

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130889/NMC/2021
Date registered valid: 28 June 2021
Proposal: Non Material Amendment application to vary the trigger for Condition 15 (highway improvement scheme), attached to planning permission 117847/FO/2017
Address: Car Park A, Cotton Lane, Manchester, M20 4UX
Ward(s): Withington Ward

Applicant: Mr Michael Tunstall, VINCI Construction, UK Limited C/o Agent
Agent (if any): Mr Adam Buxton, 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: 26/7/21

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Standard consultations:

No consultations have been printed and sent.

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 apply to vary the trigger for the submission and implementation of the highway improvement works required under condition no. 15. At present the condition states:

Prior to the commencement of the above ground works, detailed technical drawings of the proposed off-site highway works on Wilmslow Road and Cotton Lane shall be submitted to and approved by the City Council as local planning authority. The approved details shall then be implemented in accordance with a timescale to be agreed by the City Council as local planning authority.

In order to tie in the delivery of the highway works with the Paterson redevelopment, it is proposed that the condition reads as follows:

Prior to the first use of the development hereby approved, detailed technical drawings of the proposed off-site highway works on Wilmslow Road and Cotton Lane shall be submitted to and approved by the City Council as local planning authority. A maximum of 414 spaces within the car park hereby approved may be utilised on a daily basis prior to implementation of the approved highway works. The approved highway works shall be implemented prior to the remaining 404 spaces being brought into use.

Policies

The National Planning Policy Framework (NPPF) – The NPPF constitutes guidance for local planning authorities and decision-makers both in drawing up plans and as a material consideration in determining planning applications. It does not change the statutory status of the development plan, i.e. the Core Strategy, as the starting point for decision making and it states further that development that accords with an up-to-date local plan, such as the Core Strategy, should be approved unless other material considerations indicate otherwise.

The NPPF states that the planning system must contribute to the achievement of sustainable development. These are encapsulated into three categories: economic, social and environmental.

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.

Policy EN1, *Design Principles and Strategic Character Areas* – All development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

Policy EN 9, *Green Infrastructure* – New development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the opportunity arises and in accordance with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

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.

The Manchester Green and Blue Infrastructure Strategy (G&BIS) – The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Issues

Residential and Visual Amenity – Amending the trigger for the submission and implementation of the highway improvement scheme 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 submission of the detailed highway improvement scheme 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) Amendments to the trigger for the discharge of the condition 15 - implementation of highway improvements.

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) Condition 15) Prior to the first use of the development hereby approved, detailed technical drawings of the proposed off-site highway works on Wilmslow Road and Cotton Lane shall be submitted to and approved by the City Council as local planning authority. A maximum of 414 spaces within the car park hereby approved may be utilised on a daily basis prior to implementation of the approved highway works. The approved highway works shall be implemented prior to the remaining 404 spaces being brought into use.

Reason - In the interests of pedestrian and highway safety, pursuant to Policy DM1 in the Manchester Core Strategy Development Plan Document.

Appendix 1 – List of consultees & neighbours notified

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