Planning

Growth & Development

Delegated officer report for planning application

Application no.	138417/NMC/2023
Date registered valid:	27 October 2023
Proposal:	Non-material amendment to Planning Permission 136763/FO/2023 to vary the wording of Conditions 21 (Material Samples and Specifications) and 22 (Louvre Screen Strategy).
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):	Mr John Cooper Deloitte LLP
Case officer:	Jennifer Atkinson Tel: 0161 234 4517 Email: jennifer.atkinson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	1 November 2023

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

The site is approximately 3.5 ha and comprises the Etihad stadium and its curtilage. The stadium was built in 2000 to host the 2002 Commonwealth games and became the home of Manchester City in 2003. The current capacity is 54,048 following the expansion of the South Stand in 2014.

It is bounded by Ashton New Road, Alan Turing Way, Rowsley Street and Joe Mercer Way and Sportcity Way. The main stadium has a distinctive roof and there is car parking around the east and west sides. The National Squash Centre and the Regional Athletics Centre are to the north west. Immediately to the north of the stadium is the club store and 'City Square'.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The main vehicle access is from Ashton New Road which leads to the main 'day to day' surface car park. The club shop would be relocated to the former City at Home building at the site entrance.

The site and the Etihad campus was formerly heavy industrial land. The campus contains a cluster of national sports venues such as the regional tennis centre, regional athletic arena, velodrome, national squash centre and BMX arena. The Manchester City Football Academy along with the Beswick Community Hub, a 600 place sixth form college, with leisure and retail centre is also located in the surrounding area.

Planning permission was granted to expand the Etihad in 2014 (104315/FO/2013/N2) which would have increased the capacity of the stadium to 62,170 seats. Only the south stand was expanded under this permission but the permission, which would also see the north stand enlarged, remains extant.

The COOP Live Arena is under construction on an adjacent site on the opposite side of the Ashton Canal (126431/FO/2020). It is expected that the arena would be operational towards the beginning of 2024 and has a maximum capacity of 23,500.

The area beyond the Etihad campus has a mixed character with commercial uses and homes. The neighbourhoods of Beswick, Clayton, Openshaw and Miles Platting are close to the site. There is a relatively dense residential estate of two storey terrace properties to the southern side of Ashton New Road. The historic Philips Park is to the north east of the stadium and Eastlands District Centre, including Asda superstore, is to the east. A car dealership is immediately to the south west.

The towpath and cycle path along the Ashton Canal link the site to city centre and beyond to the east. The site is well served by public transport which provides good connections to other parts of East Manchester and the wider City. The Metrolink line bounds the stadium site to the north and passes through the Etihad campus providing two stops “The Etihad Stadium” and the “Velo Park”. There are bus and train links around the campus along with access to the arterial roads of Ashton New Road and Alan Turing Way.

The site is not in the Air Quality Management Area (AQMA) but Alan Turing Way which connects to the site is. The site in flood zone one and Manchester’s critical drainage area. There is a history of coal mining activity at the site. The site is not within a conservation area, however, there area listed buildings in the immediate area which could be affected by development including the listed Phillips Park.

Description of development

Non-material amendment to Planning Permission 136763/FO/2023 to vary the wording of Conditions 21 (Material Samples and Specifications) and 22 (Louvre Screen Strategy).

Consultations & Notification Responses

N/A

Issues

Planning condition 21 and 21 are currently required to be satisfied ‘prior to the commencement’ of any development at the site.

The applicant wishes to change the condition to agree the details ‘prior to any above ground works’. This aids the construction programme to allow below ground works to start whilst materials are being procured for approval.

The change is considered to be acceptable and of a non material nature.

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 polices 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 seeks to vary the wording of Conditions 21 (Material Samples and Specifications) and 22 (Louvre Screen Strategy).

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.

21) Prior to any above ground works, samples and specifications of all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The specification shall include the agreement of a materials panel which shall include samples and specifications of all materials to be used on all external elevations of the development along with reveals, jointing and fixing details, details of the drips to be used to prevent staining, soffits, air bricks and a strategy for quality control management.

The approved materials used shall then be implemented as part of the development.

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 Manchester Core Strategy (2012).

22) Prior to any above ground works, samples and specifications of the louvre screen strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The specification shall be included in the materials panel to be agreed as part of condition 21.

The approved louvre strategy used shall then be implemented as part of the development.

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 Manchester Core Strategy (2012).

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
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
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
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 (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 (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: CENTRAL