

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140083/NMC/2024

Date registered valid: 22 May 2024

Proposal: Non-material amendment to Planning Permission 126431/FO/2020 to vary the wording of Condition 32b (Highway Works).

Address: Co-op Live Arena , 1 Sportcity Way, Manchester, M11 3DU

Ward(s): Ancoats & Beswick Ward

Applicant: OVG Manchester Limited

Agent (if any): Mr John Cooper Deloitte LLP

Case officer: Jennifer Atkinson
Tel: 0161 234 4517
Email: jennifer.atkinson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 10.06.2024

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

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

This 4.46 hectare site is used as a 500 space overspill car park for events at the Etihad stadium. The site is secured with a mesh fence on all sides and contains a number of self-seeded trees and shrubs. Its topography is relatively flat with a gentle slope from south to north before the site drops steeply down to the Ashton Canal. The site is bounded by Joe Mercer Way (an elevated pedestrian walkway connecting to the Etihad Stadium) which separates the site from the Manchester Tennis and Football Centre located further west, Alan Turing Way, a four lane road with segregated cycle lanes is to the east with the Ashton Canal and the Etihad Metrolink stop to the south

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The site forms part of the Etihad Campus which includes the Etihad Stadium, Manchester Regional Arena, City Football Academy and the National Squash Centre. The Etihad Campus has been a focus for regeneration since it was first used to host the Manchester Commonwealth Games in 2002. To the east of Alan Turing Way are Philips Park and Philips Park Cemetery which are Grade II listed. The area beyond the Park and Cemetery contains light industrial uses and Philips Park Fire Station. The raised railway line is a buffer between the industrial area and residential communities in Miles Platting and Newton Heath.

The area to the east of Alan Turing Way, alongside the National Cycling Centre and the Eastlands District Centre, is more residential in character. There are three apartment buildings

up to 10 storeys in height amongst two storey terraced housing. The towpath and cycle path along the Ashton Canal to the south link the site to city centre and beyond in an eastwards direction. The Etihad Stadium has a capacity of 55,017 with planning permission to expand to 62,170. To the north is a large car park associated with the Etihad Stadium, accessed via Sportcity Way connecting to Alan Turing Way. Beyond this are two gas holders: one on Bradford Road and the other on Alan Turing Way.

This is a sustainable location, well served by public transport including Metrolink with a tram stop for the Etihad Campus to the south of the site providing regular services To the east of Alan Turing Way are Philips Park and Philips Park Cemetery which are Grade II listed. The area beyond the Park and Cemetery contains light industrial uses and Philips Park Fire Station. The raised railway line is a buffer between the industrial area and residential communities in Miles Platting and Newton Heath. The area to the east of Alan Turing Way, alongside the National Cycling Centre and the Eastlands District Centre, is more residential in character. There are three apartment buildings up to 10 storeys in height amongst two storey terraced housing. The towpath and cycle path along the Ashton Canal to the south link the site to city centre and beyond in an eastwards direction.

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Description of development

Non-material amendment to Planning Permission 126431/FO/2020 to vary the wording of Condition 32b (Highway Works).

Consultations & Notification Responses

N/A

Issues

The proposal seeks to amend condition 32 from:

(a) Prior to the first use of the development hereby approved, a scheme of highway works in parts 1, 2, 3, 5, 6, 7 and the temporary arrangements for part 8, as outlined within the Transport Assessment prepared by BuroHappold Engineering stamped as received by the City Council, as Local Planning Authority, 30 March 2020, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The scheme for part 4 shall be submitted for approval in writing by the City Council, as Local Planning Authority within one months of first use of the arena. The final details for the permanent VMS arrangements under part 8 shall be submitted for approval in writing by the City Council, as Local Planning Authority within 6 months of first use of the area.

For the avoidance of doubt this shall include the following:

1. Modifications to the junction of Gate 1/Alan Turing Way including creation of left in/left out traffic movements, improved cycle facility, widened pedestrian provision, creation of servicing entrance and vehicle access/egress (Drawing BRA-BHE-XX-XX-DR-C-0230); [Details approved as part of CDN/21/0150]

2. Emergency vehicle access from Alan Turing Way including modification to pedestrian footway and access to the canal (Drawing BRA-BHE-XX-XX-DR-C-0240);
3. Widening of footways along Sportcity Way including narrowing of carriage from 4 to 3 lanes (Drawing BRA-BHE-XX-XX-DR-C-0210); [Details approved as part of CDN/21/0150]
4. Installation of fixed bollards, retractable bollards and planters to Sportcity Way);
5. Introduction of VIP drop off and U Turn facility;
6. Extension of the existing taxi rank along the full length of Rowsley Street and Philips Park Road (including creation of a one-way system);
7. Dropped kerbs and tactile paving to vehicle access points;
8. Provision of additional Variable Message Boards (VMS) including agreed locations and timescale for implementation;

The approved scheme for parts 1, 2, 3, 5, 6, 7 and the temporary arrangements for part 8 shall be implemented and be in place prior to the first use of the arena hereby approved and thereafter retained and maintained in situ. The final details for parts 4 and 8 shall be implemented and be in place within one months of the written approval of the City Council, as Local Planning Authority.

(b) On the first anniversary of the First Arena Event and thereafter on each anniversary of the First Arena Event, a Monitoring Review of the VIP drop off Strategy should be undertaken. In the event that the Monitoring Review recommends any amendments or additions to the VIP drop off Strategy, such amendments or additions shall be submitted to the City Council as local planning authority for approval within 2 months of an annual review and implemented thereafter within a timescale to be agreed in writing with the City Council, as Local Planning Authority.

The City Council may request an Interim VIP drop off Strategy in advance of the annual review for written approval within 1 (one) month (or such longer reasonable period as may be agreed by the parties) of a written request of the City Council where the City Council is of the reasonable opinion that an Arena Event causes (or has caused) previously unforeseeable pedestrian or highway safety concerns in respect of the VIP drop off Strategy which are materially detrimental to highway and/or pedestrian safety in the vicinity of the Site and which must be addressed in advance of the next annual VIP drop off Strategy. Any measures required as a result of that interim review shall be implemented within a timescale to be agreed in writing by the City Council, as Local Planning Authority.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

To

(a) The development hereby approved shall be subject to the following scheme of highway works (parts 1, 2, 3, 4, 5, 6, 7) and the temporary arrangements for part 8, as outlined within the Transport Assessment prepared by BuroHappold Engineering stamped as received by the City Council, as Local Planning Authority, 30 March 2020. The scheme for part 4 shall be submitted for approval in writing by the City Council, as Local Planning Authority within one months of first use of the arena. The final details for the permanent VMS arrangements under part 8 shall be submitted for approval in writing by the City Council, as Local Planning Authority within 6 months of first use of the area.

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3. Widening of footways along Sportcity Way including narrowing of carriage from 4 to 3 lanes (Drawing BRA-BHE-XX-XX-DR-C-0210) [Details approved as part of CDN/24/0043];

4. Installation of fixed bollards, retractable bollards and planters to Sportcity Way);

5. Introduction of VIP drop off and U Turn facility [Details approved as part of CDN/24/0043];

6. Extension of the existing taxi rank along the full length of Rowsley Street and Philips Park Road (including creation of a one-way system);

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(b) On the first anniversary of the First Arena Event and thereafter on each anniversary of the First Arena Event, a Monitoring Review of the VIP drop off Strategy and the taxi rank should be undertaken. In the event that the Monitoring Review recommends any amendments or additions to the VIP drop off Strategy or taxi rank, such amendments or additions shall be submitted to the City Council as local planning authority for approval within 2 months of an annual review and implemented thereafter within a timescale to be agreed in writing with the City Council, as Local Planning Authority.

The City Council may request an Interim VIP drop off Strategy or taxi rank strategy in advance of the annual review for written approval within 1 (one) month (or such longer reasonable period as may be agreed by the parties) of a written request of the City Council where the City Council is of the reasonable opinion that an Arena Event causes (or has caused) previously unforeseeable pedestrian or highway safety concerns in respect of the VIP drop off Strategy or taxi rank strategy which are materially detrimental to highway and/or pedestrian safety in the vicinity of the Site and which must be addressed in advance of the next annual VIP drop off Strategy or taxi rank strategy. Any measures required as a result of that interim review shall be implemented within a timescale to be agreed in writing by the City Council, as Local Planning Authority.

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The amendment to the condition would require the introduction of a monitoring strategy for the VIP drop off.

This is considered to be acceptable and in line with other similar amendments to other conditions.

The change is considered to be non material in nature and will allow the VIP drop usage to be monitored.

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

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

1) The proposed amendment seeks to vary the wording of Condition 32b (VIP drop off).

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 acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will not result in any significant material alterations to the planning approval.

32) (a) The development hereby approved shall be subject to the following scheme of highway works (parts 1, 2, 3, 4, 5, 6, 7) and the temporary arrangements for part 8, as outlined within the Transport Assessment prepared by BuroHappold Engineering stamped as received by the City Council, as Local Planning Authority, 30 March 2020. The scheme for part 4 shall be submitted for approval in writing by the City Council, as Local Planning Authority within one months of first use of the arena. The final details for the permanent VMS arrangements under part 8 shall be submitted for approval in writing by the City Council, as Local Planning Authority within 6 months of first use of the area.

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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 - Not Affected

Site of Biological Interest - Name: Ashton Canal (West)

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

HSE COMAH Zone - H1485 IZ - Bradford Road Holder Station (East) Inner Zone

HSE COMAH Zone - H1485 MZ - Bradford Road Holder Station (East) Middle Zone

HSE COMAH Zone - H1485 OZ - Bradford Road Holder Station (East) Outer Zone

Hazard - Major Accident Hazard Pipeline - East Manchester

Hazard - Bradford Road Gas Works

Historic Landfill Site 250m Buffer -

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) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: CENTRAL