NMB PLANNING

Manchester City Council
Planning Department
PO Box 532
Town Hall
Manchester
M60 2LA

PLANNING AND
BUILDING CONTROL
07 NOV 2011

28 October 2011

Dear Sir/Madam

Re: Town and Country Planning Act 1990 and Town and Country (General Development Procedure) Order 2009 as Amended

Proposal – Application for a new Planning Permission to replace an extant Planning Permission, in order to extend the time limit for implementation.

Location – Land to the rear of the Toy Box Public House, Victoria Avenue East, Moston, Manchester, M9 6HE

Extant Planning Permission – LPA Ref 087606/00/2008/N1 dated 17/12/2008.

I refer to the extant outline Planning Permission ref 087606/00/2008/N1 for a five storey hotel accommodating 86 rooms, which was granted on the 17 December 2008. Reserved matters relating to access, layout and scale were determined at that time. The two outstanding reserved matters being landscaping and external appearance, which remain to be considered at this time.

Condition 1 of the extant Planning Permission requires:-

"*Applications for approval of reserved matters must be made no later than the expiration of 3 years beginning with date of this permission. The development must be begun not later than the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.*"

As such the outline consent remains extant until the 17 December 2011, being the time limit for the submission of the remaining reserved matters.

On the 1 October 2009 the ability to apply for an extension of time for the implementation of Planning Permissions granted before 1 October 2009 was bought into force via the Town and Country Planning (General Development Procedure) (Amendment No 3) (England) Order 2009.

The principle purpose for introducing this measure was to make it easier for Developers and LPA's to keep Planning Permissions alive for longer during the

economic downturn which has had a significant impact on the delivery of sustainable development in the last 2 or 3 years. This will enable such schemes to be implemented more quickly when the economic conditions improve.

In respect of the above extant permission – this falls within that category of development which falls to be considered under these introduced powers and is therefore the subject of this application.

The application is made by the Fixed Charge Receivers on behalf of the owners, Atrium Hotels, and consists of:-

- The application forms duly completed
- Signed and completed certificate of ownership and agricultural certificate
- Planning fee of £500.00 payable in respect of major development proposals.

Whilst this application is required to be determined in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the development proposed in the application will, by definition, have been judged to have been acceptable in principle at an earlier date. As such the advice given is that, in making the decision on the application, focus should be made on development plan policies and other material considerations which may have changed significantly since the original grant of permission.

In this regard, the below Planning Statement sets out whether there have been any significant Planning Policy changes or other material considerations which now fall to be considered in determining this application, including both National and Local Plan Policies and Guidance. In undertaking such an assessment it is concluded that the Planning reasons why the proposed development was considered acceptable remain and as such an extension of time for the planning permission should be granted.

Planning Statement

The Site

The site to which this application relates consists of a vacant 0.206 hectares site currently laid out as tarmac parking and grass area to the rear of an existing Pub, The Toy Box, and fitness and Leisure Centre – operated by First Fitness, located off Victoria Avenue East, Moston. The site has a slight gradient rising upwards away from Victoria Avenue East to the boundary of the site with the M60 Motorway which lies on a raised embankment to the North of the site.

To the East of the site lies the sports pitches used by the North Manchester and Oldham College RFU. To the West, slightly beyond the Toy Box Public House, Morris Homes (North) Ltd have recently completed a Part 4/Part 5 storey flatted development, comprising 50 apartments. These apartments fronting directly onto Victoria Avenue East, with surface car parking to the rear.

The site therefore sits in a backland location behind the currently vacant Toy Box Public House. The site further is situated in the Greater Manchester suburb of Moston, approximately 7 miles to the North of Manchester City Centre.

Moston is predominately a residential area, with a large residential estate to the Southern side of Victoria Avenue East.

Moston railway station is situated approximately 5 minutes walking distance from the site to the East, providing a station with regular services to Central Manchester and Rochdale. A local parade of shops is located further down Victoria Avenue East.

The Planning History

On the 3 December 2003, Manchester City Council granted full Planning Permission for the erection of a 4 storey 72 bed Hotel with 25 additional car parking spaces on the site (Ref 064844/FO/north 1/02). Subsequent amendments were agreed by letter (Council approval letter dated 29 November 2005).

In early September 2008 two outline Planning Applications were submitted. Application Ref 087590/00/2008/N1 sort renewal for the 4 storey 72 bed Hotel granted in 2003. A second application Ref 087606/00/2008/N1 sought outline consent for a 5 storey Hotel accommodating 86 bedrooms. Both applications were granted Planning Permission on the 17 December 2008; the later extant permission is the subject of this extension of time application.

Planning Assessment in light of Policy Considerations

The application seeks the renewal of the extant Planning Permission through an extension of time. In terms of assessing the suitability of the scheme, the main issue relates to establishing the principle of hotel development in light of any Development Plan policy changes, National Policy changes and other material considerations which may have changed significantly since the original grant of permission.

In terms of the Development Plan, this continues to be the Adopted Manchester Unitary Development Plan (UDP) 1995 as amended. And the Saved Policies contained therein. The Regional Spatial Strategy for the North West (September 2008) has limited material weight given the Governments intended abolition of Regional Strategies.

The Council is currently moving forward with its Core Strategy which was submitted in July 2011 and it is understood the examination is due to commence on the 22 November. As such the policies contained therein have some weight although it is understood that for development control purposes, until the adoption of the Core Strategy envisaged in 2012, the relevant Development Plan continues to be the UDP.

Unitary Development Plan 1995 (as amended)

Historically the Planning Application site fell within a wider area allocated under Policy BM10 as a "site for economic development" . This policy was not saved in 2007. However the allocation has in effect been implemented in that the 'First Fitness' Gym and the Toy Box Public House were developed together with the Morris Homes apartment scheme fronting on to Victoria Avenue East, commencing the regeneration of the wider site.

The Saved Policies within the UDP relevant to the continuing assessments of the proposals are as follows:-.

Policy I1.9 stipulates that the Council will allow a range of new Hotels developments in appropriate locations around radial routes together with appropriate locations in the City Centre, in District Centres and in the vicinity of the Airport and, where appropriate in areas devoted to leisure and recreational activity. The Policy further stipulates that in predominately residential areas Hotel development will be permitted only where there would be no adverse impact on residential amenities.

Policy I1.8 also recognises that Manchester is a tourist destination both for conventional and business tourism. The City Centre is a location to encourage and exploit tourist related developments. Outside the City Centre the Council also seek to exploit opportunities for tourism along radial routes and within the cities major Public Parks and other open spaces.

Emerging Manchester City Council Core Strategy – Submission Document 2011

Emerging Policy CC4 seeks to focus the provision of culture and leisure facilities within the City Centre. The improvement of facilities for business visitors will also be supported. Development in the City Centre which improves facilities for visitors will be promoted. The Policy further recognises the increasing importance of Hotel provision particularly within the City Centre and new Hotel development which contributes to the quality of the City Centre will be supported. The Policy also identifies that proposals for new Hotels outside the City Centre will also be supported where they support visitor orientated development and where the Council is confident that they will be delivered.

As such in general terms the Council supports the continued provision of Hotel development both within the City Centre and elsewhere, albeit until the Core Strategy is adopted in 2012 the above Policies in the UDP are the relevant ones in respect of continued considerations of the Hotel proposals the application site.

Guide to Development in Manchester - Supplementary Planning Document (SPD)

The guide to development SPD was published in 2007 and was therefore a relevant document for consideration when the previous permission was considered and granted. As such the guidance contained therein remains the same as previously, and given that the proposals are identical and that the application seeks only to extend the time for implementation it is considered that no issues arise in respect of this document.

National Policy

The Hotel proposals were originally assessed against a number of Planning Policy Statements including Planning Policy Statement 1 – Delivering Sustainable Development Planning Policy Guidance 13 – Transport and Planning Policy Statement PPS6 – Planning for Town Centres.

It is also to be noted that at the time of consideration of the original proposals in 2007/2008 thought was given to the emerging consultation paper on Planning Policy Statement 4 – Planning for Sustainable Economic Development.

In respect of PPS1 and PPG13, these remain relevant National Guidance documents. In respect of PPS6, this document has been superseded by the more recent publication of PPS4 in 2009. Due to the change from PPS6 to PPS4, Jones

Lang LaSalle have undertaken a review of the Hotel development proposals in light of the change. This is contained at Appendix 1

PPS4 once again identifies Town Centre uses as including Arts, Culture and Tourism development such as Hotels and Conference facilities. Policy EC5 then goes on to provide guidance on site selection and land assembly for main Town Centre uses. However whilst the Planning Policy Statement 4 ,which provides guidance in relation to the development of Town Centre uses has changed, much of the information contained in the Savills addendum to the previous Planning Statement which dealt with the then PPS6 remains relevant as many of the Policies within the new PPS4 mirrors those which were contained within the replaced PPS6.

As such , alongside Appendix 1 which sets out the Jones Lang LaSalle letter I also attach a copy of the previous Savills PPS6 addendum for comparison purposes.

In conclusion on the issue of PPS4, whilst it is acknowledged that the Hotel development on the subject site falls outside a recognised Town Centre it is likely to continue to have a positive impact on Moston and the Manchester conurbation. The site continues to fall within an area previously allocated for economic development and regeneration and it is felt that to extend the Planning Permission for a further 3 years will encourage future investment, or at least provide the opportunity for investment on a currently unused site.

Indeed it can be further argued that the existing Pub and the Fitness/Leisure Centre are both uses which ought according to PPS4 be preferably located in Town Centres. However the Complex is established having been granted Planning Permission historically for qualitative economic development reasons. Despite the harsh economic climate at the present time it is considered that the extension of time for the implementation of a Hotel consent could once again help the viability of the established Complex whilst having no detrimental effect on other Hotels within the area or in the wider Manchester conurbation. In conclusion it is felt benefits of supporting economic regeneration of this site in this location should be supported.

Planning Policy Assessment

1. Principal of Development.

The principle of a Hotel development on this site was previously established firstly in 2003 and subsequently through the more recent extant Planning Permissions granted in 2008. The relevant Development Plan continues to be the Manchester City UDP , which supports, under Policy I1.9, a range of new Hotels developments in appropriate locations along radial routes.

The application site continues to fall within a genuinely sustainable location. It is in a built up area of Moston and within easy walking distance of the railway station and local facilities. Accordingly the proposal in principle continues to accord with the overriding principles of PPS1, in particular the need to encourage more sustainable patterns of transport development and the promotion of more efficient use of land through higher density mixed use development and the use of suitably located previously developed land and buildings.

It is considered that the proposed Hotel use is considered to comply in principle with these Policies.

2. Economic Development.

In seeking to extend the permission for a Hotel within an area previously allocated for economic development, the Government guidance in PPS4 makes clear that tourism development (such as Hotels) constitutes economic development. Accordingly the proposal is considered to continue to accord with National Guidance and Policy, in general terms.

3. Design and Impact on Neighbours.

The proposal for a 5 storey, 86 bed Hotel with associated parking has previously been considered acceptable in relation to its design and layout in relation to neighbouring uses and occupiers. There have been no significant changes in the local environment to justify a different conclusion being reached. Direct neighbours being the M60 motorway to the North, playing fields to the East and the Public House to the South are of limited sensitivity in terms of personal amenities.

4. Transport.

The scheme continues to provide for 34 bespoke parking spaces to comply with the parking standards set out in the Northwest RSS. There will again be the availability of the surrounding 123 communal parking spaces which are available to serve the pub and leisure centres/gym.

5. Flood Risk.

The site is not located in an area identified as being at risk of flooding.

6. Noise.

The site continues to be adjacent to the M60 motorway. Historically in support of the extant Planning Permission noise survey information was submitted which demonstrated that acceptable noise levels can be achieved within the Hotel rooms with details of acoustic measures being the subject of reserved matters and conditions. This continues to be the case.

Conclusions

The site currently has an extant Planning Permission for a 5 storey Hotel accommodating 86 rooms. The application seeks to extend the time limit for the implementation of the scheme as supported by the introduction of measure to allow such extension of time limits for implementing such Planning Permissions to keep them alive for longer during the economic downturn so they can be more quickly implemented when the conditions improve.

During this period of economic uncertainty the site is now in the hands of the LPA Fix Charge Receivers on behalf of Atrium Hotels. As such by securing an extension to the time limits for implementing the Planning Permission presents an opportunity for the Receivers to market the site with an extant permission, and therefore a value to the land which may attract investment opportunities. Thereby continuing to seek to secure investment into the area.

The site was historically identified for economic development in the Adopted UDP and the proposed Hotel use continues to comply with this land use allocation. The

Development Plan Policies continue to support the Hotel facility and for the reasons set out above it is not considered that any substantive significant changes to National, Regional or Local Planning Policy and Guidance which would result in any substantive objections to the proposed extension of time for the extant outline consent being granted.

As such in light of the above I would respectfully request that the Application be granted. In the interim, should you require any further information or clarification on the points raised, please do not hesitate to contact me at your earliest convenience.

Kind Regards



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