

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140967/FO/2024

Date registered valid: 9 September 2024

Proposal: Erection of a substation and associated boundary treatment.

Address: Manchester City Football Club Ltd, Etihad Stadium, Ashton New Road, Manchester, M11 3FF

Ward(s): Ancoats & Beswick Ward

Applicant: Manchester City Football Club Ltd

Agent (if any): Samantha Lee P4 Planning Limited

Case officer: James Bridgman
Tel: 0161 219 6202
Email: james.bridgman@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 4/11/2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 7 October 2024

Standard consultations:

Printed: 24 September 2024

Expired: 15 October 2024

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 7 October 2024 Expired: 28 October 2024

Press advert

Published: 1 October 2024

Expired: 15 October 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

This application site is within the grounds of the Manchester City Football Club and is adjacent to the North Car Park. The site is accessible via Etihad Avenue off Ashton New Road (A662).

The application site measures 103.5m².



Figure 1 – Site Photograph

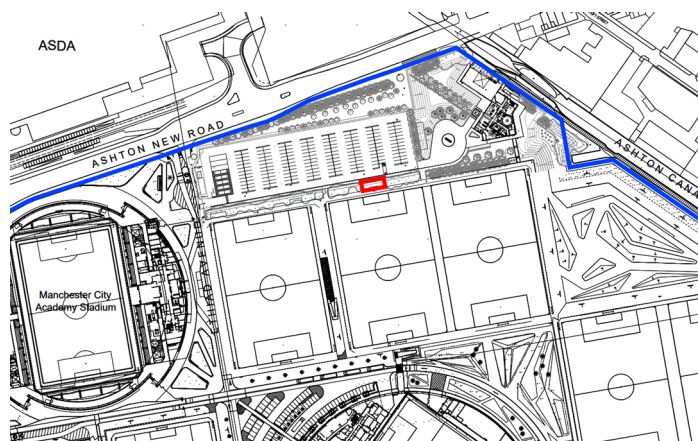


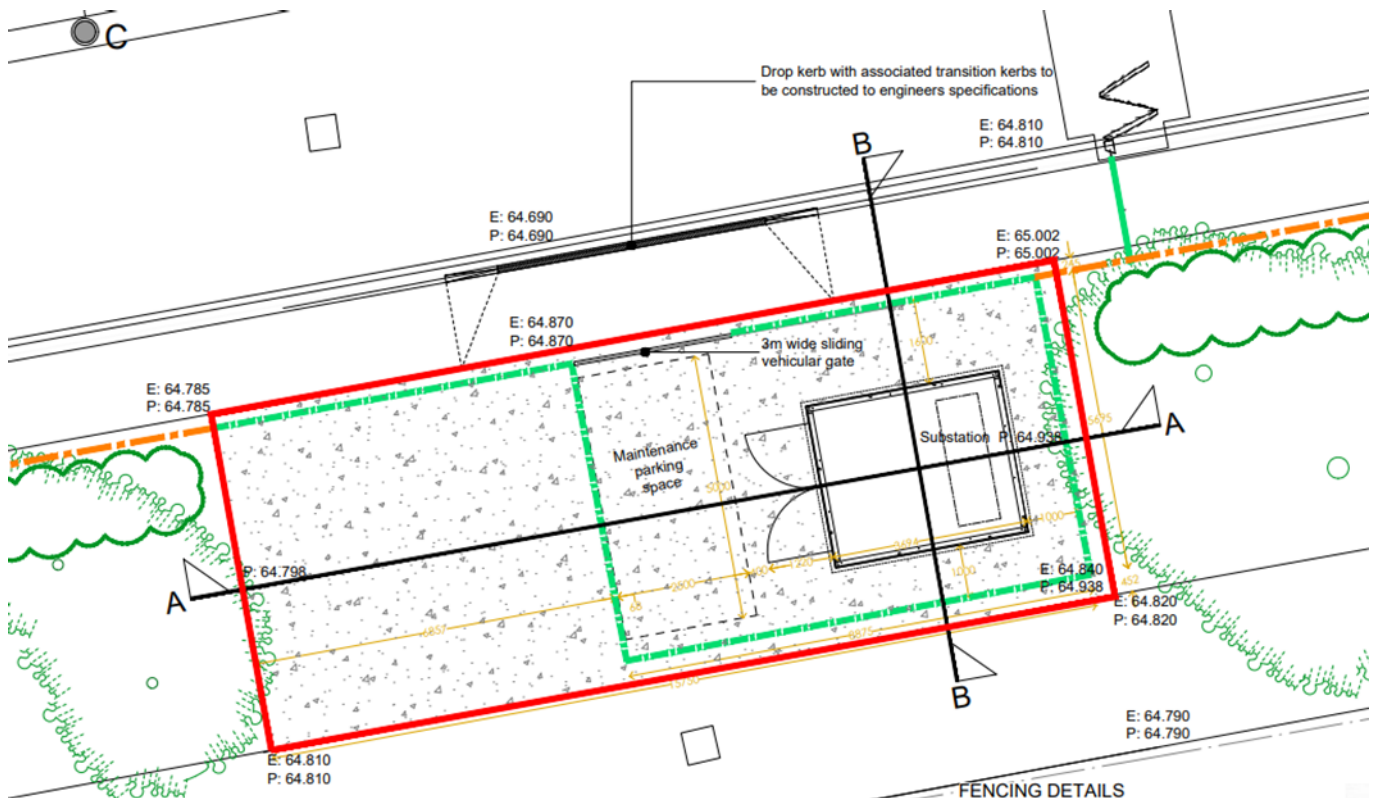
Figure 2 – Location of site (red edge)

Description of development

Permission is sought for the erection of a substation to accommodate electrical requirements of the new women's training facility currently under construction to the north east of the site.

The substation will have a footprint of 3.09m by 3.69m and will have a maximum height of 2.64m. It will be finished in British Racing Green (BS14C39).

There is associated proposed boundary treatment consisting of 2m high welded mesh security fence with a 3m wide sliding vehicular gate to accommodate maintenance access. The fence will be finished in Green RAL 6005.



Consultations & Notification Responses

Publicity – The application was advertised as a public interest development in the local press and a site notice was displayed on site. No representations have been received.

Highway Services – No objection

Environmental Health – No objections to noise assessment and advised a condition relating to a requirements for a watching brief in relation to ground contamination.

MCC Flood Risk Management – No objection

Greater Manchester Police – No response

United Utilities Water PLC – No comments

Greater Manchester Ecology Unit – No comments

The Coal Authority – No objection

Policies

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy EC5 – East Manchester
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy DM1 – Development Management
- Policy EN 18 – Contaminated Land and Ground Stability

Saved Unitary Development Plan for Manchester - The following saved UDP Policies are of relevance to this application:

- Policy DC26 – Development and Noise

National Planning Policy Framework (NPPF)

Places for Everyone- The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester.

Issues

Principle

The proposed substation is necessary to meet the electrical requirements of the new women’s training facility, approved earlier this year under planning application 138987/FO/2024 and in principle is acceptable.

Visual amenity

Given its location within the grounds of the Manchester City Football Club, the substation and associated fencing would not be readily visible from the public highway. Nevertheless, the overall design, choice of materials and finishes are considered to be appropriate to their context, in accordance with Policy DM1 of the Core Strategy.

Impact on amenity

The site is significantly set away (approx. 150m) from any residential accommodation. A noise impact assessment was undertaken and has been reviewed by the Council’s Environmental Health Officer. There are no concerns in respect to noise and there will be no unacceptable impact on the amenity of any residential properties, in accordance with UDP Policy DC26.

This site is located within East Manchester with a history of industrial activity leading to a high risk of ground contamination. The application site within the Manchester City Grounds previously accommodated a small seating stand which has since been removed. The proposed substation will have foundations at a maximum depth of 0.75m.

With regard to Policy EN 18 of the Core Strategy, a condition will be added for a watching brief relating to ground contamination. This will require all works to cease and for further information to be submitted in the event any contamination is found to be present.

Highway network

The substation will have a maintenance vehicle car space accessible via a dropped kerb from the North Car Park.

Considering the proposal is located on private land, it will not impact upon the adopted highway and no highway safety issues have been identified associated with the development, in compliance with Policy DM1 of the Core Strategy.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

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

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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

Proposed Elevations: 407-103

Received by the City Council as Local Planning authority on the 9 September 2024

Proposed Location Plan: 407-101 Rev A

Proposed Site Plan: 407-102 Rev A

Proposed Sections: 407-104 Rev B

Received by the City Council as Local Planning authority on the 16 October 2024

Reason: To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

- 3) No materials shall be used on the external elevations of the proposed development other than those referred to on the approved plans / supporting documentation.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

- 4) When the development commences, the development shall be carried out in accordance with the details of works referred to in the email received on 7th June 2024.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management

Greater Manchester Police
United Utilities Water PLC
Greater Manchester Ecology Unit
The Coal Authority

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: CENTRAL