

APPENDIX TO AGENDA (LATE REPRESENTATIONS)

Planning and Highways Committee 29 August 2024

Item No. 6

Application Number 137227/FO/2023

Ward Deansgate Ward

Description and Address

Full planning permission for the demolition of existing structures and the erection of one residential building to a height of 71 storeys comprising 642 homes (Use Class C3) with food and drink uses (Use Class E) and / or drinking establishment (Sui Generis); and one office building (Use Class E); with basement car parking, cycle parking, landscaping and public realm, servicing and access arrangements, highways alterations and associated work

Plot D Great Jackson Street, Manchester M15 4NP

1. Public Opinion

Two further comments have been received as follows:

- There is already a building called 'Lighthouse on Joiner Street which is not far away. The building should be called something different.
- The tall buildings already loom over St Georges. 5 more would increase the feeling of enclosure, reducing even more the amount of sky that can be seen. These buildings would exacerbate the wind. They would diminish the quality of life for those who live in their vicinity.

2. Director of Planning – further observations

Some drafting in the report requires amending/updating as follow:

- i) On page 170 The heritage statement addendum should be substituted with environmental Statement vol 1: Environmental Statement vol 2: Non-Technical Summary; and Visual Impact Assessment Addendum
- ii) On page 178 under policy CC9 the reference to negligible adverse should be replaced with 'at the lowest end' and similarly on page 213 the references in the penultimate para to (negligible) should be replaced with (lower end)
- iii) Having given considerable importance and weight to the desirability of preserving the setting of listed buildings, the public benefits outweigh the less than substantial harm to the significance and setting of heritage assets and national policy and JP-P2 are complied with

- iv) On page 230, in relation to vehicle movements it is concluded that there are no unacceptable impacts on highway safety and the residual cumulative impacts on the road network would not be severe so there are no highway related grounds for refusal (para 115 NPPF).
- v) The reference to the Equality Act 2010 was not included in the report and is addressed below.

It has been agreed with the applicant that a financial contribution of £8,360 would be made via a s106 contribution to improve and enhance the management of ecology and biodiversity within the vicinity of the site to mitigate the biodiversity and ecology impacts of the proposal. This would be in line with the considerations and policy context set out in the report, including para 180 (a) of the NPPF, regarding biodiversity net gains. This financial contribution via section 106 would meet the relevant tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).

The report includes a significant amount of information on policy; Policy H8 of the Core Strategy informs that new development will contribute to the city-wide target of 20% affordable housing. 20% is a starting point and the policy goes on to advise that there may be exemptions to this. This includes viability. In this instance the financial appraisal has demonstrated why a contribution is not possible and the scheme remain viable.

Policy EN2 sets out the criteria for assessing tall buildings, the last point is viability and deliverability.

Having regard to the development plan as a whole and all other material considerations, including the existing and the draft NPPF, the proposal is considered to be acceptable.

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

For clarity, for the reasons set out in the report and as summarised in the conclusion, officers are satisfied, applying section 38(6) of the Planning and Compulsory Purchase Act 2004, that the proposals are in accordance with the development plan when taken as a whole and that the material considerations indicate that permission should be granted.

The recommendation remains **Minded to Approve**.