

Planning and Highways Committee

Minutes of the meeting held on Thursday, 22 August 2019

Present: Councillor Curley (Chair)

Councillors: Nasrin Ali, Shaukat Ali, Clay, Y Dar, Davies, Hitchen, Kamal, J Lovecy, Lyons, Riasat, White and Wilson

Apologies: Councillor Madeleine Monaghan and Watson

Also present: Councillors: Andrews, Bridges, Chambers, Kilpatrick, Leech, A Simcock and Wright

PH/19/70. Supplementary Information on Applications Being Considered

Decision

To receive and note the late representations.

PH/19/71. Minutes

Decision

Subject to an amendment to record that Councillor White was not present at the meeting, to approve the minutes of the meeting held on 25 July 2019 as a correct record.

PH/19/72. 123522/FO/2019 - Pearl Assurance House, 25 Princess Street, Manchester, M2 4HH

The committee considered a request for a site visit to allow members to assess the proposed development site, its relationship to the Law Library office building across from it, and the proposed arrangements for waste storage and collection.

Decision

To defer consideration of the matter to allow a site visit to be carried out by the members of the Committee.

PH/19/73. 121857/FO/2018 - 84 Cambridge Street, Manchester, M15 6BP

This application was for the erection of a twelve-storey purpose built student accommodation building with three storey element to rear comprising 82 units with roof top terrace and associated landscape and highway works, following demolition of existing structures.

At the Planning and Highways Committee meeting on 14 March 2019, members resolved to defer determination of this application in order to undertake a site visit before making a decision. A site visit was undertaken on the 11th April 2019. The committee then met later that same day and at that meeting members were minded to refuse the application due to concerns expressed regarding the negative impact of the proposed development on neighbouring properties resulting in a loss of amenity, overlooking, and reduction in daylight. The application was therefore deferred and the Director of Planning asked to bring a report which addresses the concerns raised and potential reasons for refusal.

Following committee on the 11th April 2019 the applicant sought to review the scheme with a view to making changes to address the concerns that had been expressed by the committee. Revised plans had been submitted in June 2019. A further site notification was therefore undertaken on the basis of the revised drawings.

The alterations to the scheme comprise a reduction in the height of the rear of the building by nine storeys from twelve storeys to three storeys and a consequent reduction in the number of units from 97 units to 82 units.

At the meeting it was reported that further residents' comments and objections had been received. These raised concerns about the proposed access for the servicing of the building and refuse collection. That would be over an area of land used as a play area by children, and the vehicle movements would be a potential hazard. A petition of 87 signatures had also been received opposing the development on the grounds of reduction in daylight levels in surrounding properties, over shadowing, overlooking and loss of privacy, inadequate means of access, traffic generation, noise, disturbances and the risk of anti-social behaviour. Further representations had also been received from the applicant that related to community engagement, access proposals and plans for the development of community benefit projects as part of the scheme.

The meeting was addressed by an objector to the application. He spoke of residents' continuing concerns about loss of light to nearby buildings, loss of amenity to residents and the local community, disruption to the local highways and extra congestion, and that despite the changes proposed in the revised plans the development would still be over-dominant.

Councillor Wright, a Hulme ward councillor, then addressed the committee. She supported the views expressed by the objector, echoing that little had changed between the original application and the revised plans. The building would still be towering over neighbouring properties resulting in loss of light. She asked the committee to again refuse the application.

A representative of the applicant then spoke. The applicant is a well-established developer of student accommodation and this scheme was their first development in Manchester. The scheme had been redesigned since the committee had considered it in April, with work done to assess the possible impact on the daylight levels enjoyed by neighbouring buildings. The outcome of those sunlight daylight assessments were

reported in the officer's report. The application was supported by the University and the applicant was committed to being a good neighbour.

The committee was told of the way that these revised plans differed from the scheme that was rejected by the Committee earlier in the year. Members noted the study of light levels that had been done by the applicant. There were concerns expressed about the finding that of 52 windows in the student accommodation that had been assessed, only 19 would comply with BRE guidelines for light levels. Members were reluctant to accept that students were not deserving of the same levels of daylight that would be expected for more permanent residents of a development. Members welcomed the changes that the developer had made to the scheme but still felt that the proposals were overly detrimental to the amenity of neighbouring residential properties, would result in accommodation with insufficient levels of light, inadequate servicing arrangements, loss of privacy and traffic concerns.

Decision

Minded to refuse for the reasons that the proposed development would impact on neighbouring properties with a loss of amenity, overlooking, and reduction in daylight to neighbouring properties and within the building itself. The committee agreed that the proposal was therefore in conflict with policies Policy SP1 - Spatial Principles, Policy EN1 - Design Principles and Strategic Character Areas, Policy EN 2 - Tall Buildings, and Policy DM1 - Development Management.

(The Head of Planning has been requested to submit a report which addresses the concerns raised and whether there are reasons for refusal which could be sustained.)

PH/19/74. 123274/FO/2019 - Xaverian College, Lower Park Road, Manchester, M14 5RB

This application was for the erection of a 2 storey teaching block and re-arrangement of the associated car park.

This application was reported to committee on 25th July 2019 following a site visit that morning. As members resolved that they were minded to refuse the proposal, the application was deferred and requested that a report be brought back which addresses the concerns and provide for further consideration of potential reasons for refusal. Members were minded to refuse the application on the basis of the following:

- The proposals were in conflict with Core Strategy policy EN3 and saved UDP policies DC18 and DC19.

At the meeting it was reported that the applicant had sought to address the concerns that members had by proposing to provide alternative views across the open spaces towards the listed buildings on the campus, including the creation of a new opening in the wall along Dagenham Road where the existing high wall could possibly be lowered and replaced by railings. That would allow new views into the site. A planning application had already been submitted (123188/FO/2019) which related to works on the boundary walls around the college. The late representations that were

submitted also proposed amendments to conditions 3 and 12 from those that had been included in the officer's original report.

The meeting was addressed by an objector. He was concerned about the scheme's harm to the setting the heritage assets near to where the new building would be built, and also on the wider conservation area. He considered the design of the teaching block to be poor and believed that other possible locations for it on the campus should be investigated by the committee.

The meeting was then addressed by the Finance Director of the college, speaking as the applicant. The proposed building was important to the college's capacity to teach more 16-18 year olds. The college was sympathetic to the concerns about the heritage assets and the conservation area but felt that the proposed location was the best one to preserve green-space on the campus, and to not create other problems on the campus site.

At the meeting the officer explained how other possible locations had been looked at, but they had all presented issues that made them less suitable than the location that was before the committee.

In considering the application, Members welcomed the applicant's suggestion for allowing new views into the campus. Members sought an assurance that consent for the development could also be subject to a condition on the creation of those views, and the changes to the boundary wall to allow for that. The Director of Planning confirmed that approval could be subject to such a condition, and on being satisfied that the college would undertake the boundary work as part of the implementation of the scheme.

Decision

Minded to approve with the authority to approve the application delegated to the Director of Planning, in consultation with the Chair of the Committee, subject to the conditions and reasons set out in the report, and as amended in the late representations submitted at the meeting, and subject to the Director being satisfied that the proposals for creating new views into the site by opening sections of the wall could be secured by way of an additional condition attached to the consent.

PH/19/75. 123744/FO/2019 - 559A Barlow Moor Road, Manchester, M21 8AN

This application was for the change of use from shop (Class A1) to restaurant/cafe (Class A3) and installation of flue to the side and a retractable awning to the front.

The application site relates to a vacant ground-floor shop formerly a delicatessen known as Hickson and Black's. The site has been used more recently as a premises known as Lord of the Pies, which was a café/bar, but did not benefit from planning permission for this use. The property is located centrally within the Chorlton District Centre. Within this parade there are commercial premises used as Thai massage parlour, nail and beauty salons, a holistic health centre, and an estate agent's. The property is two storeys in height and the upper floor is in use as a holistic health

centre. The application site is on the western side of Barlow Moor Road. There is a bus stop with links to the city centre approximately 55 metres from the premises, and the property is a short walk away from the Chorlton Metrolink Stop.

The property is semi-detached and has a narrow passageway to the southern side elevation and a shared vehicular access to the rear yard area, adjacent to the adjoining semi to the north, which is shared with the neighbouring properties to the side and above.

At the meeting the officer proposed that condition 9 in the printed report would need to be amended to require the submission of a full waste management strategy that would need to be approved in writing by the City Council as local planning authority.

The applicant addressed the committee. He explained how work to convert the property to his intended use had commenced without his awareness of the need to obtain consent for the intended new use. Work had then ceased when the application had been submitted. He hoped that the committee would be able to support the application that would bring a vacant unit back into use and create six new jobs in the neighbourhood.

In discussing the application members expressed some concerns about the proposed servicing arrangements for the new café, and it was suggested that the servicing hours be Monday to Saturday 8.00am to 8.00pm, rather than 7.30am to 8.00pm as proposed in the report. It was also suggested that a maximum noise level 30dB be added to the proposed wording of condition 6.

Decision

To approve the application subject to the conditions and reasons set out in the report, with condition 4 amended so that deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 08:00 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays; and with the Director of Planning authorised to review and amend the wording of condition 6 to consider the inclusion of a noise limit of 30dB and the rewording of condition 9 to require the submission and approval of a full waste management strategy.

PH/19/76. 120607/FO/2018 - Platt Lane Complex, Yew Tree Road, Manchester, M14 7UU

The committee considered a request for a site visit to allow members to assess the site's location and its relationship to nearby residential areas.

Decision

To defer consideration of the matter to allow a site visit to be carried out by the members of the Committee.

PH/19/77. 123748/FO/2019 - The Site Of The Fire Damaged Paterson Building On Wilmslow Road And North Of Oak Road, Christie Hospital NHS Trust, 550 Wilmslow Road, Manchester, M20 4BX

(Councillor Wilson declared a prejudicial interest in this as he was going to make representations on the application to the committee. Having done so he withdrew and took no further part in this decision.)

This application was for the erection a part 3, part 7 and part 10 storey building plus a basement level to accommodate biomedical research laboratories, consultant workspace, collaboration spaces, and an ancillary café, together with external storage and servicing compound, cycle storage facility, external hard and soft landscaping, and plant and equipment.

This application relates to a 0.64 hectare site formally occupied by the four storey Paterson Building to the north of the Wilmslow Road/Oak Road junction and a separate site on the northern side of Kinnaird Road. The Paterson Building was damaged by fire in 2017 and permission was granted for its demolition in December 2018 (ref. 121526/DEM/2018). It has been substantially demolished and work is expected to be finished by September 2019. The site is located within Flood Zone 1 (low risk of flooding) and is not located within an Air Quality Management Area.

The main site is located on the western side of Wilmslow Road, within the main Christie campus and adjoins hospital buildings to the west and north. The campus is made up of a variety of buildings of differing scale, though they are predominantly 4 to 5 storeys in height. On the opposite side of Oak Road is a three storey residential property and elements of a 2 storey commercial premises that fronts Wilmslow Road. There are a number of three storey residential properties and the three storey Manchester Cancer Research Centre (MCRC) on the opposite side of Wilmslow Road.

The smaller site is to the north of Kinnaird Road and adjoins the MCRC building. On the opposite side of Kinnaird Road there are 3 and 4 storey residential properties.

At the meeting the late representations were presented to the committee. Further letters of objection had been received from local residents, and the matters raised in those letters were reported. The views and concerns of a ward councillor for a neighbouring ward were set out. Further correspondence had been received from the "Rethink Patterson Residents' Group" and the issues raised in that were set out.

Further comments and information provided by objectors were referred to relating to air quality, whether the building would be a precedent for other buildings of a similar height in that part of the city, the impact on the Withington Conservation Area, and the concept of the Team Science approach that had been an important factor in the building's design. Clarification was also given on the form and number of letters of support and objections.

The meeting was then addressed by a local resident who spoke as the representative of the objectors to the proposals. She believed that the proposed building would be in breach of national and local planning guidance and the existing Christie Strategic

Planning Framework. She felt that it would set a dangerous precedent for tall buildings in residential areas. She questioned the validity of the 'Team Science' analysis that had resulted in the proposal of a tall building saying that much research in that subject had concluded that horizontal arrangements were more effective than vertical arrangements, and that a lower and flatter building would be a more effective design. If the whole of the footprint area of the destroyed building was utilised it would be possible to have a lower and flatter building instead. She asked the committee to defer the application to allow for a better design to come forward that would not be as tall.

Councillor Chambers was next to address the meeting, a ward councillor. She spoke of the pride that the ward councillors have in the Christie, the care it provides and the research it undertakes. She recognised the benefits of the co-location of research and treatment activities and so the benefits of redeveloping the Patterson site. Nevertheless, there were considerable local concerns about the height and design of the proposed building and the wider impacts of additional traffic and congestion. The ward councillors sympathised with those concerns and needed reassurance that all options had been explored to reduce the height of the proposed building. She was pleased to note that the building would not set a precedent for other tall buildings. Once construction started she hoped that disruption to other road users and local residents would be minimised. She asked the committee to consider making consent subject to the signing of a Section 106 agreement to provide money for the greening of the Withington Corridor.

Next to address the committee was Councillor Bridges, a ward councillor for a neighbouring ward, Old Moat. He explained that he supported the principle of redeveloping the site of the Patterson building along the lines proposed to allow the co-location of clinical and research facilities, which would necessitate a new building of considerable size and scale. He too spoke of the many local concerns about the proposed height of the new building and sought an assurance that the building would not set a precedent for another tall building at the Christie or elsewhere in that part of the city. He felt that the applicant must be called upon to demonstrate that every consideration had been given to how the building could be made smaller.

The meeting was next addressed by Councillor A Simcock, a ward councillor for the neighbouring Didsbury East ward. He spoke as the Chair of the Christie Neighbourhood Forum and as the Council's representative on the Christie Council of Governors. He supported the application. He addressed what he considered to be the four main objections: traffic and parking; setting a precedent; the possible impact on retail business in Withington; and the height of the proposed building. In each case he outlined what had been done to address and mitigate each of those concerns. He explained that the height of the building was a product of its proposed use and function, and that to make it smaller would only harm the Christie's ability to carry out world-class research and treatment of cancers. The building would be a benefit to the city and the North West of England region. He asked the committee to approve the application.

Councillor Kilpatrick then spoke, a councillor for the neighbouring ward of Didsbury West. He acknowledged that the work of the Christie Hospital is world-renowned and that local residents are justifiably proud of the work done there. He also

acknowledged that it is generally accepted that the fire-damaged building should be replaced, but not with a building as high as the one being proposed. He felt that all options for co-location across the whole hospital site had not been sufficiently considered by the applicant before proposing a new building of this height. He urged the committee to make any approval also subject to conditions to address car parking and air quality monitoring. Notwithstanding those suggested conditions he remained of the view that the application should not be approved until the committee was assured that all other possible co-location options on the whole site had been taken into consideration, so that the scale of the new building could be reduced.

Another Didsbury West councillor, Councillor Leech, was the next to address the committee. He observed that no other building in South Manchester was anywhere near the height of what was being proposed. He felt that some of the facilities that were to be inside this building could be housed elsewhere on the Christie site, such as the biomarker facility. If that were done then this building would not need to be so tall, and it would not have such a serious and harmful impact on the amenity of local residents. He also argued that the building could be a precedent for other applications for tall buildings at the hospital. He called on the committee to be minded to refuse the application so that the applicant had to re-examine the way that the proposed facilities could be accommodated elsewhere.

Another Didsbury East ward councillor next spoke, Councillor Wilson. He acknowledged the need to replace the destroyed building. It was accepted that to allow the hospital to achieve its ambitions to be a world-leader in the treatment of cancers the replacement building would need to be larger than the original. However, he asked that the applicant look again at all option to reduce the height of the proposed building without compromising on its function. He asked the committee to consider a further condition be added to a consent to require that the use of all the floor space on each floor be exactly as specified in the application.

The committee was then addressed by the Chief Executive of the Christie. He told the committee of the hospital's world-leading cancer research and treatment, and how that is a significant benefit to all the people of Manchester. The new building had been designed to bring together the best clinical specialist with the best scientists to allow Team Science to flourish in Manchester. The proposed build had been designed so as to maximise the benefits of Team Science, worked on by two world-experts in the bringing together of scientists and clinicians. The plans had also been reviewed by an expert international review panel which had award the plans £25m from the UK national research infrastructure fund. Those levels of expert independent endorsement gave the hospital confidence that its strategy and design would provide the best environment for Team Science to flourish and allow Manchester to be a world-leader in cancer treatment and research. He commented that the size of the building reflected the ambition of the hospital and that all other options had been examined and were either less effective or infeasible.

The Deputy Director of Planning clarified that the height of the building had been challenged at every stage of the design of the new building so that the proposal was only as high as it needed to be to achieve the Team Science objectives, that other possibilities had been considered, and that this design was the work of experts and specialist in the Team Science field. The building would not be a precedent for further

applications as this proposal, as would others would be considered on their merits, and in this case the specific and particular Team Science requirements for cancer treatment and research were an important consideration that could therefore not be applied to other tall building in South Manchester. When occupied, the building would result in 55 more people working on the hospital site. The layout and functions of the building's space as set out in the plans was what the committee would be giving consent to, so no other layout or use would be allowable without further planning permission being sought and obtained. All relevant issues and considerations relating to impact of the building were set out in the report.

In debating the application, members acknowledged the many local concerns and the considerable level of public support for the proposal, and also the benefits of the new building to the city and the region. On balance the committee accepted that, if approved, the building would not be setting a precedent for other tall buildings as the height was only acceptable because of the specific Team Science benefits to the Christie. It was asked that consideration also be given by officers to condition 18 being amended to refer to a wifi impact assessment as well as TV and radio. The committee was not minded to grant consent subject to a Section 106 agreement.

Decision

Minded to approve subject to the conditions and reasons set out in the report, to the amendment of condition 18 to also refer to wifi if the Director of Planning considers that to be appropriate, and to the expiration of the notification period in respect of the Further Environmental Information submitted by the applicant and no new issues being raised.

PH/19/78. 123880/FO/2019 - 21 Didsbury Park, Manchester, M20 5LH

This application was for the erection of two, three storey detached dwelling houses (six bedrooms) with associated landscaping and car parking following demolition.

The application site (measuring 0.16 hectares) relates to a large detached dwelling house that is located within Didsbury St James Conservation Area. The property is set back from the highway and benefits from large gardens. It has two separate access points onto Didsbury Park.

The property had been subject to four previous planning applications.

In 2008 an application was refused for a first floor side extension above existing ground floor to contain a granny flat and erection of single storey side extension to form double garage (application reference: 086620/FH/2008/S2) and in 2009 an application was approved for a single storey side extension to form garage, raising of roof to existing side extension and first floor rear extension including elevational alterations to roof to form additional living accommodation (application reference: 088738/FH/2009/S2). The 2009 permission was implemented.

In 2018 application 117911/FH/2017 was approved for a two storey extension to the front; erection of rear dormer roof extension to side; erection of a part single/part two

storey rear extension; erection of a rear extension to house swimming pool; installation of vehicular access gates together with associated elevational alterations following demolition of existing extensions to the rear of the property.

In October 2018 application 121695/FO/2018 was submitted for the erection of two, three storey detached dwelling houses (six bedrooms) with associated landscaping and car parking following demolition. This application was due to be determined by Planning and Highways Committee at its meeting on the 13th December 2018, however the application was withdrawn prior to determination to address the reasons for that the report to the committee recommendation the application be refused.

At the meeting the late representations explained that the applicant had confirmed that a hedge at the front of the site would be removed for the construction work, and then a new hedge planted. The representations also proposed amendments to conditions 2 and 3 as printed in the officer's original report.

Councillor A Simcock addressed the committee. He said that a concern about a potentially dangerous wall at the back of the site had now been alleviated as the applicant had agreed to reduce the height of the wall, which would also allow a path to be opened up through the Manchester Metropolitan University site, an important route for school children to use.

The developer also addressed the meeting. He explained that the family had been wanting to build a sustainable home, and that these plans were the expression of that ambition. He explained how the plans were supported by prominent experts in the design of sustainable homes, and that he therefore welcomed the proposed condition that would require the sustainable performance of the buildings to be detailed before the work could commence. He hoped that the buildings would become a benchmark for other future developments to be measured against. He commended the Council's target to be carbon neutral by 2038, and hoped that the houses would be able to make a contribution to that target.

The officer added that work had been done with the applicant to bring forward a final scheme that was complimentary to the conservation area, the adjacent listed buildings, and that retained the existing trees on the site. The committee supported the application.

Decision

To approve, subject to the conditions and reasons set out in the report, as amended in the late representations submitted to the meeting.

PH/19/79. 123330/FO/2019 - Land Adjacent to 303 Greenbrow Road, Manchester, M23 2UH

The Committee had undertaken a site visit in the morning prior to the start of the meeting. This application related to the erection of a four storey building to form 10 self-contained flats, with associated undercroft car parking.

This was an application for the erection of a four storey building which provides undercroft car parking for eight vehicles at ground floor, with an additional car parking space to the rear of the building to provide nine spaces in total for ten residential units. The building would provide four one bedroom apartments at first floor, two one bedroom apartments and one two bedroom apartment at both the second and third floor.

The land is currently vacant, historically, it has had garages on the site which have been demolished. Immediately to the west of the site is an electricity substation to be retained, further to the west lies a day nursery accommodated in a former public house. To the north and south of the site lie residential properties in this predominately residential area. To the east lies a commercial parade with residential accommodation above that serves the residential area.

Following negotiations revised drawings have been received which result in:

- Alterations to the material palette;
- An increase in the separation distances to surrounding property;
- Obscure glazing to address the perception of overlooking;
- Accommodation of level access to the site;
- Alteration to addressing security concerns raised by Greater Manchester Police;
- The retention of the right of access to the property to the rear;
- Provision for a disabled car parking space;
- Facilities for electronic vehicle charging;
- An internal cycle store;
- More accessible waste storage area away from sensitive receptors; and
- Inclusion of tree and shrub planting.

At the meeting the officer gave a report on the key issues that had been raised at the site visit that morning. Concerns had been raised about possible views from side facing windows and oblique views into neighbouring domestic properties and gardens. To address those an additional condition was suggested that would require a revised design of the relevant windows so they were obliquely angled away from the neighbouring properties. The officer indicated that the applicant was content with that proposal. Concerns about the draining of the site were already addressed by proposed conditions in the officer's written report, and the draining of neighbouring shops was being taken up with those appropriate. Access to a property to the rear was going to be retained.

Councillor Andrews, a local ward councillor, addressed the committee. He welcomed the proposed condition to secure the oblique windows, as that would alleviate some of the local concerns about the application. He questioned whether the rear windows should also have obscure glazing. He also spoke of the draining problems in the area and acknowledged that those were not site-specific but a general problem with the that part of the ward. There remained some concerns about the amount of car parking being proposed and whether that was sufficient to provide for visitors as well as residents, and the extent of dis-amenity to neighbours that might arise during the construction. He did, however, also acknowledge that there was an extant planning permission for another development on the site that was much more objectionable, and that these proposals were a considerable improvement on that earlier consent.

A representative of the applicant then addressed the meeting. She explained all the ways that these proposals were a considerable improvement over the extant scheme. A priority in the development of the plans had been to minimise the impact on neighbouring properties.,

The officer confirmed that one of the proposed conditions, condition 3 in the printed report, required obscure glazing of the rear windows.

The committee commended the applicant and their architect for the way they had responded to concerns and objections and their willingness to amend the design to address that issues had been raised. With the addition of a condition on the oblique windows the committee noted that other matters that had been raised were already covered by the conditions proposed in the report.

Decision

To approve, subject to the conditions and reasons set out in the report and to a further condition requiring the side windows to be of an oblique design so as to avoid overlooking of neighbouring properties.