

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138777/FO/2023
Date registered valid: 15 January 2024
Proposal: Erection of green wall to car park extension entrance.
Address: Q Park Entrance , 3 Piccadilly Place, Manchester, M1 3BN
Ward(s): Piccadilly Ward

Applicant: Mr Stewart Smith 3 Piccadilly Place SARL
Agent (if any): Mr Craig Foster Craig Foster Architects
Case officer: Michael Pearson
Tel: 0161 219 2735
Email: michael.pearson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 06/03/2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 18 January 2024 Expired: 8 February 2024

Neighbour notifications

Printed: 18 January 2024 Expired: 8 February 2024

Site notice

Posted: 19 January 2024 Expired: 9 February 2024

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application relates to the two storey flat roof extension to 3 Piccadilly Place. The extension serves as an access point to the Q-Park car park site situated within 3 Piccadilly Place. The extension is then completed in metal cladding coloured white, red and turquoise and features ventilation louvres, an access door and an open access point in its western facing elevation.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site lies within the Piccadilly Plaza complex. Neighbouring development consists of high rise office and commercial properties that dates from the early 2000s. The site neighbours the Piccadilly tram line which separates Piccadilly Plaza from One Piccadilly to the north. The courtyard that the application site fronts onto features decorative/art piece lamps and landscaping measures in the form of planting beds.

Description of development

The application seeks consent for the installation of a green wall. The proposed wall would wrap round the entirety of the two storey extension, replacing the existing metal cladding on site and would be comprised of 7no plant/shrub species. The extension's louvres and access points would serve as gaps within the green wall.

Planning History

A high number of applications are on record for the application site, the most relevant of which are shown below:

139006/AO/2024 - Installation of 2no. internally illuminated signs – Application pending consideration.

076920/MO/2005/C3 - RESERVED MATTERS APPLICATION relating to approval of external courtyard landscaping (Phase 2.1) of outline permission 067273/OO/CITY3/03 – Approved December 2005.

Consultations & Notification Responses

Environmental Health – No objection.

Transport for Greater Manchester – No objection.

Publicity – None received.

Policy

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 EN9 – Green Infrastructure
- Policy EN15 – Biodiversity and Geological Conservation
- Policy DM1 – Development Management

National Planning Policy Framework (NPPF)

- Chapter 9 – Promoting Sustainable Transport
- Chapter 12 – Achieving Well-Designed Places

Other Legislative Requirements

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. Once the Places for Everyone Plan is adopted it will form part of Manchester’s development plan.

To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council’s Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

The Inspectors’ Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors’ Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the

recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.

You can view the Inspectors' Report on the GMCA's website at Places For Everyone – Greater Manchester Combined Authority (greatermanchester-ca.gov.uk). In addition, a hard copy is available in Manchester Central Library, St Peters Square, Manchester M2 5PD between 9am - 8pm Monday to Thursday and 9am - 5pm Friday and Saturday.

The nine constituent local authorities will now consider the Inspectors' Report and the adoption of Places for Everyone, with the plan going to the Full Council meeting in Manchester on 20 March 2024. The first Council meetings to approve the plan will be Salford and Wigan (28 February).

There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a JR from the outset).

Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance. Relevant policies from the plan are shown below:

- Policy JP-G9: A Net Enhancement of Biodiversity and Geodiversity

Issues

Principle of the Development

The application seeks consent for the installation of a green wall. As the proposal only concerns cosmetic changes to the appearance of the application site, it is considered the development would not alter the use of the site as a commercial space and is thus in accordance with Core Strategy Policy SP1 and DM1, and the National Planning Policy Framework.

Visual Amenity

The application as existing features external metal cladding that features a decorative design coloured white, red and turquoise. The existing design of the two storey extension is considered to be at odds with the appearance of the existing building and thus it appears as a somewhat awkward addition to the local street scene. The addition of a green wall on site would do away with this cladding and elevate the appearance of the extension and local street scene. On this basis it is considered the proposed development would have a positive impact on visual amenity in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

Ecology & Landscaping

The insertion of a green wall by virtue of it being a wall consisting of various plant species would secure a biodiversity net gain on site. The proposal has been accompanied by a plan that confirms various shade tolerant shrub species would be utilised to create the green wall. Additionally, a management plan for the ongoing maintenance and health of the green wall has accompanied the submission which makes clear there would be year-round maintenance and monitoring of the wall. Subject to conditions that would require the development to proceed in accordance with the submitted details and that would require failed, destroyed, dead or removed species with identical specimens, the proposal is acceptable in this regard and is therefore in accordance with Core

Strategy Policies EN9, EN15 and DM1, Places for Everyone Plan Policy JP-G9 and the National Planning Policy Framework.

Residential Amenity

The nature of the proposal as a green wall would not lead to the structure it is mounted to, to change in height, nor would it fundamentally alter the use of the application site. Environmental Health do not object to the proposal. On this basis the proposal would have an acceptable impact on neighbouring amenity in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

Highway Safety

The proposed green wall would not interfere with the public highway and there is ample room within the courtyard the wall would front out onto to allow for easy maintenance. Highways and Transport for Greater Manchester confirm they do not object to the development. On this basis the proposal would have an acceptable impact on highway safety in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

Conclusion

In light of the above it has been found that subject to planning condition, the proposal is acceptable and accords with Core Strategy Policies SP1, EN9, EN15 and DM1, Places for Everyone Plan Policy JP-G9, and the National Planning Policy Framework. The development is therefore recommended for approval.

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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance, this has included ongoing advice that has resolved the issues associated with the proposal.

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:

- o 23146-1-001-PA: Location Plan
- o 23146-5-001 Rev PD: Existing Elevations & Proposed Elevations (Received 06/03/2024)
- o 23146-5-002 Rev PA: Proposed Section & Details of Green Wall
- o Maintenance Schedule (Prepared by IWANTPLANTS; Dated 08/11/2023)

All received by the City Council as Local Planning Authority on 15/01/2024 unless specified otherwise.

Reason - 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.

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) The Green Wall hereby approved shall be maintained in accordance with the Maintenance Schedule (Prepared by IWANTPLANTS; Received 15/01/2024) for the lifetime of the development.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

5) The landscaping measures as shown on drawing no.23146-5-002 Rev PA (Received 15/01/2024), shall be implemented within a timescale submitted for approval in writing by the City Council, as Local Planning Authority, prior to the installation of the works, be then implemented in accordance with that timescale, and be retained thereafter.

If within five years of the date of the completion of the development any plant or shrub is removed, uprooted, destroyed, fails, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another plant or shrub of the same species and size as that originally planted shall be planted in its place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Transport For Greater Manchester

Eighth Floor, 3 Piccadilly Place, Manchester, M1 3BN
Sixth Floor, 3 Piccadilly Place, Manchester, M1 3BN
Fifth Floor, 3 Piccadilly Place, Manchester, M1 3BN
Fourth Floor, 3 Piccadilly Place, Manchester, M1 3BN
Third Floor, 3 Piccadilly Place, Manchester, M1 3BN
Second Floor, 3 Piccadilly Place, Manchester, M1 3BN
First Floor, 3 Piccadilly Place, Manchester, M1 3BN
STARBUCKS COFFEE, 3B Piccadilly Place, Manchester, M1 3BN
First Floor, 4 Piccadilly Place, Manchester, M1 3BN
Third To Seventh Floors, 4 Piccadilly Place, Manchester, M1 3BN
2 Piccadilly Place, Manchester, M1 3BN
4 Piccadilly Place, Manchester, M1 3BN
4C Piccadilly Place, Manchester, M1 3BN
Simply Fresh, 4D Piccadilly Place, Manchester, M1 3BN
Starbucks, 3D Piccadilly Place, Manchester, M1 2AB
4B Piccadilly Place, Manchester, M1 3BN
4A Piccadilly Place, Manchester, M1 3BN
Pita Pit, 3C Piccadilly Place, Manchester, M1 3BN
Second Floor, 4 Piccadilly Place, Manchester, M1 3BN

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: CENTRAL