

Planning

Growth & Development

Delegated officer report for planning application

Application no.	132369/NMC/2021
Date registered valid:	6 December 2021
Proposal:	Non Material Amendment application to vary the wording of Condition 6 (Drainage) attached to planning permission 117847/FO/2017
Address:	Car Park A, Cotton Lane, Manchester, M20 4UX
Ward(s):	Withington Ward
Applicant:	Mr Will Hannah Turley C/o Agent
Agent (if any):	Will Hannah Turley 1 New York Street, Manchester, M1 4HD
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	24/12/21

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Standard consultations:

Printed: 13 December 2021

Expired: 3 January 2022

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

The application site is approximately 1.6 hectares in size and located in the eastern half of the Christie Hospital campus. It is bounded to the north by Cotton Lane on the opposite side of which are dwellinghouses, to the west by the Maggie's Centre and the Manchester Cancer Research Centre (MCRC), and to the south and east by dwellinghouses on Rathen Road and Cotton Hill. The main Christie Hospital campus is to the west of the application site, on the opposite side of Wilmslow Road.

Listed building: no
Conservation area: no
Tree Preservation Order: no

Description of development

Planning permission to erect a multi-storey car park was granted in 2019 under reference 117847/FO/2017.

The applicant is now applying to vary condition no. 6 in order to amend the point at which the Tiered Car Park may be occupied/brought into use, whilst retaining preclusion of the surface level parking until such time as details of the implementation of the related drainage infrastructure has been provided to the Council. The condition would read as follows:

6) The external car parking areas of the development hereby approved shall not be brought into use until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- a) Verification report providing photographic evidence of construction as per design drawings;*
- b) As built construction drawings if different from design construction drawings;*
- c) Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.*

Reason - To manage flooding and pollution, pursuant to national policies within the NPPF and NPPG and policies EN08 and EN14 in the Core Strategy Development Plan Document.

The original wording of the condition was:

No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- a) Verification report providing photographic evidence of construction as per design drawings;*
- b) As built construction drawings if different from design construction drawings;*
- c) Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any*

other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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Consultations & Notification Responses

Local Resident – One objection has been received:

- it would basically declare that the surface parking element of PA 117847 isn't ready for early use, replacing its use with the early use of a facility providing c. 565 car spaces [as opposed to 253 spaces].
- Early use of PA 117847 would still be pegged to pre-expansion [i.e. pre-PA 117847] levels of staff parking provision until agreed highway amendments have been finally completed. The extension to the zones of controlled parking [first discussed in 2017 or before] have still not been put in place. Currently, the Trust apparently has no mechanism to identify cars parking on its Kinnaird Road site or on-street in the local area. This is presumably complicated further now that [Covid restrictions permitting] increasing numbers of non-Christie and non-NHS staff work at this location.

Flood Risk Management – To determine if the proposed amendment to Condition 6 is appropriate, I would question what drainage has already been installed on site? Has drainage infrastructure been installed to ensure the multi-storey car park can drain efficiently and does not increase the risk of flooding to other areas on the site. Also has the by-pass separator been installed on site to ensure that the pollution risk caused by the use of the multi-storey car park is reduced?

Policies

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11 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.

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. Relevant policies in the Core Strategy are detailed below.

Policy SP1, *Spatial Principles*, - Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment. This is discussed below.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of specific issues, the most relevant of which are detailed below:-

- 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, odours, litter, vermin, birds, 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.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Policy EC9, *South Manchester* – South Manchester is not expected to make a significant contribution to employment provision within the City. New development is expected to mainly comprise office development, although proposals for high technology industry and research will also be supported. The policy continues further stating that employment and economic development provision will be within existing employment locations such as The Christie Hospital.

Saved UDP Policy, Area Policy WB2, *Employment and Economic Development* – In considering proposals for the expansion and/or redevelopment of major employment sites in the area, particularly the Christie Hospital on Wilmslow Road, the Council will have regard to the need to minimise any impact upon the environmental quality and character of the area, residential amenity, and traffic movements.

The Christie Strategic Planning Framework – The Strategic Planning Framework (SPF) was prepared by The Christie NHS Foundation Trust. The Framework provides a spatial context for future growth at the site to would enable development to be brought forward in a manner that respects its neighbourhood. It was endorsed by The Executive Committee on 18th June 2014, (subject to clarification of the height of any new multi-storey car park) and the Planning and Highways Committee were requested to take it into consideration when determining planning applications relating to the hospital site.

Section 6 outlines the strategic aspirations of The Christie, one of which is “a long term parking solution” (Table 6.2: Schedule of Development Projects).

Section 7 describes the principles that should be taken into consideration when designing proposals at The Christie.

Guide to Development in Manchester Supplementary Planning Guidance – Recognises the importance of an area 's character in setting the context for new development; New development should add to and enhance the area's distinct sense of place; Each new development should be designed having full regard to its context and the character of the area; Seeks to ensure high quality development through good and inclusive design; Buildings should front onto streets; Site boundaries and treatment should contribute to the street scene; There should be a clear definition between public and private space; The impact of car parking areas should be minimised; New developments will be expected to meet designing out crime principles; The impact of development on the global environment should be reduced.

The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings.

Issues

Principle of the Proposal – The drainage information which is required to be submitted to and approved by the City Council prior to occupation / use of the development commencing is not yet available. This is because the below ground drainage scheme is only programmed for completion for the end of March 2022, along with the remaining external works package.

The Tiered Car Park was handed over to The Christie on the 10th December and in order to ease parking problems in the area it was recognised that its use would need to commence immediately thereafter. As use of the Tiered Car Park would not prejudice the delivery of the drainage scheme the principle of the proposal is considered acceptable.

Residential and Visual Amenity – Amending the trigger for the use of the surface car parking and implementation of the related drainage infrastructure would not have a detrimental impact upon the levels of residential and visual amenity enjoyed within the vicinity of the site.

Pedestrian and Highway Safety – Amending the trigger for the use of the surface car parking and implementation of the related drainage infrastructure would not have a detrimental impact upon the levels of pedestrian and highway safety enjoyed within the vicinity of the site.

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

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

1) The details of the proposed amendments are:-

a) Amend the point at which the Tiered Car Park may be occupied/brought into use whilst retaining preclusion of the surface level parking until such time as details of the implementation of the related drainage infrastructure has been provided to the Council

2) Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and are considered to be acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will have no material impact upon the levels of residential and visual amenity and pedestrian and highway safety enjoyed within the vicinity of the site.

3) The external car parking areas of the development hereby approved shall not be brought into use until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- a) Verification report providing photographic evidence of construction as per design drawings;
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Reason - To manage flooding and pollution, pursuant to national policies within the NPPF and NPPG and policies EN08 and EN14 in the Core Strategy Development Plan Document.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management
Withington Civic Society

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
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH