remains as per Historic England's comments on the Greater Manchester Archaeology Advisory Service?
- Would the current green space in front of the Great Northern (Great Northern Square) be affected? How much space will the children's play equipment take up and what type of children's play equipment is being provided? This area is often frequented in the summer months by locals and visitors, and would the sunlight levels here be also affected by the high rises;
- Where are the service provisions in terms of health care being considered for the 726+ new residents?
- How is the additional grey and black waters of the development going to be managed?
- Will the wind levels be increased and the noise levels - this is currently an issue with Beetham tower.

Manchester Central would like further information on what consideration has been made for noise at the homes. They would be close to the convention complex where certain events create noise. Clarification is required on sound proofing measures to prevent noise outbreak to avoid noise complaints.

There is limited information about the bridge link between Manchester Central and Great Northern Warehouse. Information is required about demolition, making good/reinstatement of building fabric on the Manchester Central side, the effect on Watson Street tenants, NCP Car Park exit congestion. Events in tenancy at Manchester Central will obviously have an influence on the how, when and what work will occur, therefore engagement with Manchester Central prior and during these works is key.

## **2. Ward Members**

**Councillor Joan Davies (Deansgate Ward Member)** objects raising two issues

The alterations to the highway are either not required to allow the development to work or are not an appropriate way to decide or influence what is effectively a through road closure.

The application mentions Great Bridgewater Street and includes data of its use. It is not heavily used, except at rush hours, particularly the evening rush hours when it becomes part of a commuter exit route from the city. It is a vital vehicular route used by residents of Castlefield and Spinningfields wishing to access key locations, including the main GP surgery, dentists, gyms for residents with mobility issues, and restaurants and theatres.

It is a route to Piccadilly station. Alternative routes are Whitworth Street West [already scheduled to be reduced to one way for private hire vehicles via a planned bus-gate] and the Mancunian Way inner ring road. The suggestion is that residents can use the inner ring road, which is often almost static. Residents use Whitworth Street West and Great Bridgewater Street as car or taxi routes during these times. City centre residents do walk around the city centre but there are times when this is not appropriate.

Great Bridgewater Street is in an area impacted by extensive road and lane closures. The planning process, and this application in particular, should be at the start of a decision about the status of the Great Bridgewater Street. This approach damages faith in our decision-making process, much of which has been piecemeal in relation to highways decisions in the Deansgate area.

The argument that this is in line with the City Centre Transport Strategy, but the wording of that strategy is not specific. During the strategy consultation process, recognition was given to the need for vehicle routes for residents, particularly to access needs, and to the perceived safety concerns regarding the spread of forms of 'pedestrianisation'

There is concern about the visual impact of the towers. The position of Historic England is supported in this regard.

The proposed condition 52 is welcome as there have been noise issues from this area in the past. Dialogue with local residents should be undertaken before these hours are determined.

### **3. Consultees**

Environment Agency

Have advised that conditions are required about ground conditions and piling.

### **4. Director of Planning**

The report refers to the scheme being for open market sale. The scheme is being progressed on a Build to Rent basis.

An acoustic report has taken noise readings when events were taking place at Manchester Central. The facades facing existing (and proposed) entertainment use would require enhanced glazing to minimise any low frequency noise. The final acoustic specification of the apartments would be secured by planning condition 22.

Discussions are ongoing about the bridge link. The applicant has indicated that they are aware of Manchester Centrals desire to have the link removed as soon as possible. Agreements would be made with Manchester Central and undertaken within a relevant phase of the development including undertaking the required repair works.

This is a large and significant development. The impact on the historic environment, daylight and sunlight and the local highway network has been fully considered as set out in the report.

The proposal suggests that through traffic movement on Great Bridgewater Street should be restricted, however, the highway solution does not rely on this and the scheme would be acceptable in planning terms if Great Bridgewater Street were to remain two ways. Condition 41 should be amended to reflect this as follows:

*41) Prior to the first occupation/use of a phase of the development, a scheme of highway works and footpaths reinstatement/public realm for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.*

*This shall include the following:*

- *Works to the junction at Great Bridgewater Street and Watson Street including widening footway widths, replacement of the staggered controlled crossing with a continuous crossing with an additional crossing at Great Bridgewater Street together with preventing through movement along Great Bridgewater Street;*
- *Consideration of options for Great Bridgewater Street including the prevention of through movement with associated Moving Traffic Enforcement cameras to enforce the no through route;*
- *Reduction in carriageway width along Watson Street;*
- *Reconfiguration of the loading bays along Watson Street;*
- *Provision of tactile paving and dropped kerbs and reinstatement of redundant access points;*
- *Enhanced areas of public realm, tree and shrub planting along Watson Street;*
- *Installation of wind mitigation measures including screens/planters.*

*The approved scheme for that phase shall be implemented and be in place prior to the first occupation/use of that phase of the development.*

*Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).*

The following additional condition is also required:

*Prior to the commencement of the development, details of the method for piling, or any other foundation design using penetrative methods, for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include:*

- Details of the piling / intrusive methodology intended to be utilised.*
- Details of the location of proposed piling/foundation works.*
- Details as to how any potential risks to controlled waters posed by the proposed chosen methodology have been assessed and where required mitigated against.*

*The approved details shall then be implemented during the construction of the development.*

*Reason - Piling or any other foundation using penetrative methods can result in risks to potable supplies (pollution/turbidity, risk of mobilising contamination) drilling through different aquifers and creating preferential pathways. It is therefore necessary to demonstrate that piling will not result in contamination of groundwater. In addition, piling can affect the adjacent railway network which also requires consideration pursuant to policies SP1, EN17 and EN18 of the Manchester Core Strategy (2012).*

Condition 40 should be altered as follows:

*Prior to the first occupation of the residential element within phase B/C, an electric vehicle car parking strategy for the provision electric car charging to the car parking spaces as indicated on drawings stamped as received by the City Council, as Local Planning Authority, on the 24 November 2022 shall be submitted for approval in writing by the City Council, as Local Planning Authority. The scheme shall include the following details:*

- (a) Layout and location of electric vehicle charging points;*
- (b) Provision for 10% of the spaces to be fitted with a 7kw fast charging point;*
- (c) Provision ~~10%~~ 90% car parking spaces would be fitted with appropriate infrastructure to be adapted at a future date should demand be shown as part of the travel plan review required by planning condition 37.*

*The electric vehicle car parking strategy shall be implemented prior to the first occupation of phase B/C and retained and maintained in situ for as long as the development remains in use.*

*Reason – In the interest of minimise the impact on local air quality conditions pursuant to policy EN16 of the Manchester Core Strategy (2012).*

The recommendation remains **Minded to Approve**.

**APPENDIX TO AGENDA  
(LATE REPRESENTATIONS)**

**Planning and Highways Committee** 16 February 2023

**Item No.** 6

**Application Number** 133148/FO/2022

**Ward** Ardwick Ward

**Description and Address**

Erection of part 4 storey, part 5 storey buildings, together with the refurbishment and restoration of existing buildings to form student accommodation (sui generis) together with associated landscaping, cycle parking, car parking and associated works following demolition of certain existing buildings

St Gabriels Hall, Oxford Place, M14 5RP

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**1. Applicant/Agent**

The applicant/agent states that 17 trees would be removed (8 are Category C and 4 category B). In addition, 5 trees are being removed due to health and safety. 23 trees will be planted which would result in an increase of 6 trees at the site.

A request is also made to make a minor amendment to the wording of condition 35, to specifically make reference to external signage.

**2. Consultees**

Historic England - It is suggested that the Council seeks the views of their specialist conservation and archaeological advisers to assess the proposal.

**3. Director of Planning**

A minor alteration is proposed to condition 35 (signage strategy). The condition now reads:

*Prior to the first operation of the development hereby approved, an external signage strategy for the entire building shall be submitted for approval in writing by the City Council, as Local Planning Authority.*

*The approved strategy shall then be implemented and used to inform any future advertisement applications for the building.*

*Reason - In the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy.*

It is also confirmed that the proposed accommodation includes 102 cluster rooms and 217 studio (319 bedrooms in total).

**APPENDIX TO AGENDA  
(LATE REPRESENTATIONS)**

**Planning and Highways Committee** 16 February 2023

**Item No.** 7

**Application Number** 134705/FO/2022

**Ward** Ardwick Ward

**Description and Address**

Change of use to create short stay emergency accommodation for homeless people (sui generis)

247 Upper Brook Street, Manchester, M13 0HL

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1. Consultees

GM Police Design for Security – No objection but have recommended measures to reduce the risk of crime and improve on-site security.

2. Director of Planning

The recommendations of GM Police Design for Security can be related to the development as an informative. The recommendation remains one of APPROVE.

## **APPENDIX TO AGENDA (LATE REPRESENTATIONS)**

**Planning and Highways Committee** 16 February 2023

**Item No.** 8

**Application Number** 134946/FO/2022

**Ward** Didsbury West Ward

### **Description and Address**

Erection of part two, part three storey building to provide 26 no. retirement apartments with associated communal facilities, landscaping, boundary treatments and car parking following the demolition of the existing dwelling

Jessiefield, Spath Road, Didsbury, M20 2TZ

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### **1. Local Residents/Occupiers**

1 further objection has been received. Concerns are raised in relation to the demolition of the existing building and the replacement of the front garden with a car park, due to the impact to wildlife and visual amenity.

### **2. Director of Planning**

To clarify the recommendation should read 'Minded to Approved' subject to a legal agreement containing a reconciliation clause which would require the future retesting of viability for the provision of affordable units.

An update is provided in relation to the following matters:

#### Highways

Concerns have been expressed regarding the level of car parking provision for the proposed development.

In response, the applicant has proposed a revised parking arrangement which includes 1 additional space (20 in total for 26 apartments), representing a parking ratio of 77%.

In comparison to the previously refused scheme considered on appeal which proposed 26 spaces for 34 apartments (76%) ratio, the level of parking provision is of a similar level and was previously assessed by the Inspector as being an acceptable level of provision in this location.

In terms of staff parking, the only regular on-site member of staff will be a house manager who will be on duty during normal working hours during the working week. One space is usually provided for their use if required but

most house managers tend to live in the local vicinity of schemes and may not necessarily need a space.

The Transport Statement which accompanies the application provides further details of surveys at existing McCarthy Stone schemes. Data indicates that the highest recorded demand (including staff, residents and visitors) was 0.7 spaces per apartment. 20 spaces at this Didsbury scheme represents 0.8 spaces and is therefore higher than the highest parking level recorded in the surveys.

For the McCarthy and Stone development in Chorlton, there are 47 apartments and 24 space, representing a ratio of 0.5 and therefore the ratio at the proposed site in this would be much higher.

Given the above, it is maintained that the level of proposed parking provision would be acceptable in this location.

Minor amendments have been made to the wording of conditions 2 (specified plans) and condition 22 (car park implementation) to include the updated drawing reference.



**Revised parking layout, with the addition of a space 20.**

### Trees

Clarification is sought regarding the level of tree provision at the site.

The number of trees retained and provided is as follows:

44 trees in total trees on site;

8 trees proposed to be removed (not 6 as previously reported);

36 trees retained on site;

21 trees retained on site that are not protected by a TPO;

19 new trees proposed

All trees protected by the TPO are retained.

All trees proposed to be removed have been assessed as being of low quality and value as identified within the submitted survey. The trees are not protected and are not considered to be of sufficient amenity value to provide a constraint to development.

The additional parking space proposed has necessitated additional tree protection measures which are included as part of an amendment to condition 22.

## **APPENDIX TO AGENDA (LATE REPRESENTATIONS)**

**Planning and Highways Committee** 16 February 2023

**Item No.** 9

**Application Number** 135309/FO/2022

**Ward** Didsbury West Ward

### **Description and Address**

Erection of a six storey commercial office building (Use Class E(c)(i,ii,iii), Use Class E (g)(i,ii)), with ancillary cafe on ground floor (Use Class E(b)) and roof mounted Solar PV array ; together with the Erection of three storey decked car park (Sui Generis) together with landscaping, highway works, and other associated works

Didsbury Technology Park - Phase 3, Princess Road, Manchester, M20 2UR

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### **1. Further residents' comments**

One further objection has been received from a local resident, this raises similar issues to those that are set out and considered within the published Committee report.

### **2. Further member comments**

Councillor John Leech has provided further comments regarding the need to expand the junction protection beyond the three currently identified within the published report and proposed condition 13 to include the public highway sections on Barlow Moor Road with junctions at Darley Avenue, Stanton Avenue and Winster Avenue.

### **3. Further Consultee comments**

MCC Highway Services – Have revisited the requirements for junction protections and confirm that those parts of the adopted highway at junctions with private roads should also be included within the proposed traffic regulation orders to protect those residential road junctions with Barlow Moor Road to include Winster Avenue, Stanton Avenue and Darley Avenue.

### **4. Director of Planning**

A point of clarification is required with regards to references in the published report on pages 265 and 277 to the original Siemens HQ planning approval from 1989. Whilst it is acknowledged that the planning permission was partially implemented with the development of Sir William Siemens House and associated car parking, the subsequent approvals and development of phases 1 and 2 envisaged in the 2014 Development Framework would mean that the 1989 planning permission would no longer be capable of being implemented.

Whilst this permission sets an important precedent in terms of the principle of development of the site for commercial office development it is not considered to be a viable fallback position that could now be implemented.

Following publication of the printed report some minor alterations are required to conditions. In addition, as a result of comments and responses from ward members and MCC Highway Services' an amendment is also required to condition 13 to refer to the additional three junctions to be reviewed for the inclusion of junction protection measures. The amendments are set out below:

- 4) *Notwithstanding the details submitted with the application, prior to development above ground the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:*
- *Samples and specifications of all materials to be used on all external elevations;*
  - *drawings to illustrate details of full-sized sample panels that will be produced in line with an agreed programme: and*
  - *a programme for the production of the full-sized sample panels and a strategy for quality control management;*

*The sample panels to be produced shall include jointing and fixing details between all component materials and any component panels, details of external ventilation requirements, details of the drips to be used to prevent staining and details of the glazing and frames and*

*The sample panels and quality control management strategy shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme and drawings as previously agreed.*

*The development shall be subsequently carried out in accordance with the agreed materials and associated details.*

- 12) *Prior to the commencement of above ground works, full technical details of the proposed off-site highway works required to facilitate the development shall be submitted to and approved in writing to the City Council as local planning authority. The submitted details shall include:*
- *A signalised access to the site from Barlow Moor Road*
  - *Pedestrian and cycle facilities associated with the signalised access*
  - *Delivery Strategy and programme associated with the Traffic Regulation Order associate with the signalised access*
  - *Scheme of mitigation measure(s) for the Princess Road/Barlow Moor Road and Princess Road junction to minimise congestion*
  - *Details that the submitted details have been subject to an application for a section 278 agreement*
  - *A timescale for the implementation of the proposed highway works*

*The development shall be subsequently carried out in accordance with the agreed details and the agreed timescales for implementation.*

- 13) *Prior to the commencement of above ground works, a delivery strategy for full technical details of parking controls in the form of Traffic Regulation Orders to the junctions with Barlow Moor Road at Rowsley Avenue, Darley Avenue, Winston Avenue, Stanton Avenue, Moorfield Road and Barlow Moor Court together with the timescales for implementation shall be submitted to and approved in writing by the City Council as local planning authority.*

*The development shall be subsequently carried out in accordance with the agreed details and the agreed timescales for implementation.*

- 14) a) *Prior to the commencement of above ground works of the development hereby approved an external lighting scheme for the operational phase of development shall be designed in accordance with a scheme previously submitted to and approved in writing by the City Council as local planning authority. The submitted scheme shall be designed so as to control glare and overspill onto nearby residential properties and shall be capped at the horizontal with no upward light spill.*

*b) Prior to occupation of the development, the external lighting scheme shall be installed and a verification report shall be required to validate that the lighting conforms to the recommendations and requirements in the approved light consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the criteria.*

- 16) *Within three months of the commencement of development, details of a scheme to provide a 10% net gain of on-site biodiversity enhancements and timescales for implementation shall be submitted to and approved in writing by the City Council as local planning authority.*

*If the scheme submitted identifies a shortfall in on-site provision below a 10% net gain a 'shortfall scheme' shall be prepared in respect of the extent and nature of off-site provision, as well as timescales and confirmation of any other agreements with third parties required to achieve 10% BNG. The 'shortfall scheme' shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details and within three months of completion a verification report including associated evidence, shall be submitted to the City Council as local planning authority confirming the implementation of the scheme(s).*

- 17) a) *Prior to the first occupation of the development, a Local Benefit Proposal Framework that outlines the approach to local recruitment for the end use(s), shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the occupation of the development.*

*In this condition a Local Benefit Proposal means a document which includes:*

- i) the measures proposed to recruit local people including apprenticeships directly employed by the landlord and measures proposed to encourage occupants to locally recruit including apprenticeships*
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal*
- iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives.*

*(b) Within 6 months of the first occupation of the development, a Local Benefit Proposal which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council, as Local Planning Authority. Any Local Benefit Proposal approved by the City Council, as Local Planning Authority, shall be implemented in full at all times whilst the use is in operation.*

- 24) *Prior to the first use of the relevant part of the development hereby approved and set out below, details of the operating hours for the:*

- The ground floor café*
- Office accommodation*

*shall be submitted to and agreed in writing with the City Council as local planning authority. The development shall be subsequently operated in accordance with the agreed hours.*

- 33) *The office building hereby approved comprises floor space for Use Classes E(c)(i,ii,iii) and Use Class E (g)(i,ii)), together with ancillary cafe and other floorspace as identified on the approved plans and shall be used for no other purpose including those within Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) not referenced within this condition.*

## **APPENDIX TO AGENDA (LATE REPRESENTATIONS)**

**Planning and Highways Committee** 16 February 2023

**Item No.** 10

**Application Number** 134891/FO/2022

**Ward** Didsbury West  
Ward

### **Description and Address**

Replacement of existing grass tennis courts to form 3 no. all-weather tennis courts with associated lighting and infrastructure

Northern Lawn Tennis and Squash Club, Palatine Road, M20 3YA

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### **1. Consultees**

A letter of support has been received from Manchester Metropolitan University (MMU). It is considered that the additional facilities would have a positive impact on MMU and the courts being available for matches/training.

It will allow the club to grow and enhance the reputation of the club to become a destination of choice for tennis. It would not only attract talent from around the country, but also keep home-grown talent in Manchester. It would also give students a fantastic sporting experience alongside their studies.

### **2. Director of Planning**

A minor change is made to the wording of condition 6 (acoustic fence) to ensure the retention of the fence so long as the courts are operational.

## **APPENDIX TO AGENDA (LATE REPRESENTATIONS)**

**Planning and Highways Committee** 16 February 2023

**Item No.** 11

**Application Number** 135048/FO/2022

**Ward** Didsbury West Ward

### **Description and Address**

Erection of an 8.3 metre high building to house two padel tennis courts, with associated lighting and infrastructure

Northern Lawn Tennis and Squash Club, Palatine Road, M20 3YA

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### **1. Local Residents/Occupiers**

1 further letter of objection has been received from a neighbouring occupier which can be summarised as follows:

- Clarification is sought regarding the position of the proposed acoustic fence. Information has also been provided to indicate the existence of a legal covenant, which may prevent the erection of a fence on land where the proposed fence is to be sited.
- Concerns are also expressed surrounding noise from the proposed padel courts and a request for a guarantee that any noise would exceed the authorised limits.
- It is contended that there is no evidence produced by the club of any benefits to the schools in the area which was cited as one of the main reasons for approving a 1995 application for a tennis court building to the rear of properties along Parkfield Road South.
- A request is made for the application to be deferred for a future Committee meeting and for the Committee to undertake a site visit.

### **2. Consultees**

A letter of support has been received from Manchester Metropolitan University (MMU). It is considered that the additional facilities would have a positive impact on MMU and the courts being available for matches/training.

It will allow the club to grow and enhance the reputation of the club to become a destination of choice for tennis. It would not only attract talent from around the country, but also keep home-grown talent in Manchester. It would also give students a fantastic sporting experience alongside their studies.

### **3. Director of Planning**

The below image clarifies the proposed position of the acoustic fence and should replace the image provided in the 'The proposal' section within the main body of the report.



**Proposed location of the padel courts outlined above, with the single red line indicating the approximate position of the proposed acoustic fence to the Elm Road boundary**

Whilst it is noted that a neighbouring occupier indicates the existence of a legal covenant which would prevent the erection of fence in the position indicated, the proposed fence is to be sited on land belonging to The Northern. In any event, any extraneous matters arising from a covenant would be a separate civil legal matter and the granting of planning permission would not override or supersede any legal issues that need to be addressed by the applicant.

In terms of noise impact, condition 8 provides a safeguard surrounding any potential undue noise generation. The wording of condition 8 has been amended and now reads:

*8) The development hereby approved shall only be implemented in accordance with the measures and criteria detailed within the submitted Noise Impact Assessment (Ref: 16764-NIA-02/RevC), produced by Clement Acoustics received by the City Council as Local Planning Authority on 12 December 2022.64-NIA-02 RevC.*

*Prior to the courts hereby approved becoming operational, a post completion report will be required to validate that the development, as implemented, conforms to the recommendations and requirements in the approved Noise Impact Assessment. This report should include the results of post completion testing, which shall be undertaken to confirm whether the target noise level criteria set out in the Clement Acoustics Noise Impact Assessment have been met. The post-completion report*

*shall be submitted to the City Council as Local Planning Authority for its approval.*

*If the post-completion report demonstrates that the noise level criteria specified above are not met, the report shall include details of the further works or measures to be taken ("the remedial works") to achieve compliance with the noise criteria, together with a timetable for their carrying out. Any such works shall be carried out in accordance with the approved post-completion report. In the event that such further works are required, a further verification report shall be required to demonstrate whether the noise level criteria set out in the approved Noise Impact Assessment have been met. The requirements of this condition as regards the post-completion report shall apply equally to any verification report.*

*The courts hereby approved shall not be brought into operation until a post-completion report or, as appropriate, a verification report demonstrates that the noise level criteria detailed within the submitted Noise Impact Assessment (Ref: 16764-NIA-02/RevC), produced by Clement Acoustics received by the City Council as Local Planning Authority on 12 December 2022.64-NIA-02 RevC have been met.*

*Reason - To safeguard the amenity of nearby residential properties, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and Policies DM1 and SP1 of the Manchester Core Strategy.*

With reference to any benefits to schools in the area or community, the club has confirmed that they have current partnerships with the universities and Manchester schools in conjunction with Manchester Active and the Lawn Tennis Association.

A minor change is made to the wording of condition 7 (acoustic fence) to ensure the retention of the fence so long as the courts are operational.

## APPENDIX TO AGENDA (LATE REPRESENTATIONS)

**Planning and Highways Committee** 16 February 2023

**Item No.** 12

**Application Number** 135321/FH/2022

**Ward** Didsbury West Ward

### Description and Address

Erection of a part single/part two storey side extension to provide additional living accommodation

15 Craigmore Avenue, Manchester, M20 2YQ

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### 1. Applicant/Agent

Following concerns that the proposed development was out of character with the existing dwellings in the area the applicant has amended the design as follows:

- 1) The full height window has been replaced with a more traditional sized one with brick panel below.
- 2) The existing bay has been retained.
- 3) Provision of an additional window.



### 2. Director of Planning

The revised design is considered acceptable and condition no. 2 is to be amended as follows:

*2) The development hereby approved shall be carried out in accordance with the following drawings stamped as received on 14 February 2023:*

- a) A1350(02)001 P6*
- b) A1350(02)002 P6*
- c) A1350(02)003 P6*

*Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy.*

The recommendation remains unchanged: **APPROVE**

## **APPENDIX TO AGENDA (LATE REPRESENTATIONS)**

**Planning and Highways Committee** 16 February 2023

**Item No.** 13

**Application Number** 135647/FO/2022

**Ward** Chorlton Park  
Ward

### **Description and Address**

Erection of a new Lidl foodstore (Use Class E) with associated car parking and landscaping

550 Mauldeth Road West, Manchester, M21 7AA

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### **1. Residents**

One resident has made contact as a signatory to the Community Letter of Objection referenced in the committee report, they state that the comments of residents and the Headteachers of Chorlton High and Loreto School have been disregarded. They state that both schools will be hugely negatively impacted by the proposed scheme.

A criticism is made of the fairness, objectivity and transparency of the planning application process, they state they had until the 7th to comment and by the 9th of February the press were citing the project as being green lighted. They suggest that due process has not been followed, and that this is not democratic. They state their objections have been ignored and that their family will be directly impacted by the proposal with significant additional traffic on St. Werburgh's Road, which will add to the significant existing problems with air pollution, noise pollution, traffic congestion, dangerous driving and speeding cars, heavy goods vehicles, and increases in the risk of accident and injury to cyclists and pedestrians.

One resident has objected reiterating issues that have been referred to in the report to committee relating to the site being a housing site, they state that the store should be part of the redevelopment of Chorlton and that additional car journeys would impact on local residents and proposed works to create a Low Traffic Network. They state that the existing building should be reutilised.

One resident has written in with a neutral comment that the development should accommodate photovoltaic cells and ground source heating and should include for higher levels of electric vehicle charging than the two spaced shown.

### **2. Consultees**

Historic England have confirmed that they do not wish to offer advice on the proposal on this occasion.

### **3. The Applicant**

The applicant has raised concerns regarding the wording of proposed condition 13 relating to car parking management and in particular the second part of this condition and how short stay drop off and pick up could actually be managed and prevented in practice.

The applicant has also requested amendments to conditions relating to servicing hours and that these reflect trading patterns on Sundays and bank holidays. They have requested that servicing is allowed to take place between 9 am and 5 pm on Sundays and can take place in line with recommended hours in relation to bank holidays.

### **4. Director of Planning**

The majority of additional comments received do not raise any further issues to those addressed within the original report to committee.

In response to the comments regarding the planning process, the application was registered on the 2 December 2022. Neighbour notification letters were dispatched on 15 December 2022. An original date for comments was given of the 5 January 2023 and given the holiday period the time for commenting upon the application was extended to 7 February 2023. It is therefore considered that there was ample opportunity for comments to be made and taken into consideration in the preparation of the committee report.

The applicant's concerns around car parking management are acknowledged, however, it is considered necessary in relation to pedestrian and highway safety given the sites location in relation to nearby schools. The reason to this condition has been amended to reflect this.

In response to the applicants request to amend servicing hours, given the sites location away from residential properties and mitigation measures in place to minimise noise on the adjacent mosque the proposed servicing hours for Sundays and bank holidays is considered acceptable and the proposed conditions are recommended to be amended to reflect this.

Some minor corrections are required to the printed report. The reference to NPPGs at page 394 of the printed report should reflect that this has been updated since original production in 2014 with the latest update being September 2020. The reference to paragraph 91 is incorrect and should instead read paragraph 5.

Minor amendments are required to a number of conditions to reflect the trading days of the store.

- 5) *The retail unit (Class E) hereby approved shall not be open outside the following hours:-*

*07:00 to 23.00 hrs Monday to Saturday 10.00 to 18.00 hrs Sundays*

*Reason - To safeguard residential amenity, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.*

- 6) *Deliveries, servicing and collections, including waste collections shall not take place outside of the following hours: 07.30 to 20.00 hrs Monday to Saturday and 09.00 to 17.00hrs Sundays.*

*Reason - To safeguard the amenities of nearby occupiers, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.*

Condition 8 is no longer required as the applicant has confirmed that there would be no extraction system installed at the retail unit.

The reason to condition 13 is updated to read:

*Reason - To ensure that there is adequate parking for the development proposed when the building is occupied and in the interests of pedestrian and highway safety in order to comply with policy DM1 of the Core strategy.*

Condition 23 requires amendment.

*Prior to the first occupation of the development hereby approved details of the physical security specifications outlined within the submitted Crime Impact Statement (Ref: 2002/1427/CIS/02 - version A) dated 13 August 2022, received on 02 December 2022 to be installed at the development shall be submitted to and approved in writing by the City Council. The development shall be carried out in accordance with the agreed details.*

Condition 24 requires amendment on timescales for the submission of information.

*Notwithstanding the details of landscaping as set out within the approved drawing references: R/2626/1B received 02 December 2022, a further plan indicating biodiversity enhancement to be made shall be submitted prior to commencement of above ground works. Landscaping and biodiversity enhancements shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective,*

*another tree or shrub of the same species and size as that originally planted shall be planted at the same place.*

The recommendation of the Director of Planning is to **APPROVE**.

## **APPENDIX TO AGENDA (LATE REPRESENTATIONS)**

**Planning and Highways Committee** 16 February 2023

**Item No.** 14

**Application Number** 135604/FO/2022

**Ward** Chorlton Park  
Ward

### **Description and Address**

Erection of a 65 dwellings (Use Class C3(a)), with associated infrastructure, including landscaping, ecological mitigation, drainage and car parking, access from Wilbraham Road, and demolition of garage to the rear of 354 Wilbraham Road

Land To The Rear Of 354 Wilbraham Road, Manchester

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### **1. Local residents**

A further objection letter has been received on behalf of occupiers of 19 addresses on Morville Road, Wilbraham Road and Brantingham Road . The main points raised can be summarised as:

- the scope and extent of pre-application consultation undertaken by the applicant;
- whilst the need for more housing is understood, there are over 8000 homes across Manchester lying vacant;
- the use of brownfield land to provide larger housing projects benefiting more than this land;
- the issue of flooding has not been fully taken into account, and impacts on existing properties and gardens;
- Gases and risk of gas releases from digging on the land;
- Traffic impacts arising from the proposals;
- Pressures on public services and schools;
- Not aware of what consultation has been undertaken to assess the appropriateness of the mitigation proposals;
- Impacts on wildlife that is on the site; and,
- Covid has impacted on the usage of the land and prevented it's use for sports and should not be included in the period of inactivity.

### **2. The applicant**

The applicant has provided additional plans clarifying the types of boundary treatment to be installed at the site to comprise 0.9m high ball top metal railings and 0.9m high ball top metal railings with hedgerow to front gardens. They have also provided section drawings through the site to show relationships between proposed properties and existing properties.

Further information has also been provided in relation to there being no evidence of a culvert within the site and that this would confirm that no further work is required to be undertaken by the applicants.

The applicant has also been in discussions with the Council's work and skills team with regard to their local labour proposals and updated information has been provided to the Council to confirm this proposal.

The applicant has also indicated that conditions relating to construction management and ground conditions are capable of amendment following the submission of further information to the Council.

The applicant has requested that a number of conditions be amended to reflect submitted and approved documents and information together with the likely delivery of houses on the site. They have also indicated that as no externally mounted equipment is proposed that condition number 25 should be removed.

### **3. Consultees**

Following the provision of further information by the applicant the Council's Flood Risk Management Team have asked that the following informative is appended to any decision:

MCC records highlight that the underground Longford Brook / Nico Ditch is located within close proximity to the site. While our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

### **4. Director of Planning**

The majority of additional comments received do not raise any further issues to those addressed within the original report to committee.

Whilst the submitted section drawings need to be reflected in the specified plans condition further details are required on the final detailed design of boundary treatments across the site to indicate a solid plinth detail to the base of any proposed railing therefore a condition to reflect this is required.

Details submitted in relation to Local labour proposals are considered acceptable to the Council and an amendment to the proposed condition is required to reflect this.

Whilst amended details relating to ground conditions and construction management have been supplied the relevant conditions are still required as

further details would need to be submitted to fully discharge these conditions. In respect of condition 25, the applicants supporting documents indicate that air source heat pumps are to be installed as part of the development as such and as recommended by MCC Environmental Health condition 25 is still considered necessary in this instance.

A comment has been made by residents with regards to the need to focus developments of this type on brownfield land. Adopted policy H1 of the Core Strategy acknowledges that 90% of residential development during the plan period would be on previously developed land, with the remaining 10% coming forward on land not falling within that definition. In this instance it is not considered that there are any planning policy reasons that would support a refusal of the proposals.

Amendments are required to the following conditions:

- 2) *The development hereby approved shall be carried out in accordance with the following drawings and documents:*

*Application form,*

*Covering letter prepared by Asteer Planning;*

*Supporting Planning Statement (including Affordable Housing Statement) prepared by Asteer Planning;*

*Agronomy Report prepared by STRI;*

*Air Quality Assessment prepared by Redmore Environmental;*

*Aboricultural Impact Assessment and Arboricultural Method Statement prepared by Tyler Grange;*

*Broadband Connectivity Assessment prepared by GTech Surveys;*

*Construction Environmental Management Plan prepared by Anwyl Homes;*

*Crime Impact Statement prepared by Greater Manchester Police;*

*Design and Access Statement (including Residential Standards Statement, Waste Management Strategy, Blue and Green*

*Infrastructure Statement) prepared by APD; Ecological Impact Assessment prepared by Tyler Grange;*

*Ecological Enhancement Strategy prepared by Tyler Grange;*

*Environmental Standards Statement prepared by Watt Energy;*

*EV Charging Specification;*

*Flood Risk Assessment and Drainage Strategy prepared by RSK;*

*Heritage Statement prepared by RPS;*

*Landscape Ecological Management Plan prepared by Tyler Grange;*

*Landscaping scheme prepared by Tyler Grange;*

*Lighting Impact Assessment prepared by BWB;*

*Local Labour Proposal prepared by Anwyl Homes;*

*Noise Impact Assessment prepared by E3P; Playing Pitch Mitigation Strategy prepared by Sports Planning Consultants;*

*Statement of Community Involvement prepared by UK Networks;*

*Transport Assessment prepared by Focus; and,*

*Television and Radio Reception Impact Assessment prepared by GTech Surveys.*

*Waste Proforma prepared by APD*

*Demolition Plan DP01 Rev A APD*  
*Existing Site Layout ES01 Rev A APD*  
*Housetype Pack HT01 APD*  
*Location Plan LP01 Rev C APD*  
*Illustrative Sections SE01 Rev B APD*  
*Illustrative Street Scenes SS01 APD*  
*Key Plan – Illustrative Streetscenes KP01 APD Received 28*  
*November 2022*

*Affordable Housing Layout AF01 Rev D*  
*EV Charging Point Layout EV01 Rev D*  
*Hard Surfacing Layout HS01 Rev D*  
*Land Use Plan LU01 Rev C*  
*Materials Layout ML01 Rev D*  
*Colour Planning Layout PL01 Rev G*  
*Waste Management Plan WM01 Rev D*  
*Planning Layout PL01 Rev G Driveway Dimension Layout DD01 Rev*  
*C*  
*Drainage Appraisal 10-01 Rev P7*  
*Soft Landscape Drawing (1 of 3) 14807\_P05(1) Rev A*  
*Soft Landscape Drawing (2 of 3) 14807\_P05(2) Rev C*  
*Soft Landscape Drawing (3 of 3) 14807\_P05(3) Rev A*  
*Completed Construction Local Labour KPI Proposal and Reporting*  
*Template*  
*Updated Waste Proforma*  
*Updated Phase I Desk Study 15-811-R1-6 Dated: January 2023*  
*Updated Phase II Geoenvironmental Site Assessment 15-811-R2-6*  
*Dated: January 2023 Remediation and Enabling Works Strategy 15-*  
*811-R3-2 Dated January 2023*  
*Archaeological Evaluation SA/2023/1*  
*Updated BNG Metric*  
*Received 26 January 2023*

*Illustrative site sections reference SS02 Rev A as received on the 13<sup>th</sup>*  
*February 2023*

Condition 3 requires an amendment to reflect the submitted materials layout information:

- 3) *With the exception of demolition, no above ground development that is hereby approved shall commence unless and until samples and specifications of all other materials to be used on all external elevations of the development, as detailed on the approved Materials Layout ML01 Rev D, have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed materials.*

Conditions 5 and 6 require amendment to allow occupation of houses when provision of cycle and car parking relating to individual plots has been provided.

- 5) *The car parking as indicated on the approved plans shall be surfaced, laid out and demarcated prior to the occupation of each dwelling. The car parking shall then be available at all times for people residing at the dwelling whilst the dwelling is occupied.*
- 6) *The approved details for cycle parking provision as set out on the approved drawings and documents shall be installed prior to the occupation of each dwelling and be retained thereafter for use by people residing at the dwelling.*

Condition 11 requires amendment to reflect the approved waste management strategy.

- 11) *The development is to be undertaken in accordance with the submitted Waste Management Plan (WM01 Rev D) and completed Updated Waste. The strategy shall be implemented in full prior to the first occupation of the authorised development and maintained in situ thereafter.*

In accordance with further discussions regarding local labour an amendment is required to condition 20.

- 20) *Within one month prior to construction work being completed, a detailed report which takes into account the approved 'Updated Local Labour Proposal and Completed Construction Local Labour KPI Proposal and Reporting Template' as received by the City Council on the 26<sup>th</sup> January 2023 and outcomes about local labour recruitment shall be submitted for approval in writing by the City Council as Local Planning Authority.*

An additional condition is required for the submission and approval of boundary treatments:

- 28) *Prior to the commencement of above ground works a plan indicating the positions, design, materials and type of boundary treatment to be erected at the development shall be submitted to and approved in writing by the City Council as local planning authority. The boundary treatment relevant to each dwelling shall be completed prior to its occupation. The development shall be carried out in accordance with the approved details and shall thereafter be retained.*

*Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.*

The recommendation of the Director of Planning remains as **MINDED TO APPROVE**.

## **APPENDIX TO AGENDA (LATE REPRESENTATIONS)**

**Planning and Highways Committee** 16 February 2023

**Item No.** 16

**Application Number** 135713/FH/2022

**Ward** Moss Side Ward

### **Description and Address**

Erection of a single storey rear extension together with a front porch enlargement to provide additional living accommodation

24 Victory Street, Manchester, M14 5AE

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### **1. Residents**

Further comments have been received from two residents at one address who requested that their concerns be further highlighted to the committee and submitted a number of additional photographs. The main points can be summarised as follows:

- Potential to affect existing traffic congestion on Victory Street through an increased presence of vehicles associated with construction.
- Traffic is an ongoing issue on Victory Street. Road users (such as cars, lorries, binmen and postmen) experience difficulties accessing the road and cause blockages as a result. This is exacerbated by local residents utilising the road for on-street parking as well as when Shahjalal Mosque and Islamic Centre is in use as this leads to an influx of cars and parking, which contributes to congestion.
- Website documenting the ongoing traffic issues: Cars continually drive onto pavements - Viewing a problem :: FixMyStreet, has been provided.
- Concerns relating to the proposal's effect on residential amenity. The proposal would result in a loss of light for neighbouring properties.
- Concerns relating to the location and storage of waste bins and construction materials and their potential to limit the accessibility of the pavement and highway for pedestrians and vehicle users.
- Concerns relating to the tenant of No.24 applying for the proposal, not the landlord.
- Concerns relating to the proposal's adherence to electricity and gas safety regulations.
- Previous grievance relating to the objector's roof being damaged as a result of works being undertaken on the roof of No.24.
- Concerns that the newbuilds located at the northern end of Victory Street hold no relevance to the proposal.
- Concerns relating to the visual amenity of Victory Street. The proposal would not match the overall aesthetic of the street due to it being

nestled between two terraced properties that do not possess residential extensions / alterations.

- Noise related to the proposal and its works would have an adverse effect upon neighbouring occupants who have existing health conditions. Noise disturbance would cause discomfort, disassociation, and mental distress for these residents who are particularly sensitive to noise and other disruptive activity. The resident indicated that continual sound and noise would be challenging, overwhelming and unbearable for them and would negatively affect their mental health, causing meltdowns, detachment, and pain. They felt that this would amplify an already dire situation.
- Concerns relating to previous civil disagreements with the landlord of the property including instances of trespassing within neighbouring gardens.
- Concerns relating to the proposal's impact upon household pets who are sensitive to noise and wary of unfamiliar people.
- A photograph has been submitted showing materials stored beyond the fence line of the application property.



*Figure 1.* Photograph depicting traffic congestion along Victory Street.



*Figure 3.* Photographs of the rear garden of a property adjoining No.24 Victory Street, demonstrating the potential impact of the extension.

## 2. Director of Planning

The further representations do not raise any additional planning-related issues to those addressed in the report to committee.

### Traffic

As detailed in the submitted committee report, the proposed development and its associated works may result in a slight increase in traffic in the form of construction vehicles. However, this increase is understood to be very minor (due to the proposed development being of a minor nature) and would be temporary, lasting for a short period of time and ending upon completion of the works.

The application property would also remain as a single dwelling and, as such, the development should not lead to an increase of vehicles and on-street parking (as would be associated with an increase in the number of residents) along Victory Street.

### Construction materials and waste

The current waste storage would be unaffected by the proposal as adequate space for the storage of bins would be retained in the small garden located at the front of the property.

It is understood that any materials or waste associated with the proposal would be stored within the confines of the plot boundary and should therefore avoid contributing to congestion or limiting access for pedestrians and road users along Victory Street.

### Noise

With regards to concerns raised relating to noise caused during construction, this is a matter that is dealt with through separate legislation, such as the Control of Pollution Act 1974.

### Other

Concerns relating to the tenant applying for the proposal, the proposal's adherence to electricity and gas safety regulations, previous grievances relating to the objector's roof being damaged and previous civil disagreements would not constitute material considerations which would warrant a refusal. These matters either relate to issues covered by building regulations or are civil matters between the various parties involved.

The recommendation of the Director of Planning is to **APPROVE** the proposal for the reasons specified above in addition to those set out in the submitted committee report.