

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136433/FO/2023

Date registered valid: 14 April 2023

Proposal: External alterations including 2no. new entrances, access ramp, metal railings and roller shutters in association with use of the City@Home building as a club shop

Address: City Store, Etihad Stadium, Ashton New Road, Manchester, M11 3FF

Ward(s): Ancoats & Beswick Ward

Applicant: Carmen Pulido Benito 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: 14/06/2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 22 May 2023

Standard consultations:

Printed: 5 May 2023 Expired: 26 May 2023

Neighbour notifications

Printed: 5 May 2023 Expired: 26 May 2023

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

Listed building: Not applicable.

Conservation area: Not applicable.

Tree Preservation Order: Not applicable.

Description of area

The application relates to the two-storey detached office block present at the Etihad Stadium located adjacent to the junction where Rowsley Street meets Ashton New Road. The neighbouring area is characterised largely by the Etihad Campus, which the application site forms part of. The campus is largely characterised by the aforementioned stadium, with it dominating the neighbouring area through its sheer sense of scale and architectural points of interest, this being its continuous wave roof structure and spiral entrances. 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. Residential development is present to the south of the application site off of Darley Street. The application site itself is a former visitor centre now office space (Class E) and is finished in grey cladding.

Description of development

The application seeks consent for external alterations comprising of the creation of 2no new entrances, an access ramp, siting of metal railings and the installation of roller shutters, all in association with the use of the application building as a shop whilst the wider Etihad site is redeveloped.

The 2no proposed entrances would be situated on the property's north-eastern facing rear elevation and south-eastern facing side elevation. Both doors would be glazed and feature a

roller shutter. New metal railings, bollards and disabled access ramp would be installed along the property's north-eastern facing rear elevation in order to provide secure access from the neighbouring car park.

The change of use of the premises from offices (Class E(g)(i)) to non-food retail (Class E(a)) falls under permitted development rights and thus does not require planning permission. As such, this element of the proposal will not be discussed/assessed within this report.

Planning History

136434/AO/2023 - Installation of 3no. LED lightboxes, 1no. digital clock screen, 1no. non-illuminated acrylic roof top sign and installation of vinyl to glazing – Approved April 2023.

099588/FO/2012/N2 - Permanent retention of 2-storey office building previously granted temporary consent under planning permission 089150/FO/2009/N2 – Approved September 2012.

089150/FO/2009/N2 - Erection of two storey office building for a period of 5 years – Approved March 2009.

069146/FO/2003/N2 – Erection of a single storey building to form a visitor information centre – Approved September 2003.

Consultations & Notification Responses

Highway Services – No objection.

Environmental Health – No objection subject to conditions relating to external lighting and roller shutter details.

Greater Manchester Police – No objection. The proposed doors and shutters should be certified to a recognised security standard such as BS PAS 24 or LPS 1175 SR2.

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 26 – Development and Noise

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

National Planning Policy Framework (NPPF)

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

Issues

Principle

The proposed development seeks external alterations to facilitate the use of the premises as non-food retail. Due to the proposed works only involving cosmetic changes to the appearance of the application site, and how a Class E use would still support the wider Etihad Campus as an economic hub, it is considered the principle of the proposal is acceptable and thus accords with Core Strategy Policies SP1, EC7 and C10, and the Eastlands Regeneration Framework.

Design & Visual Amenity

As previously stated within this report, the proposal would see the installation of new doorways, roller shutters, bollards, railings and an access ramp. The proposed changes are to allow the site to be used for non-food retail. The submitted supporting letter makes clear that the use of the premises for such a use is temporary and is only required due to the existing Manchester City Club Shop requiring demolition in order to facilitate the redevelopment of the Etihad stadium. It is considered that the proposed changes are minor in nature and would not fundamentally alter the design principles of the application property. Furthermore, with the site neighbouring a surface car park to the north and east, it is considered the installation of bollards, metal railings and an access ramp would blend seamlessly with the existing associated infrastructure present within the car park and neighbouring area, this being lighting columns secured by metal railings, bollards and a toll booth. On this basis it is considered the proposal would have an acceptable impact on visual amenity in accordance with Core Strategy Policy DM1 and paragraph 130 of the National Planning Policy Framework.

Residential Amenity

The application site is set within the wider Etihad Campus, home to the Etihad Stadium, a sports venue that has a capacity of over 55,000. The closest residential dwellings to the application site lie 50m to the south of the application site across Ashton New Road, an arterial A road that provides access to the heart of Manchester City Centre. The erection of bollards, metal railings, an access ramp and the installation of 2no new doors are considered to be so minor as to have no perceivable impact on neighbouring amenity. Environmental Health within their consultation response have requested that in the event of an approval planning conditions be attached requiring the submission of an external lighting scheme accompanied by a verification report and that details of the formation and specification (including noise control measures) of the roller shutters be submitted for approval. Taking into account how the proposal would not see any external light fixtures and how the site neighbours a major sports venue and A road, both conditions are considered to fail to meet the statutory test for planning conditions, this includes but is not limited to, conditions being required to be necessary, to be relevant to the development permitted, and to be reasonable in all other aspects. Given the reasons highlighted the aforementioned conditions will not be attached in the event of an approval.

The Greater Manchester Police within their consultation response raised no objection to the development but stated that the proposed roller shutters should be certified to a recognised security standard such as BS PAS 24 or LPS 1175 SR2. In order to make the site secure and decrease the risk of crime it is considered necessary that in the event of an approval a condition be attached requiring this. Subject to such a condition it is considered the proposal would have an acceptable impact on neighbouring amenity in accordance with Core Strategy Policies DM1 and SP1, Saved Unitary Development Plan Policy 26, and the National Planning Policy Framework.

Highway Safety

The proposal as a result of the installation of bollards, metal railings and an access ramp would see some slight reconfiguration of the site's associated car park. Upon request the applicant demonstrated through an amended site plan that safe access to the site would still be provided

and that deliveries to the premises would be limited to two to three times a week. On this basis Highways stated they have no objection to the proposal. As such, the submission is considered to be acceptable from a highway safety perspective and therefore accords with Core Strategy Policies CC5 and DM1 and the provisions of chapter 9 of the National Planning Policy Framework.

Conclusion

In light of the above it is considered the proposal is acceptable and is in accordance with Manchester Core Strategy Policies SP1, CC5, EC7, C10 and DM1, Saved Unitary Development Plan Policy 26, the Eastlands Regeneration Framework and the National Planning Policy Framework.

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:

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 23006(20)-000-1-01: Proposed GA Layout Plan GF (Received 28/03/2023)
- o 23006(90)-000-1-01: Proposed Site Layout Plan (Received 06/06/2023)
- o 23006(90)-000-1-02: Proposed Site Layout Detail (Received 14/04/2023)
- o 23006(20)-000-4-07: Proposed External Elevation (Received 31/05/2023)

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, CC1, CC4, EN1 and DM1 of the Core Strategy, saved policies DC19.1 of the Unitary Development Plan and Sections 6, 7 and 12 of 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) The doors and roller shutters hereby approved shall be certified to a recognised security standard, this being BS PAS 24 or LPS 1175 SR2.

Reason - In order to secure the application site and deter anti-social and criminal behaviour in accordance with Policy DM1 of the Core Strategy and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Excel House, City Of Manchester Stadium, Ashton New Road, Manchester, M11 3FF
8 Biscay Close, Manchester, M11 3JB
Flat 2, 284A Ashton New Road, Manchester, M11 3HY
Flat 1, 284A Ashton New Road, Manchester, M11 3HY
Mercedes Benz, Rowsley Street, Manchester, M11 3RR
Ground Floor, 286 Ashton New Road, Manchester, M11 3HY
DANNYS HAIR DESIGN, First Floor And Second Floor, 286 Ashton New Road, Manchester, M11 3HY
10 Fairisle Close, Manchester, M11 3JJ
6 Fairisle Close, Manchester, M11 3JJ
14 Biscay Close, Manchester, M11 3JB
12 Biscay Close, Manchester, M11 3JB
8 Cromarty Walk, Manchester, M11 3JA
2 Cromarty Walk, Manchester, M11 3JA
284 Ashton New Road, Manchester, M11 3HY
64 Orme Close, Manchester, M11 3JY
15 Fairisle Close, Manchester, M11 3JJ
13 Fairisle Close, Manchester, M11 3JJ
11 Fairisle Close, Manchester, M11 3JJ
9 Fairisle Close, Manchester, M11 3JJ
8 Fairisle Close, Manchester, M11 3JJ
16 Biscay Close, Manchester, M11 3JB
13 Biscay Close, Manchester, M11 3JB
11 Biscay Close, Manchester, M11 3JB
10 Biscay Close, Manchester, M11 3JB
10 Cromarty Walk, Manchester, M11 3JA
6 Cromarty Walk, Manchester, M11 3JA
4 Cromarty Walk, Manchester, M11 3JA
17 Viking Close, Manchester, M11 3JF
16 Viking Close, Manchester, M11 3JF
15 Viking Close, Manchester, M11 3JF
14 Viking Close, Manchester, M11 3JF
13 Viking Close, Manchester, M11 3JF
12 Viking Close, Manchester, M11 3JF
68 Orme Close, Manchester, M11 3JY
66 Orme Close, Manchester, M11 3JY
62 Orme Close, Manchester, M11 3JY
60 Orme Close, Manchester, M11 3JY
58 Orme Close, Manchester, M11 3JY
Regional Athletics Arena, Rowsley Street, Manchester, M11 3FF

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
Area Team Boundary - Name: CENTRAL