

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131888/FO/2021

Date registered valid: 2 November 2021

Proposal: Retrospective application for the installation of a water tower (height 4.75 metres) for a temporary period until July 2022

Address: Etihad Stadium , Ashton New Road, Manchester, M11 3FF

Ward(s): Ancoats & Beswick Ward

Applicant: Mr Peter Mealing 99 Ladybridge Road, SK8 5PQ

Agent (if any):

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 16 December 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 10 November 2021 Expired: 1 December 2021

Neighbour notifications

Printed: 10 November 2021 Expired: 1 December 2021

Site notice

Posted: 18 November 2021 Expired: 9 December 2021

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The site forms part of the Etihad Campus which includes the Etihad Stadium, Manchester Regional Arena, City Football Academy and the National Squash Centre.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

To the north of the stadium is the Manchester Tennis and Squash Centre, with the Regional Athletics arena to the west of the site, Eastlands District Centre to the east of Alan Turing Way, and predominantly residential development of the south of Ashton New Road.

Description of development

[The proposed temporary water tower would be located in proximity to adjacent to W door entrance to the Etihad Stadium effectively being sited in proximity to the stadium between two of the spiral staircases on the western side of the building. The scheme has involved the removal of 133m² area of shrubbery, with the subsequent surfacing of this area with tarmac and the installation of a 10m² concrete base. The installed Planet Water tower is a demonstration model to provide clean water (mains water fed rather than bore hole) to showcase the work being done in developing countries. The water tower is 4.75m in height and would only be required until July 2022.

The water is going to be provided via mains, and drainage would be via existing drainage system via the man hole / drain already adjacent the development area.

Consultations & Notification Responses

Local businesses - No comments received.

Environmental Health - 25.11.2021 - Have noted that the submitted documentation indicates that the water is going to be provided via mains, and officers have therefore queried how it would be powered - would this be mains too or would there be a generator? They would require information in relation to noise and air quality if there is to be a generator on site. If it is mains they would not need to make any comments.

Following confirmation from the agent that the tower itself runs of a gravity-based filtration system, and so operates without the need for a power supply, Environmental Health officers have advised that they have no comments

United Utilities - recommend the attachment of a surface water drainage condition to any approval.

Flood Risk Management - Have advised that the drainage of the site can be approved , but recommend the following informative be attached .

The applicant should design and construct a drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

GMEU - have no objections to the proposal, but have made the following general recommendations:

Work that will impact on habitats where nesting birds may be present (for example removal of vegetation), should not be undertaken in the main bird nesting season (March - August) unless suitable checks for active bird nests have been undertaken.

Protected species can turn up in unexpected places and the granting of planning permission does not negate the need to abide by the laws which are in place to safeguard biodiversity. An informative should be used so that the applicant is aware that they must seek ecological advice should they find or suspect that the proposals will impact on protected species.

Policy

National Planning Policy Framework (NPPF)

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in 2019 and July 2021 . It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable

councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 10 states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that

development proposals should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted.

The Framework has been related to the proposed development, with particular emphasis given to the following:

Chapter 8: Promoting healthy and safe communities

Paragraph 92 states that planning decisions should aim to achieve healthy, inclusive and safe places which:

- a) Promote social interaction;
- b) Are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion;

Paragraph 93 discusses the importance of providing social, recreational and cultural facilities and services that communities need.

The proposal would enable a demonstration model water tower to provide clean water (mains water fed rather than bore hole) to showcase the work being done in developing countries, as part of the wider stadium facilities. It is not considered that the development would harm residential amenity. Chapter 8 would therefore be positively responded to.

Chapter 14. Meeting the challenge of climate change, flooding and coastal change

Paragraph 152 advise that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.

Paragraph 158 advises that when determining planning applications for renewable and low carbon development local authorities should approve the application if these impacts are (or can be made) acceptable.

Core Strategy

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

Appendix C of the Core Strategy has a list of superseded policies and their replacements. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

The following specific policies are considered to be particularly relevant to the proposed development:

Policy EN 8- Adaptation to Climate Change

All new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces. In achieving developments which are adaptable to climate change developers should have regard to the following, although this is not an exhaustive list:

Minimisation of flood risk by appropriate siting, drainage, and treatment of surface areas to ensure rain water permeability.

Reduction in urban heat island effect through the use of Green Infrastructure such as green roofs, green walls, increased tree cover and waterways

The need to control overheating of buildings through passive design

The opportunity to provide linked and diverse green space to enhance natural habitats which will assist species adaptation.

Policy DM1 Development Management

Policy DM1 Follows the principles advocated in the aforementioned policies and informs that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Developers will be required to demonstrate that new development incorporates sustainable construction techniques.

As set out within the issues section of this report below, the application proposals are considered to accord with policy DM1 of the Core Strategy.

Issues

Principle of use

The proposed development is located on the site of the Etihad Stadium in Ancoats & Beswick ward. The installation of a demonstration model water tower to provide clean water to showcase the work being done in developing countries for a temporary period until July 2022 is considered to be acceptable in principle in this location .

Design and Appearance

The proposed development is a water tower feature, the appearance of which reflects the functionality of the facility. The proposed design and appearance is considered to be acceptable in the proposed location for the period of time being sought.

Visual Amenity

The water tower is located between two external spiral staircases in close proximity to the stadium building, and is not readily visible from outside the stadium site . It is not considered that the proposed development would give rise to any adverse impacts to visual amenity for the temporary time period it would be located at the site.

Residential Amenity

The clean water is supplied by a gravity-based filtration system, and so operates without the need for a power supply. As such noise would be limited to running water when facility is in

use. Furthermore, as the nearest residential properties to the south of Ashton New Road are 238m from the water tower, traffic noise from vehicles using Ashton New Road would be of more significant impact than the proposed development, in relation to noise.

Loss of green landscaping

Whilst the proposed water tower feature is sought to be present for a limited period, it is understood that the applicant's intention is not to reinstate, the former area of hard and soft landscaping (comprising tamac/brick and large stones set in concrete with some hedging), as it is proposed to re-utilize the space moving forward for other activations.

The applicant has advised that they are currently working on landscaping plan for the wider campus which will ensure they are able to provide softening of the site moving forward. They have also confirmed that they are continually planting trees/ hedges across the campus on a weekly basis and can commit to replace those lost (in a suitable location). This is considered to be an acceptable approach.

Drainage

Whilst the comments received in regard to drainage and SuDS have been noted, the facility would only be present on the site for a limited period, and drainage is via the existing drainage system via the man hole / drain already adjacent the development area. In view of the short duration of consent being sought, and the connection to the existing drainage system on the site, a SuDS scheme has not been sought.

Parking and Access

The proposed scheme would not involve any loss of existing parking facilities or any changes to the access to the stadium.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Clarification was sought in regard to the treatment of the site, following the period of approval being sought.

Following confirmation regarding this matter, the proposal is considered to be acceptable and therefore determined within a timely manner.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The permission hereby granted is for a limited period only, expiring on 31st July 2022 and the structure and works comprising the development for which permission is hereby granted are required to be respectively removed and discontinued.

Reason - The structure and works hereby granted are only required for a temporary period, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

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

Site plan ref: 1628 _Site _ZZ _001 and Aqua Tower General Assembly plan ref: ATO-GA-000-000 sheet 1 of 2; Aqua Tower General Assembly plan ref: ATO-GA-000-000 sheet 2 of 2; received 11th October 2021;

Location Etihad stadium forecourt ref: WT 01; and Water Tower location WT02; received 1st November 2021;

Email from applicant dated 30th November 2021 confirming the water tower runs off a gravity-based filtration system;

Email from applicant dated 16.12.2021.

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 (2012).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
Greater Manchester Ecology Unit
United Utilities Water PLC

Excel House, City Of Manchester Stadium, Ashton New Road, Manchester, M11 3FF
Sport City Visitors Centre, Ashton New Road, Manchester, M11 4ZZ
National Squash Centre, Rowsley Street, Manchester, M11 3FF
EASTLANDS TRUST LIMITED, Institute Of Sport, Rowsley Street, Manchester, M11 3FF
Sport City Visitor And Information Centre, Rowsley Street, Manchester, M11 3FF
Regional Athletics Arena, Rowsley Street, Manchester, M11 3FF

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH2