

PLANNING AND LICENSING COMMITTEE

MINUTES OF MEETING Thursday, 6th February 2020

PRESENT: Councillor Shakil Ahmed (in the Chair); Councillors Burke, Davidson, Susan Emmott, Massey, Mir, O'Neill, Rashid, Rush, Taylor, Wazir, Winkler, Zaheer and Zaman.

OFFICERS: P. Moore (Head of Planning), E. Heron, D. Allen (Economy Directorate), J. Gillighan (Neighbourhoods Directorate), Z. Latif, N. Suleman and P. Thompson (Resources Directorate).

ALSO IN ATTENDANCE: Eight members of the public.

49 APOLOGIES

Apologies for absence were received from Councillor Rana.

50 DECLARATIONS OF INTEREST

Resolved:

Councillor Burke declared a personal and prejudicial interest in minute 52, below – Residential development, of 28 dwellings (planning application 19/00853/FUL).

NB: Councillor Burke addressed the Committee in his capacity as a West Middleton Ward Member, to speak in support of the recommendation to grant approval and he withdrew from the meeting during the discussion and determination of this planning application.

Councillor Rush declared a personal and prejudicial interest in minute 54, below – Mills 1 and 2, Mutual Mills, Aspinall Street, Heywood (planning application 19/00260/FUL).

NB: Councillor Rush addressed the Committee in his capacity as a North Heywood Ward Member, to speak in support of the recommendation to grant approval and he withdrew from the meeting during the discussion and determination of this planning application.

51 MINUTES

Resolved:

That the minutes of the meeting of the Planning and Licensing Committee held 18th December 2019 be approved and signed as a correct record.

52 LAND OFF NEWBY DRIVE, MIDDLETON

The Head of Planning presented submitted planning application 19/00853/FUL for a residential development – 28 dwellings at land off Newby Drive, Middleton, Manchester, M24 5NJ.

The Committee received representations from Ms. C. Byrnes objecting to the proposals detailed in the report.

The Committee received representations from Ms. A. Denning, the applicant and from Mr. K. Bennett, the agent for the applicant, who spoke in support of the application.

The Committee received representations from Councillor Burke, West Middleton Ward Member; who addressed the Committee in support of the proposals detailed in the report.

Resolved:

That planning permission be granted subject to the Conditions detailed in the submitted report.

53 98 GLENWOOD DRIVE, MIDDLETON

The Head of Planning presented submitted planning application 19/01330/HOUS, for a Two Storey Side Extension at 98 Glenwood Avenue, Middleton, Manchester, M24 2TW.

Resolved:

That planning permission be granted, subject to the conditions detailed within the submitted report.

54 MILLS: 1 AND 2, MUTUAL MILLS, ASPINALL STREET, HEYWOOD

The Head of Planning presented submitted planning application 19/00260/FUL for the conversion and subdivision of two mill buildings (Mutual Mills 1 and 2) to create 298 apartments (Use Class C3), including works of demolition and formation of interior atria, provision of car parking at basement and ground floor levels, formation of external car parking, landscaping and associated internal and external additions and alterations at Mills 1 and 2, mutual mills, Aspinall Street, Heywood, OL10 4HW.

The Committee received representations from Mr. M. Webb objecting to the proposals detailed in the report.

The Committee received representations from Mr. J. Good, the agent for the applicant, who spoke in support of the application.

The Committee received representations from Councillor Rush, North Heywood Ward Member, who addressed the Committee in support of the proposals detailed in the report.

Resolved:

That planning permission be granted subject to the Conditions detailed in the submitted report.

55 LAND BOUND BY MANCHESTER ROAD, HARESHILL ROAD AND PILSWORTH ROAD WEST

The Head of Planning reported that in March 2018, the Planning and Licensing Committee had resolved that it was 'minded to grant planning permission for planning application 16/01399/HYBR.'

The application was subsequently referred to the Secretary of State to decide whether he would be minded to call-in the application for determination. On 24th April 2018, a letter was received from the Ministry of Housing, Communities and Local Government confirming that the Secretary of State had decided not to call in the application.

Following on from that resolution in March 2018, the applicant, various land owners and legal representatives had been in dialogue over the terms of the necessary planning agreement. The signing of that agreement however had been delayed due to a dispute with one land owner but that has now been resolved. The planning agreement now lies with the council for execution.

On that basis, the Council's Planning Solicitor was content that the planning agreement could be signed on behalf of the council and the decision issued. The content of the updated information, verbally presented to the Committee, had been discussed with and formally approved by the Council' Planning Solicitor.

Officers considered that there had been no material change in circumstances in the intervening period that would warrant reconsideration of the application by the Planning and Licensing Committee.

The comprehensive planning committee report considered by the Planning and Licensing Committee in March 2018 assessed the application in light of the revised draft NPPF which was the subject of consultation at that time. The government has since published the revised National Planning Policy Framework on 24 July 2018 with a further update on 19 February 2019.

The updated NPPF (February 2019) replaced all previous versions and set out the Government's revised planning policies for England and how these were expected to be applied. This represented a material consideration, however the starting point under s38 (6) of the Planning and Compulsory Purchase Act 2004 is that all applications should be determined in accordance with the development plan unless other material considerations indicate otherwise.

The development plan remained the adopted Rochdale Core Strategy (2016) and little had changed in the NPPF in regards to the approach to assessing planning applications in the Green Belt. Moreover, the report that had been considered by the Planning and Licensing Committee attributed significant weight to the harm by inappropriateness and to the other total Green Belt harm. It was not possible to increase this level of harm as it was the maximum that could be apportioned to a development. The amount of harm to the Green Belt has therefore not changed in the overall balancing exercise and conclusion provided in the planning committee report.

The applicant had recently submitted an update review of the habitats and key ecological features on the site to determine whether there has been a change in the ecological baseline position. This concluded that there had been no changes to the original assessment and that the effects remained as

previously presented. No recommended planning conditions would therefore change and the harm apportioned to Biodiversity and Ecology remained at very limited in the overall Green Belt balance.

The November 2019 update of the Planning Practice Guidance (PPG) also provided some changes in the approach to air quality management. When considering planning applications the PPG now requires local planning authorities to establish the baseline local air quality, including what would happen to air quality in the absence of the development. Regard was also required to be had to the change in air quality during the construction and operational phases, and the consequences of this for public health, biodiversity and the living conditions of occupiers and users of the development.

To this end, the site was not located within an Air Quality Management Area and the Air Quality and Dust Section of the Environmental Statement provided the existing baseline local air quality conditions at the site and a do-minimum scenario (predicting traffic flows should the development not proceed). There are also a number of planning conditions attached to control the emission of dust during construction.

In the absence of further guidance on this matter, all of these measures are considered to comply with the updated PPG advice on Air Quality. They would ensure that there would not be a significant change in air quality during the construction and operation phases of the development and that the occupiers and users of the development would not experience poor living conditions or health due to poor air quality. The very limited degree of weight apportioned to the harm caused to air quality in the overall Green Belt balance would therefore not materially change.

A planning condition for a Landscape and Habitat Creation and Management Plan already required that the applicant demonstrates how biodiversity net gains will be achieved on the site. This reflected emerging government focus on bio-diversity net gain.

For the reasons above it was therefore advised that the changes within the revised NPPF and updated PPG were not so fundamental as to materially alter the assessment of this application, the wording of the planning conditions or require reassessment by the Planning and Licensing Committee.

As such, the decision was to be issued on the basis of the existing resolution.

56 DETERMINED PLANNING APPEALS

The Head of Planning submitted a report which detailed planning applications that had recently been determined by the Planning Inspectorate.

Resolved:

That the planning appeals, which have recently been determined by the Planning Inspectorate, be noted.