

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0760

Date registered valid: 24 October 2022

Proposal: Discharge of conditions 9 (Special event parking measures), 36 (Sports pitch design), 39 (Boundary treatment) and 40 (Works adjacent to railway) attached to planning permission referenced 124268/FO/2019

Address: Manchester College Of Arts And Technology , Ashton Old Road, Manchester, M11 2WH

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Niall Wright LTE Group

Agent (if any): Planning Ellis Williams Architects

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 15th February 2023

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 4 November 2022 Expired: 25 November 2022

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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Design for Security - having looked at the documents provided for the discharge of conditions 9, 36 and 39, they would be satisfied with the measures set out in relation to security and would therefore support the discharge of said conditions.

Network Rail - 06.10. 2022

Network Rail town planning advise that they cannot recommend the discharge the conditions. This proposal – as per the original response – will require an interface with Network Rail due to the proximity of works to the existing operational railway boundary.

The applicant is to submit details as follows:

The applicant will submit the attached development form directly to:

AssetProtectionLNWNorth@networkrail.co.uk

From there, the client enquiry will then be assigned to one of the Asset Protection team to progress. The assigned team member will then be in a position to review and comment on any submissions from the outside party.

Pending initial review /site visit the documents will be assessed under a basic asset protection agreement (BAPA) and no works are to commence until agreed with Network Rail.

Updated comments 15.02.2023

Have advised that further to their meeting at Manchester Openshaw Campus they can confirm that they have no issues and are happy with the construction of the 3G pitch.

Sport England - 28.11.2022

Advised that there was insufficient information for Sport England to provide a substantive response. Clarification was sought regarding confirmation of the arrangements for goal storage when not in use, as it needed to be outside of safety run-off areas.

They also advised that the layout was not in accordance with the standard FA Guide to 3G FTP Design Principles and Layouts (line markings) and does not have goal recesses to the rear of each goal, and sought an explanation for the proposed layout

Furthermore, they asked for clarification of the purpose of a macadam hardstanding storage area to the south west corner of the pitch, and sought confirmation that any storage in this area would not encroach into the 3m wide pitch safety margin.

Details and implementation of infill mitigation measures were also sought.

They also recommended that the pitch be marked to FA recommended layouts/formats as per the Sport England guidance document which was forwarded. They noted the pitch was divided into thirds, the Football Foundation generally sees pitches divided into quarters to provide four 5v5 pitches. They queried the reasoning for the pitch markings, but also stated that they understand this may be so that the retained bookings from Nichols Campus could be transported over.

Sport England further queried why there was no diving net between the cross-field pitches. As the Football Foundation pitch guidance would generally specify a central dividing net, although it is optional, but the FA recommends the use of divider netting on pitches where goals back onto each other.

They sought confirmation that the applicant was intending to secure addition of the pitch to the FA 3G pitch register, i.e. undertaking and detail of performance standard test results to meet FIFA Quality Programme for Football Turf – Quality or Quality Pro Performance Standard, BS EN 15330-1:2013 or FA Register Test - <https://footballfoundation.org.uk/3g-pitch-register#faqs-section>.

They further advised that the pitch was not yet on The FA 3G Pitch Register, and the Football Foundation needs to understand that the pitch has been designed and tested to meet the requirements of performance standard testing; and that it is FA registered to safely facilitate community use.

Following the planning agent response to the matters raised, further updated comments were received on 14.12.2022

1. Clarification to confirm the arrangements for goal storage when not in use, this must be outside of safety run-off areas.

The response regarding goal storage recesses is noted, it is not a conventional design or arrangement, but provided that storage in these areas does not compromise the 3m safety run-offs around the pitch, then it is considered acceptable. They have attached the relevant FA guidance on goal post management and safety.

2. Detail and implementation of infill mitigation measures

The applicant has advised that a microplastic retention floor grill and boot brushes would be installed outside of the main access gate to the car park to enable boot decontamination. Whilst they are welcomed, there needs to be a physical barrier too to prevent infill loss to the surrounding areas from all the pitch perimeter. Therefore, additionally, the installation needs to include a low-level perimeter board at the base of the fencing around the pitch area, this is one of the easiest ways to reduce infill loss. This should be designed in a way to not pose a risk hazard to players. There are other mechanisms, such as retaining the brushes and other equipment used for regular maintenance within the facility, but these are management matters rather than part of the design to retain infill in the facility.

The Council must ensure that it is satisfied that the detail to minimise infill loss and microplastic contamination of the environment meets the FA design guidance. Please request that the applicant confirms that a low-level perimeter board will be installed.

3. That the pitch be marked to FA recommended layouts/formats as per the guidance attached.

They note the applicant's comments about the pitch being divided into thirds and the lack of a central dividing net. Whilst Sport England and the Football Foundation have no issues with the division of the pitch into thirds, they do recommend quarters now, but it depends on how the operator wishes to let the pitch out as long as it is sustainable. It is likely so that the existing bookings and booking structure could be transferred over most easily. No issues with lack of dividing nets, this is operator choice.

Even though the College states it intends to let the pitch on a full or third pitch basis, this is fine for training but it means that the design is not fit for match play. They would need to see that other formats were marked to increase flexibility for who can use the site at weekends, for example youth 9v9 pitches and/or mini soccer pitches, as these formats will represent much of the demand for community use of the pitch at weekends. This links to why there is a necessity for the developer to ensure that the pitch is tested and FA registered.

The intended line markings on the pitch need to meet FA design guidance and therefore line marking must be added to provide for mini and 9v9 pitch formats.

4. Please confirm that the applicant is intending to secure addition of the pitch to the FA3G pitch register.

Sport England welcomes the confirmation that the applicant is intending to secure the addition of the pitch to the FA 3G pitch register; and that the pitch is being tested to FIFA quality, with the field testing provisionally booked for yesterday, Tuesday 13th December 2022. Please confirm the outcome in due course.

Conclusion

To conclude, the Council has been provided with some information to discharge the condition, but in Sport England's opinion the following matters are still outstanding:

Confirmation that the applicant will install a low-level perimeter board at the base of the fencing around the pitch area to reduce infill loss, (and ensure that it is designed in a way to not pose a risk hazard to players); and seek confirmation that the intended line markings on the pitch will meet FA design guidance, and therefore line markings must be added to provide for mini and 9v9 pitch formats.

Following further responses from the planning agent

13.02.2023 Following further consultation with the Football Foundation Sport England is now content with the discharge of condition No's 9 and 36.

Highways Services - For condition 9, the submitted special event parking measure details are sufficient to allow them to recommend the discharge of this condition from a highway perspective.

For condition 39, the submitted boundary treatment details are sufficient to allow them to recommend the discharge of this condition from a highway perspective.

Issues

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

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

9 . Special event parking measures

The sports pitch shall be used in accordance with details of special event parking measures on phase 3 Site Plan ref: OC-EWA-ZZ-ZZ-DR-A-10401 rev.P5 and the contents of submitted statement by Ellis Williams ref: 2729 received on 24th October 2022 relating to visiting football team arrangements . On the basis that the special event parking measures on phase 3 Site Plan ref: OC-EWA-ZZ-ZZ-DR-A-10401. Rev.P5 and the contents of submitted statement by Ellis Williams ref: 2729 are fully implemented prior to the proposed sports pitches being brought into use, and are retained whilst the pitches are operational , condition no.9 is discharged in respect of phase 3 of the development.

36.Sports pitch design

The details relating to the design of the sport pitch(s) as shown on:

- Plan ref : BSP-OCMC -001 – Synthetic Turf Pitch;
- Plan ref : BSP-OCMC -002 – proposed construction build up
- Infilled artificial turf specification sheet (ref: IQ3 50-11.5)
- Southern boundary details plan ref: J7451/EX08
- 8m high ball stop system /5m high duex rebound c/w 3m netting above plan by B & L Fencing Services ;
- 1.2m twin bar spectator rail plan by B & L Fencing Services ;
- B&L Fencing Services limited fencing layout plan to sportd pitch received 24th October 2022;
- Photograph visual of installed boundary treatment to sports pitch (1) and Photograph visual of installed boundary treatment to sports pitch (1); received 24th October 2022;

Email from planning agent regarding sport pitch design matters dated 7th December 2022; and Email from planning agent regarding sport pitch design matters dated 3rd January 2023;have been examined and are considered to be acceptable. On the basis that the sports pitch(s) are implemented in accordance with the plans and visuals referenced above condition no.36 is discharged in regard to phase 3 of the development.

39 .Boundary treatment

The details relating to the boundary treatment to the sport pitch(s) as shown on:

- Southern boundary details plan ref: J7451/EX08
- 8m high ball stop system /5m high duex rebound c/w 3m netting above plan by B & L Fencing Services ;
- 1.2m twin bar spectator rail plan by B & L Fencing Services ;
- Plan ref : BSP-OCMC -002 – proposed construction build up ;
- B&L Fencing Services limited fencing layout plan to sport pitch notwithstanding reference to fencing colouration;
- Photograph visual of installed boundary treatment to sports pitch (1) and Photograph visual of installed boundary treatment to sports pitch (1) (black colouration;
- Non illuminated screen banner visual to southern boundary fencing received 24th October 2022

have been examined and are considered to be acceptable. On the basis that the boundary treatment to the sports pitch(s) is fully implemented in accordance with the plans and visuals referenced above condition no.39 is discharged in regard to phase 3 of the development.

40. Works adjacent to railway

The details shown on the Southern boundary details plan ref: J7451/EX08 have been examined and are considered to be acceptable. On the basis that the earthworks and boundary treatment to the boundary with the rail line are fully implemented in accordance with the plan referenced above condition no.40 is discharged in regard to phase 3 of the development.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Greater Manchester Police
Network Rail
Sport England

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3

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

Flood Zones Type 2 (low to medium risk) -

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 (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH AREA