

PLANNING STATEMENT

Southmoor Park, Wythenshawe

Proposed Variation of Condition 6 Attached to Planning Permission Reference 33541on Behalf of CBRE Global Investors Ltd

December 2011

CBRE

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1.0 Introduction

BRIEF

1.1 CBRE has been instructed by CBRE Global Investors to submit an application to vary Condition 6 attached to planning permission reference: 33541 which relates to their site at Southmoor Park, Wythenshawe. Condition 6 states:

"No loading/unloading or movement of service vehicles shall take place on the site on Sundays or Bank Holidays and on other days shall be confined to 0800 - 1800 hours Mondays to Saturdays".

DESCRIPTION OF DEVELOPMENT

1.2 This Section 73 application proposes changes to condition 6 attached to planning permission reference: 33541to reduce the restrictions placed upon servicing hours for the units at Southmoor Park which in turn will assist the marketing of the site and reduce the current vacancy levels.

1.3 We therefore propose the following amendments to Condition 6:

"The loading/unloading and movement of service vehicles on site are subject to the following restrictions:

- *HGV movements shall take place on site between the hours of 07.00 and 23.00, 7 days a week, subject to 1 no. HGV movement per hour.*
- *During the overnight period (23.00 to 07.00) vehicles movements will be limited to 1 no. LDV or van movement per hour, 7 days per week."*

SCOPE OF APPLICATION SUBMISSION

1.4 This statement accompanies the planning application to vary the above condition. The scope of the planning application is as follows:

- Planning application forms, certificates and notices, signed and dated;
- Site Location Plan with the application site outlined in red;
- Acoustics Assessment;
- This Planning Statement which sets out the strategy for varying the above condition;
- A Memorandum prepared by CBRE Industrial Agents regarding the marketing of the site; and
- Planning application fee (£170).

1.5 This application is solely seeking a variation to Condition 6 attached to planning permission reference: 33541.

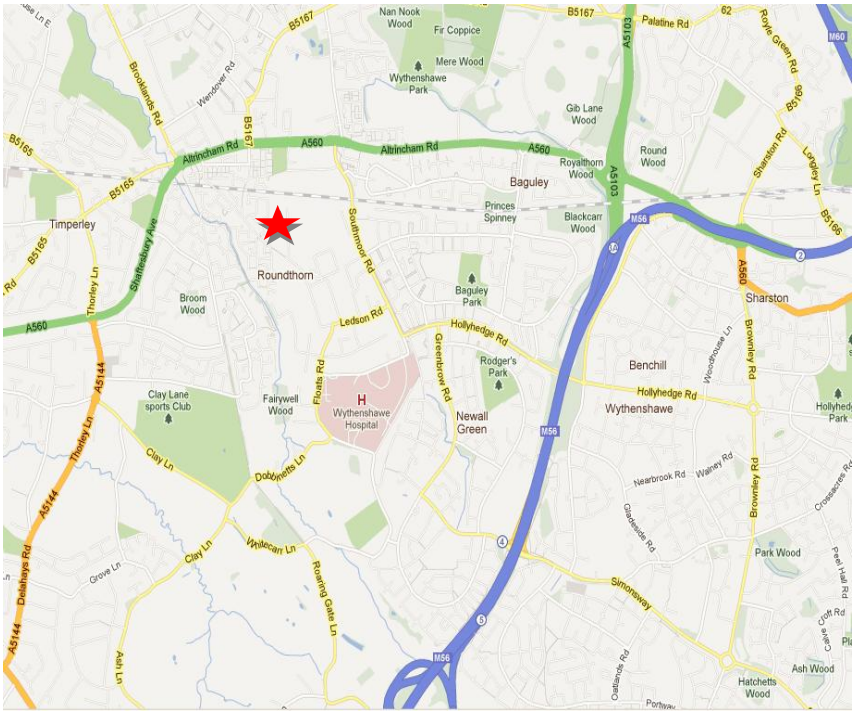
1.6 This Statement assesses the proposals in planning policy terms and in accordance with the results of the Acoustics Assessment.

2.0 Site Location and Description

SITE LOCATION

2.1 Southmoor Park is located within Roundthorne Industrial Estate, Wythenshawe. Access to the site can be gained from Greeba Road. A railway line immediately adjoins the northern boundary of the site; industrial uses are located to the east and south of the site with residential uses to the west.

Figure 1
Site Location



Source: Google Maps 2011

SITE DESCRIPTION

2.2 The site is rectangular in shape and comprises a mix of industrial units, hardstanding and some small planting beds. The site was constructed in the early 1990s and measures 1.3 hectares.

2.3 Southmoor Park comprises seven industrial units (Units A1 – A3 and B1 – B4), with an internal yard and parking area and some small areas of landscaping. Units A2 and A3 are occupied, however Units A1, B1, B2, B3 and B4 are vacant and have been vacant for some time.

2.4 The units have undergone recent refurbishment and the site is afforded with good access and out of hours security.

STATUTORY DESIGNATIONS

2.5 The Environment Agency's flood map does not identify the site within the floodplain, however the Environment Agency has not undertaken a full assessment of this area.

2.0 Site Location and Description

2.6 The site does not include any trees which are subject to a Tree Preservation Order (TPO) and does not include any Listed Buildings.

2.7 We are not aware of any public footpaths which cross the site.

PLANNING HISTORY

2.8 The site has been subject to several applications which are of particular relevance to these application proposals. These applications are set out below:

- Planning Application Reference 33541 – Erection of buildings to form industrial business park with parking from 83 vehicles. Planning permission was granted on 27 April 1989 and was subject to Condition 6 as outlined in paragraph 1.1 of this Statement.
- Planning Application Reference 051053/JO/SOUTH3/96 – Variation of the servicing hours condition No.6 of planning permission F33541 from 0800-1800 hours to 0700-1900 hours Monday to Saturday on units B1 and B2. Planning permission was granted in 1996 and the following conditions were imposed:
  - *No loading/unloading or movement of articulated/Heavy Goods Vehicles shall take place on the site on Sundays and Bank Holidays and on other days shall be confined to: 0800 – 1800 Mondays to Sundays; and*
  - *No loading/unloading or movement of light delivery vehicles/vans shall take place on the site on Sundays and Bank Holidays and on other days shall be confined to: 0700 – 1900 hours Mondays to Saturdays.*
- Planning Application Reference 075336/JO/2005/S2 – Removal of condition number 6 attached to planning permission reference 33541 in order to vary restrictions on loading/unloading and movement of service vehicles in association with the use of the property. This application was approved in 2005 and applied to units A2 and A3. The varied condition read as follows:

  Between the hours of 10.00pm and 7.00am, the vehicles delivering and distributing from the site shall be related to the specific operation of the premises by an NHS contractor servicing Wythenshawe Hospitals and other local hospitals. The activities of the NHS contractor shall be undertaken in accordance within a scheme of operation, which shall be agreed in writing with the City Council as local planning authority and with local members prior to the occupation of the premises. The scheme shall between the hours of 10.00pm and 7.00am as a minimum: limit the number and size of vehicles visiting the site; controls reversing warning devices and the use of fork lift trucks and incorporates arrangements for the movement of staff during shift changes. The scheme of operation shall remain in place except in the event of a major incident unless otherwise agreed in writing by the City Council as local planning authority.

2.9 The above applications demonstrate that the Council has permitted alterations to Condition 6 of planning permission reference 33541.

3.0 Background to the Proposals

3.1 CBRE, as joint agent, has been marketing the Southmoor Park site for several years. We have recently undertaken a revised marketing campaign which attracted interest in the units. The units have been viewed by prospective occupiers who have stated that the accommodation and location are suitable for their proposed use/occupation. However, despite the site being appropriate in terms of size, access, location etc the restrictions on the servicing hours, imposed by Condition 6 of planning permission 33541, have deterred the potential occupiers. Due to this the majority of the units remain vacant.

3.2 The site has recently undergone refurbishment works, however this, alongside the revised marketing campaign have not been sufficient to attract new tenants. Whilst these factors have been addressed, the restrictions imposed by Condition 6 remain in place and therefore tenants cannot be attracted to the site.

3.3 A synopsis of recent interest in the site (by way of a CBRE Memorandum) is submitted as part of this application submission. This provides a breakdown of the prospective occupiers and the ultimate reason for their decision to locate elsewhere. It is evident from this information that Condition 6 is the main factor which is deterring prospective tenants and is resulting in them locating elsewhere, some of which potentially outside the Manchester area.

3.4 Whilst the site owners have tried to address the high vacancy levels by an improved marketing campaign and refurbishment of the units it is evident that greater flexibility in trems of servicing hours will be required if new tenants are to be secured. On this basis. CBRE has been appointed as Planning Consultants to submit this Section 73 application to seek greater flexibility in terms of servicing hours. The aim for achieving greater flexibility is to enable the vacant units to be let.

3.5 An Acoustics Assessment has been undertaken by Enzygo to establish the appropriate servicing hours for the site, given the location of residential properties. The Acoustics Assessments is submitted as part of this Section 73 application.

3.6 The Acoustics Assessment makes the following conclusions:

- The levels of noise generated by the movement of HGVs/LDVs or vans during the evening period (18.00 to 23.00) would not result in a significant impact at the assessment locations.
- As a result of the external levels it has been concluded that the movement of LDVs/Vans during the overnight period (23.00 to 07.00) would not result in significant impacts on residential amenity based on the internal design criteria in BS8233.
- During the overnight period movement of HGVs around the site would result in the potential for significant impacts on all receptors.
- Assuming 1 vehicle delivery per hour during the overnight period the predicted noise levels would only account for 17% of the night time period (23.00 to 70.00) and during the remaining 83% significantly lower levels would be expected as vehicles would not be moving around the site.

3.7 On the basis of the results of the Acoustics Assessment we are seeking the following amendments to Conditions 6:

"The loading/unloading and movement of service vehicles on site are subject to the following restrictions:

- *HGV movements are allowed on site between the hours of 07.00 and 23.00 7 days a week, subject to 1 no. HGV movement per hour.*

3.0 Background to the Proposals

- *During the overnight period (23.00 to 07.00) vehicles movements will be limited to 1 no. LDV or van movement per hour, 7 days per week."*

4.0 Planning Policy Context

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. In this instance, the relevant Development Plan for the area comprises the following:

- Manchester Unitary Development Plan (1995); and
- The Regional Spatial Strategy (RSS) for the North West.

MANCHESTER UNITARY DEVELOPMENT PLAN

4.2 The site is located within an Economic Improvement Area as shown on the Proposals Map.

4.3 The site is covered by Policy WW2 which states that "within the Roundthorn Industrial Estate the Council will permit new industrial and commercial activities, incompatible with a location in a residential area, except where serious harm to the amenity of nearby residents or adjoining businesses would result."

4.4 Policy I1.7 states that "the Council will bring forward proposals to upgrade the older industrial areas and estates in the City. It will seek to work in collaboration with existing occupants to improve the environment in these areas and to ensure that they become better adapted to meet the needs of modern businesses."

REGIONAL SPATIAL STRATEGY

4.5 The Development Plan also includes the policies of the Regional Spatial Strategy for the North West (September 2008). In May of this year, the Secretary of State wrote to Local Authorities and the Planning Inspectorate informing them of the Government's intention to abolish Regional Strategies in the then forthcoming Localism Bill and that this was a material consideration in planning decisions. However, a subsequent High Court judgement established that this was unlawful which effectively re-established Regional Strategies as part of the development plan. Despite this, the Chief Planner from the Government wrote to Councils advising them of the intention to rescind Regional Strategies and therefore that they should be given little weight in determining applications.

4.6 The Localism Bill was enacted on 15 November, however the RSS will not be revoked until the Government has undertaken a Strategic Environmental Assessment assessing the impact of its revocation. On this basis the RSS is still relevant when considering these application proposals.

4.7 Policy MCR1 relates to Manchester City Region Priorities and states that the Council will "support interventions necessary to achieve a significant improvement in the sub-region's economic performance by encouraging investment and sustainable development in the Regional Centre, surrounding inner areas, the towns/cities and accessible suburban centres."

4.8 Policy MCR 3 relates to the Southern Part of the Manchester City Region and states that "Plans and strategies in the southern part of the City Region should sustain and promote economic prosperity consistent with the environmental character of the area and the creation of attractive and sustainable communities."

4.0 Planning Policy Context

LOCAL DEVELOPMENT FRAMEWORK

4.9 Manchester City Council is currently in the process of preparing its Local Development Framework documentation. The Core Strategy was submitted to the Secretary of State for independent examination on 18th July 2011.

4.10 The Amended Proposals Map, which forms part of the submission version of the Core Strategy, includes the application site within a designated Economic Improvement Area.

4.11 Policy EC2 'Existing Employment Space' states that "the Council will seek to retain and enhance existing employment space beyond strategic employment locations."

4.12 Policy EC10 'Wythenshawe' states that "the existing employment role of Roundthorn Industrial Estate and Sharston will be supported, including the existing industrial and manufacturing uses."

5.0 Conclusions

5.1 Whilst the site owners have tried to address the high vacancy levels by an improved marketing campaign and refurbishment of the units it is evident that greater flexibility in trems of servicing hours will be required if new tenants are to be secured. On this basis. CBRE has been appointed to submit this Section 73 application to amend Condition 6 attached to planning permission reference 33541 to seek greater flexibility in terms of servicing hours. The aim for achieving greater flexibility is to enable the vacant units to be let.

5.2 An Acoustics Assessment has been undertaken by Enzygo to establish the appropriate servicing hours for the site, given the location of residential properties. The Acoustics Assessments is submitted as part of this Section 73 application.

5.3 On the basis on the Acoustics Assessment we are seeking the following amendments to Conditions 6:

"The loading/unloading and movement of service vehicles on site are subject to the following restrictions:

- *HGV movements are allowed on site between the hours of 07.00 and 23.00 7 days a week, subject to 1 no. HGV movement per hour.*
- *During the overnight period (23.00 to 07.00) vehicles movements will be limited to 1 no. LDV or van movement per hour, 7 days per week."*

5.4 The site is located within an identified employment area, where existing and future planning policy encourages growth and investment in such areas. Industrial uses in this area should be encouraged however the current restrictions imposed by Condition 6 have rendered Southmoor Park unfit for its current purpose. Whilst the site is located near to residential properties the submitted Acoustics Assessment demonstrates that greater flexibility in termS of servicing hours can be provided, whilst ensuring appropriate residential amenity is maintained.

5.5 In accordance with the existing UDP policies which cover this site, including Policy WW2 and I1.7, condition 6 needs to provide greater flexibility for potential occupiers to ensure that Southmoor Park meets the needs of modern businesses.

5.6 In accordance with policies in both the RSS and emerging Core Strategy , increasing the hours within which the units can be serviced will ensure that the buildings are occupied, which in turn will benefit the economic performance of the area through both investment and job creation. At present Condition 6 is too restrictive and it has been demonstrated through the marketing campaign that these restrictions do not cater for the needs of modern businesses who should be attracted to this area.

5.7 Based on the evidence gathered through the marketing process the existing Condition 6 is too restrictive and has resulted in a high level of vacant units across the site. The Acoustics Assessment has demonstrated that considerably more flexible servicing hours can be introduced whilst maintaining the appropriate levels of residential amenity. Therefore, we respectfully request that planning permission is granted for the amendments proposed to Condition 6.