

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137999/FO/2023

Date registered valid: 6 September 2023

Proposal: Temporary planning permission for the relocation of 2no. existing digital screens from North Stand to Colin Bell Stand to show match-day live feed for a period of four years.

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

Ward(s): Ancoats & Beswick Ward

Applicant: Mr Michael Gizauskas Manchester City Football Club

Agent (if any): Planning Team SpaceInvader Design

Case officer: Michael Pearson
Tel: 0161 219 2735
Email: michael.pearson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 08/12/2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 11 September 2023 Expired: 2 October 2023

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 6 October 2023 Expired: 27 October 2023

Press advert

Published: 19 September 2023 Expired: 3 October 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application relates to the area of hard standing to the front of the Colin Bell Stand of the Etihad Stadium. The application is paved in tarmac and forms part of the pedestrianised entrance to the stadium.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site, forming part of the Etihad stadium itself, is set in the context of the wider Etihad campus. The campus is largely characterised by the aforementioned stadium, with it dominating the neighbouring area through its sheer sense of scale, architectural points of interest (this being its continuous wave roof structure and spiral entrances), and large advertisements. Smaller ancillary buildings, including the Manchester City Shop, Manchester Regional Arena and National Squash Centre are present to the north of the site. The wider Etihad Campus is largely comprised of hardstanding in order to provide on-site parking. The northern portion of Etihad Stadium site is subject to ongoing construction works to expand the capacity of the stadium's northern stand.

Description of development

The application seeks temporary planning permission for the relocation of 2no existing LED digital display screens from their previous location adjacent to the now demolished City Store at the

northern tip of the Etihad Stadium, to either side of the entrance to the Colin Bell Stand to the south-west for a period of 4no years.

The LED screens have a width of 6.72m, a 0.43m and a height of 4.14m. The screens would sit atop 3.04m high support posts that would give both structures a total height of 7.18m.

Planning History

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

136763/FO/2023 - Alterations to the Etihad Stadium North Stand and adjoining land to provide an overall increase in Stadium capacity, hospitality, and concourse facilities available for use both during and outside of event days, an ancillary TV Studio (Sui Generis), a Roof-Walk Attraction (Use Class F1(c)) together with the erection of a 9 storey, 391 bed hotel (Use Class C1) with a further 10 suites provided within the North Stand of the Etihad Stadium for hotel or hospitality space (Use Class C1 /Sui Generis); restaurant at Level 1 (Use Class C1 / Class E), erection of an 8-storey building comprising: a new Club Shop and Ticket Office (Use Class E) at Ground and Level 1, City Museum at Level 2, Leisure Attraction at Level 3 (Class F1(c)); and workspace (Class E) at Levels 4, 5, 6 and 7 and a new covered City Square fan zone and flexible event space with ground floor commercial, leisure, food and drink use (Use Class E and/or drinking establishment (Sui Generis)) within each of the interrelated buildings adjoining the proposed square with associated landscaping and public realm works, servicing and access arrangements, and other associated works – Application Pending Consideration.

104315/FO/2013/N2 - Alterations to the Etihad Stadium, including increasing the overall height of the South and North stands and associated elevational alterations, to allow an increase each stand capacity by up to 6,250 seats respectively and up to 2,000 additional pitch side seats creating a total match day capacity of up to 62,170 seats (from 47,670), expansions of concourse facilities, alteration to public realm including changes to car parking layout, landscaping and boundary treatments and associated infrastructure works – Application Approved February 2014.

093509/FO/2010/N2 - Creation of a 'fan zone' for Sportcity events and football matches in the form of access, public realm, lighting and environmental improvement works to the City Of Manchester Stadiums northern gateway along Joe Mercer Way, including the construction of new canopies, a gateway feature, resurfacing the area along Joe Mercer Way and around city store, means of enclosure for licensing areas, new toilet facilities, the installation of three outdoor TV screens and the relocation of existing car parking spaces – Approved July 2010.

Consultations & Notification Responses

Environmental Health – No objection.

Greater Manchester Police – No objection received.

Highways – No objection subject to conditions relating to luminance levels and ambient light controls.

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 CC5 – Transport
- Policy EC7 – Eastlands Strategic Employment Location
- Policy C10 – Leisure and the Evening Economy
- Policy DM1 – Development Management

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)

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

Other Legislative Requirements

Eastlands Regeneration Framework – Adopted in 2011 and updated in 2017 (ERF)

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.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, 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.

Issues

Principle of Development

The proposed development seeks the relocation of the 2no LED digital display screens during ongoing north stand improvement works. The LED screens in question were originally approved on site under application 093509/FO/2010/N2 and form part of the match day infrastructure for Manchester City, with the screens broadcasting a live match day feed. Taking into account how the proposal would not actually see the installation of any new infrastructure but merely it’s relocation for a temporary period of four years, it is considered that if implemented, the proposal would continue to support the Etihad Stadium as a major sports and entertainment venue that is vital to the regeneration and economic growth of the Eastlands Area. The principle of the

proposed development is therefore considered to be acceptable and thus accords with Core Strategy Policies SP1, EC7 and C10, and the Eastlands Regeneration Framework, subject to the matters discussed below.

Visual Amenity

The LED screens proposed to be relocated have been sited within the context of the Etihad Stadium for a period greater than ten years. Whilst it is considered that such display screens would not ordinarily be supported in the majority of locations within the urban area due to their appearance and scale, as they are set within the context of the Etihad Stadium and wider Etihad Campus and would thus only be viewed alongside the far larger Etihad Stadium set to the rear of their proposed location, they are considered to be acceptable in this instance. The proposal is therefore acceptable from a design perspective and thus accords with Core Strategy Policy DM1 and the National Planning Policy Framework.

Residential Amenity

The proposal by virtue of its minor nature would not see a fundamental change to the way the wider Etihad Campus functions as a sports/entertainment venue, nor would it face onto sensitive receptors i.e. residential properties. It has been confirmed that there will be no alteration to the screens previously approved audio levels. Environmental Health do not object to the proposal. Notwithstanding this it is considered necessary to condition the proposal in the event of an approval so that the screens hours of operation are confined to between 08:00 – 00:00. Subject to such a condition it is considered the proposal would have a negligible impact on neighbouring amenity in accordance with Core Strategy Policy DM1, Saved Unitary Development Plan Policy DC26 and the National Planning Policy Framework.

Highway Safety

The proposed LED Display Screens would be sited on private land, set back from the public highway by over 120m. The display screens would be visible from views along Rowsley Street and Ashton New Road. Highways do not object to the proposal subject to conditions that would require the luminance of the screens to be no greater than 300cd/m² in hours of darkness and inclement weather and that ambient light controls be installed within the screens so that their brightness can be adjusted at different parts of the day. Subject to such conditions it is considered the proposal is acceptable in this regard and therefore accords with Core Strategy Policies CC5 and DM1, and the National Planning Policy Framework.

Conclusion

In light of the above it is considered that the proposal is acceptable and is in accordance with Core Strategy Policies SP1, CC5, EC7, C10 and DM1, Saved Unitary Development Plan Policy DC26, the Eastlands Regeneration Framework, the Places for Everyone Plan and the National Planning Policy Framework, therefore the application is 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 permission hereby granted is for a limited period only, expiring on 7 December 2027.

Reason - The use hereby granted is for a temporary period only to help meet the short term demand for facilities at the site and to allow a long term strategy to be put in place pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

2) The structures hereby permitted shall be discontinued no later than the 07 December 2027 and the fixings and works comprising the development are required to be removed no later than one month from the use ceasing.

Reason - The use and buildings are required to cease and be removed from site within a specified timescale in order to allow reinstatement of the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

3) Within one month of the expiration of the temporary period, a scheme to restore the land shall be submitted for approved in writing by the City Council, as Local Planning Authority. The scheme shall be implemented within one month of the use ceasing and thereafter retained and maintained in accordance with this scheme.

Reason - To ensure that the land is reinstated to an appropriate standard in the interest of visual amenity and to restore the recreational value of the site pursuant to policies SP1, EN9, EN10 and DM1 of the Manchester Core Strategy (2012).

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

- o SID23056 - 101: Site Plans (Received 06/09/2023)
- o SID23056 - 102: Proposed Digital Screen Relocations (Received 06/09/2023)

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.

5) 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.

6) The screens shall not be operational outside the following hours, unless otherwise agreed in writing by the City Council as local planning authority:-

Monday to Sunday, including Bank Holidays:

Commencing - Three hours before an event start time or football game kick off.

Closing - One hour after an event finishing time or following the final whistle of a football game.

In any event, the screens shall not be operational outside the hours of 8.00 am to 11.00 pm

Reason - In the interests of visual and residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policies DC14.1, and E3.3 of the Unitary Development Plan for the City of Manchester.

7) The luminance level of the hanging sign hereby approved shall not exceed 300cd/m² during non-daylight hours and inclement weather conditions.

Reason - In the interests of highway safety pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy E3.3 of the Unitary Development Plan for the City of Manchester.

8) The screens hereby approved shall be fitted with a light sensor, designed to adjust their brightness to changes in ambient light levels accordingly.

Reason - In the interests of highway safety pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy E3.3 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

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 Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL