

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
135952/FO/2023	4th Sep 2023	16 <sup>th</sup> Nov 2023	Woodhouse Park Ward

**Proposal** Application for full planning permission for the severable and phased construction of five units (light industrial (Use Class E(g)(iii), general industrial (Use Class B2) and/or storage or distribution (Use Class B8), together with ancillary offices (Use Class E(g)(i)) providing a total gross external area of 36,706 sqm; and associated service yards, parking, landscaping, amenity space and infrastructure, with vehicular access off Simonsway.

**Location** Atlas Business Park, Simonsway, Manchester, M22 5PR

**Applicant** Aviva Investors

**Agent** Mr Thomas Lord, Turley

### **Executive Summary**

The application relates to the development of land adjacent to the existing Atlas Business Park, Simonsway, within the Woodhouse Park ward. Part of the site was previously used for the former Ferranti factory and comprises brownfield land predominantly comprising the western half of the site with the remainder of the site being greenfield, previously undeveloped and being within the Greater Manchester Green Belt.

The key issues to consider in this application are:

- The principle of the development including the loss of green belt land and its compliance with the relevant policies of the Manchester Local Plan and the National Planning Policy Framework.
- The impact of the development on the character and appearance of the area, including the design, layout, scale, massing and materials of the proposed buildings.
- The impact of the development on the amenity of neighbouring properties, especially in terms of noise, light, privacy and outlook.
- The impact of the development on the highway network, parking provision, pedestrian and cycle accessibility and safety.
- The impact of the development on the environment, including biodiversity, drainage, flood risk and climate change.
- The potential benefits of the proposals in providing economic development in Wythenshawe

The application was subject to revisions following concerns raised about the principle of the development and the potential loss of Trees on the site which are subject to a Tree Preservation Order. Following receipt of revised details, the application was subject to further notification of nearby residents and businesses and statutory and non-statutory consultees. 1195 addresses were notified of the proposals and 16 responses were received, issues raised through the notification process were: the

level of car parking to be provided; poor design of the proposals; traffic congestion; surface water flooding, biodiversity loss; and loss of open space.

These issues are considered in full within this report.

**Description of the site**

The application site (1. edged red in the image below) extends to approximately 9.3 hectares bounded to the north by Simonsway (2), Styal Road to the east (3), the existing land and buildings of Atlas Business Park to the west (4), and surface Airport Car Parking to the south (5). Part of the application site historically comprised the former Ferranti factory prior to its demolition and now comprises remnants of hardstanding from the previous building and road infrastructure. This part of the site is allocated for business uses in the adopted Unitary Development Plan (policy EW11). The remainder of the site which sits on the eastern half of the site separated by an internal former driveway that traverses the site centrally, comprises undeveloped greenfield land, which forms part of the Greater Manchester Green Belt (the area shaded light green in the image below). This part of the site is generally flat and does not contain any existing buildings or existing development within its boundary lines. The application site is bounded by a variety of boundary walls, security fencing and wire fencing along its north, eastern and southern boundaries. A tree belt forms a strong northern and eastern boundary to the site with a more broken tree belt on its southern extent. Further street trees within grass verges are located outside of the site to the north and east along Styal Road and Simonsway.



The site is located in close proximity to the Airport Metrolink line and the 'Peel Hall' stop located on Simonsway with bus stops also being located along Simonsway in close proximity to the application site, whilst the Airport Orbital Cycleway route (National Cycle Route 85) is located as part of a shared pedestrian and cycle path immediately outside of the sites northern and eastern boundaries. There is pedestrian access to Heald Green train station east of the site which provides opportunities for connections further afield. Simonsway also provides direct connections to Wythenshawe Town Centre further to the north-west, whilst Styal Road provides connections to the wider strategic highway network including the A555 which connects to the Airport and M56 motorway further to the west.



*Existing buildings at Atlas Business Park to the left – looking west along Simonsway*

Two Grade II listed buildings, Chamber Hall and Chamber Hall Barn, are located approximately 120m and 80 m respectively to the north of the application site boundary.

In addition to the Green Belt designation on the eastern half of the site, a portion of the south-east of this part of the site is also located within the Manchester Airport Public Safety Zone. This is an area at the end of runway areas where development is restricted to control the number of people on the ground at risk of death or injury should an aircraft accident occur during take-off or landing.

### **Description of the proposals**

The application proposals are the redevelopment of the site to provide 4 no. detached buildings that would form 5 units providing space for a mix of light and general industry uses and/or storage and distribution uses together with associated



office space. To serve the buildings the proposals also comprise service yards, parking, landscaping, amenity spaces and other infrastructure. The site would be accessed via an existing access off Simonsway that would be widened to allow access for HGVs, footpaths and cycle way would be provided alongside this access.

The application submission indicates that the layout and sizes of the 5no. buildings have been designed to accommodate the types of units subject to current and likely future market demand and includes smaller and medium sized units together with a larger warehouse unit. The layout of the buildings have been undertaken to ensure that no buildings would be sited within the Manchester Airport Public Safety Zone.

The five proposed buildings would be of the following sizes:

Unit 1 - 8,086 sqm (gross external area), maximum height of 19.5 metres

Unit 2 - 3,621 sqm (gross external area), maximum height of 16.8 metres

Unit 3 - 4,785 sqm (gross external area), maximum height of 16.8 metres

Unit 4 - 7,214 sqm (gross external area), maximum height of 16.8 metres

Unit 5 - 13,000 sqm (gross external area), maximum height of 20 metres

Each unit would be serviced via the yard area accessed from the service road, each would be provided with dedicated loading doors with the larger buildings (Units 1 and 5) being provided with loading docks. Bin storage facilities are allocated within the yard of each unit. Cycle and car parking is to be provided within the development with 10% of car parking spaces having electric vehicle charging with an additional 20% of spaces being provided with passive charging capabilities.

The layout of the buildings has been undertaken to minimise noise break out from the buildings and yard areas with these being orientated away from adjacent residential areas apart from Unit 1. The layout has sought to retain many of the existing trees along the site boundaries including TPO trees and the line of Poplar trees on the northern edge of the site.

The applicant indicates that the proposals have been designed to achieve high levels of sustainability with an EPC rating of A and BREEAM rating of "excellent".

Soft landscaping has been incorporated into the site layout providing some opportunity to mitigate the loss of biodiversity that is identified within the applicants submitted information. This landscaping scheme has also been subject to revision due to the site's proximity to Manchester Airports runways and the need to avoid attracting birds to the site so as to no affect the safety of aircraft.





*Proposed site layout, green shaded areas indicate areas for soft landscaping and tree retention – the Manchester Airport Public Safety Zone is indicated in Orange in the bottom right*

The design and appearance of the proposed buildings is reflective of the intended uses, being of a simple form with elevational treatments being metal cladding of differing colours with office areas denoted by a timber cladding providing a contrast to these elements of the building.



*CGI Aerial View of the Proposal*



*CGI View of the Proposal*



*Indication of design intent of the proposed*

## **Planning History**

23/00476/TPO - The Manchester City Council (Land at Atlas Business Park, Woodhouse) TPO 2023 – Confirmed 09.06.2023

106472/FO/2014/S2 - Installation of lighting to existing overflow car park area, extension of car park hardstanding and forming opening between two adjacent parking areas. Approved 01.10.2014

061677/FU/SOUTH2/01 - Change of use from car storage to car park for use by the tenants of Atlas Business Park. Approved 19.11.2001

051877/OO/SOUTH3/97 - Redevelopment of site to include a business park, an 80 bedroom hotel, and a public house/restaurant with associated car parking, landscaping and related works. Approved 15.01.1998

052874/OO/SOUTH3/97 - Demolition of existing buildings and redevelopment for 12,000 square metres of business class B1 uses with associated car parking and associated works. Approved 20.10.2000

## **Consultations**

The application was subject to two periods of notification following the submission of revised proposals. Notification letters were sent to in excess of 1195 nearby addresses, together with a site notice posted at the site and advertisement in the Manchester Evening News. 16 responses providing comments have been received with 14 of these objecting to the scheme. A summary of resident comments made is set out below:

Councillor Rob Nunney – Made comments on the original submitted scheme and impacts on Category A mature Oak trees on the site which were to be impacted. Concerns were also raised regarding the Simonsway, Styal Road and Finney Lane junction which is known to be subject to recurrent flooding. Cllr Nunney sought assurances that a robust flood prevention plan be put in place, making good use of natural defences such as a swale at the lower corner of the site.

### *Resident Comments:*

- The character of the area will have a lasting impact due to the visual appearance and the industrial activity and increased traffic generated as a consequence.
- The proposed access entry point should be away from the residential areas where there are already high collision risks, instead a more suitable entry point would be off Styal Road.
- It will greatly increase the congestion in the area
- More noise for the residents across the road and more pollution
- The flooding to the corner of Styal Road and Simonsway running off the site is still ongoing in heavy or prolonged bouts of rain
- The cited screening of the trees to protect visual amenity and disguise the scale of the proposal disregards the fact that all of the trees are deciduous and



therefore provide no screening, visually, sound, pollution absorbing or light buffering for six months of the year

- Recent applications for the development of the NCP car park have been rejected at appeal for the same arguments that have been presented previously. The retained semi-rural character of the area will be destroyed if the proposed development is allowed to go ahead without any alteration to scale and massing
- Increased pollution from commercial vehicles will be added to the already unacceptable levels. We already have a significant health risk from air pollution.
- Issues with potential employees using surrounding roads for parking their vehicles as there won't be sufficient spaces or they are charged as per previous Atlas building occupants.
- This development would lead to a direct loss of natural habitats for wildlife in the area.
- This open space adds to the overall natural look and feel of the area which along with the large tree-lined and grass-verged Simonsway contributes to the on-going and original vision of Wythenshawe as a 'garden' town
- The proposed warehouse is an ugly and unattractive addition to the local landscape. Existing commercial offices, with their multitude of windows and brick-built exteriors, sit more comfortably in this semi-residential setting. The placing of square warehouse units that are not at all in keeping with the aesthetic of the area would hugely detract from its overall character.
- If there are multiple tenants at individual units then safeguards should be put in place that would ensure that parking issues witnessed at existing Atlas Business Park are not repeated.
- The traffic lights at the Styal Road / Finney Lane / Simonsway junction urgently need a filter putting on the Simonsway/Style Road R/H turn.
- This development would destroy and eradicate a substantial area of greenery and wildlife. This is very concerning for the increased risk of potential flooding in the area, as well as the loss of a large area of wildlife and greenery

*Statutory and Non-statutory consultees:*

Manchester City Council Environmental Health – Recommend that conditions be attached to any approval relating to the submission and approval of: Construction Management Plan; Noise Management Plan for servicing of the development; acoustic insulation scheme for any externally mounted ancillary plant and equipment and verification requirement; waste management strategy to include details of the size and type of each waste stream; provision of electric vehicle charging points; and, ground conditions including intrusive investigation of the site, remediation strategy and validation element.

Manchester City Council Flood Risk Management Team – Have assessed the submitted information, further details would be required as the detailed design of the scheme progresses and therefore they have requested that conditions are attached to any approval relating to the submission and approval for a surface water drainage scheme, and the maintenance and management of any installed drainage scheme. An informative would also be required to alert the applicants and any contractors to the possible presence of a culvert 85m to the south of the site.

Manchester City Council Highway Services – The amended proposals have been assessed. No objections or concerns are raised in respect of highway capacity, or highway and pedestrian safety. A number of matters would need further details which are capable of being dealt with via appropriate worded conditions and these include: off-site highway works; delivery and servicing management plan, travel plan, cycle parking locations, electric vehicle charging points and construction management plan.

It has been identified that there would be a requirement to undertake mitigation works to a number of road junctions in the vicinity of the site as a result of the proposals and impacts on the capacity of these. The mitigation works would need to be funded by the developer and would include:

- Junction of Simonsway / M56 - developer contributions towards the upgrade and revalidation of 'MOVA' at this junction.
- Junction of Poundswick Lane / Simonsway - A developer contribution towards the revalidation of 'SCOOT' at this junction.
- Junction of Simonsway / Brownley Road - A developer contribution towards the revalidation of 'SCOOT' at this junction.
- Junction of A555 / Styal Road - TfGM do not suggest contribution at this junction as it is unlikely to be commensurate with the development.

National Highways – Following the submission of further information and clarifications they offer no objections to the proposals.

Active Travel England – Raise some areas of the scheme that it would require further assessment on, these include: The proposed access junction should be amended to improve connections for pedestrians and cyclists from the north given the lack of crossing facilities; further details of the internal foot/cyclepaths and connections to cycle parking; setting of more ambitious targets for active travel to the site; and recommends cycle parking should be increased to 93 spaces (long-term) and 39 (short-term). Whilst the comments of ATE are noted it is considered that many of these matters could be captured through appropriately worded conditions.

Greater Manchester Ecology Unit – Have reviewed the submitted ecological surveys including bat surveys and further information provided by the applicant regarding assessment of biodiversity net gain.

They raise concerns regarding the very large loss of biodiversity units across the site as a result of the development. They recommend that prior to determination further information should be provided on how no net loss would be achieved eg. Off-site compensation or a financial contribution to a third party such as MCC or a Wildlife Trust. Current GMCA guidance is for these types of habitat at least £16,000 per biodiversity unit should be provided. The proposals would result in the loss of 16 biodiversity units.

In addition to the above GMEU also make the following recommendations in relation to conditions and informatives to be appended to any decision:

- Development to be undertaken in accordance with measures proposed for bats set out in the submitted ecological reports;

- Informative relating to great crested newts (GCN) and that although a low risk of GCN being present at the site it is an offence to disturb, harm or kill GCN;
- No tree or vegetation clearance within the bird nesting season;
- Condition to ensure works are undertaken in accordance with precautionary measures in relation to hedgehogs and badgers and other mammals;

Lancashire Wildlife Trust - The Trust notes that the proposed development will result in the loss of semi-natural habitat, including woodland identified within the Ecological Impact Assessment (EIA) as qualifying as a Manchester Biodiversity Action Plan (BAP) Priority Habitat. The Trust would agree with the applicants' ecological assessments that the woodland habitat provides a wildlife corridor for a range of species of mammals, birds and invertebrates across the landscape and that it helps to provide linkages and acts as a stepping-stone to other woodland parcels in the area, including the adjacent Big Wood Site of Biological Importance (SBI). This would seem to be especially important, as Willow Tit, a UK Species of Principle Importance has been recorded within the area. This species requires close connecting woodland habitat in order to disperse and colonise new habitat.

The Biodiversity Net Gain (BNG) Assessment submitted with the application indicates that the proposed development would result in a 1.32ha loss in woodland cover, with the current 2.28ha being reduced to 0.96ha. The BNG report indicates a 38.33% reduction in the biodiversity value of the site post development. It is expected that development should provide at least a 10% net uplift in BNG. Additional mitigation/compensation would need to be identified. If additional on-site mitigation/compensation were not possible, then off-site provision would be required, or as an option of last resort, a compensation package agreed with the LPA.

Neighbourhood Team Leader (Arboriculture) – Originally raised concerns around the potential loss of a number of trees subject to a recent Tree Preservation Order. The applicant has amended the scheme proposals to retain these important trees which is welcomed. It is requested that all trees being retained are provided adequate protection in line with BS:5837.

Greater Manchester Archaeological Advisory Service - The potential impact of development on any below-ground archaeological remains is negligible. GMAAS are content that no further consideration needs to be afforded to archaeological matters in this instance.

Greater Manchester Police - GMP are happy to support the application at this stage and request a condition be attached to any approval for the development to be carried out in accordance with the recommendations and specifications set out within the Crime Impact Assessment and that Secured by Design accreditation be sought.

Aerodrome Safeguarding Officer at Manchester Airport – Have provided a Holding Objection to the application. They have also indicated that the revisions to the scheme have not sufficiently addressed their grave concerns that the scheme would negatively impact flight safety from wind shear. They indicate that the submitted assessment has not adequately answered previously raised questions, and the need



to see statistical analysis of the turbulence on both runway approaches as this is the main area of our concern.

With regard to Birdstrike avoidance, the submitted Bird Hazard Management Plan must be expanded to include the construction phase, this is critical. Also, the proposed landscaping includes native and ornamental planting. The indicative planting does include a number of species or varieties that are fruit or berry bearing and which may be attractive to hazardous flocking birds such as Starlings, Wood Pigeons and winter thrushes. Similarly, the species used in the woodland and scrub planting must not provide an attractive food resource for attractive nesting or roosting habitat.

The Glint & Glare assessment does not assess standard glint and glare receptors used by the Airport. To enable a full review of the proposed PV panels they would require the standard aviation receptors to be assessed.

Cadent Gas – Raise no objection to the proposals but request an informative be attached to any approval to advise the applicant of works in the vicinity of any of their infrastructure.

Stockport Metropolitan Borough Council –Raise no comments or objections to the application.

## **Policy**

*Local Development Framework* - The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It identifies the growth of Manchester Airport as a catalyst for the regional economy and will also provide the impetus for a second hub of economic activity in this part of the City. Development proposals are expected to make a positive contribution to neighbourhoods of choice and, amongst other things, improve access to jobs.

Policy EC1 (Employment and Economic Growth) identifies a minimum of 200 ha of employment land to be developed between 2010 and 2027 for offices (B1a), research and development (B1b), light industrial (B1c), general industry (B2) and distribution and warehousing (B8). Manchester Airport and the surrounding area (50ha) is identified as a key location.

Policy EC10 sets out the policy approach to employment and economic development in Wythenshawe. The policy anticipates Wythenshawe providing 55ha of employment land within B1a offices, B1b/c research and development and light industry and B8 logistics and distribution. It sets out that the majority of economic development will be focused on:

1. Manchester Airport and specifically Manchester Airport Strategic Site and Airport City Strategic Employment Location are suitable for aviation related development and a mix of economic development uses including offices, high technology industries, logistics, warehousing and airport hotels.
2. University Hospital South Manchester suitable for growth related to the healthcare and biosciences and ancillary offices.
3. Existing employment sites including:
  - East Wythenshawe Development Corridor - Sharston Industrial Estate (B8), Atlas and Concord Business Parks (B1) and Ringway Trading Estate (B8).

Policy T1 (Sustainable Transport) – indicates support for proposals that promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services, particularly for those most in need and for those without a car.

Policy T2 (Accessible Areas of Opportunity and Need) – Development proposals are expected to be easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities. Particular priority is to be given to providing all residents access to strategic employment sites.

Policy EN1 (Design Principles and Strategic Character Areas) – All development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. The Airport & urban fringe Character Area is identified as an area open in character including a significant area of agricultural land. Built development is mainly associated with the Airport and associated uses, often large scale but height limited by flight path requirements. Other built development is small scale and takes the form of individual or small clusters of houses. Development in this area is expected to accommodate the future operational needs of the Airport, whilst retaining the area's open character as far as is possible.

Policy EN 3 (Heritage) - Throughout the City development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods is encouraged.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon) – All development must follow the principle of the Energy Hierarchy, being designed:

- to reduce the need for energy through design features that provide passive heating, natural lighting and cooling
- to reduce the need for energy through energy efficient features such as improved insulation and glazing
- to meet residual energy requirements through the use of low or zero carbon energy generating technologies

Policy EN6 (Target Framework for CO2 reductions from low or zero carbon energy supplies) - Set outs the targets for the energy performance of new residential and non-residential buildings.

Policy EN8 (Adaptation to Climate Change) - All new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces.

Policy EN9 (Green Infrastructure) - New development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function.

Policy EN 13 (Green Belt) – Confirms that other than an amendment to the extent of the green belt in the vicinity of Manchester Airport, there are no amendments to the green belt boundary over the plan period.

Policy EN14 (Flood Risk) - The site is located within an area of low flood risk, the application is accompanied by a proportionate flood risk assessment

Policy EN 15 (Biodiversity and Geological Conservation)- The policy indicates that the Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City.

Policy EN 16 (Air Quality) – The site is not located within an Air Quality Management Area but would incorporate electric vehicle charging; cycle parking, and be subject of a travel plan to promote active travel measures.

Policy EN 17 (Water Quality) - The development would not have an adverse impact on water quality and would provide a modern drainage system designed to reduce the risk of surface water run off.

Policy EN 18 (Contaminated Land and Ground Stability) – Given the previous use of the site there are contaminated land risks associated with the sites redevelopment. A preliminary risk assessment has been submitted alongside the application which recommends further intrusive site investigations prior to construction taking place to inform the appropriate remediation measures.

Policy EN19 (Waste) – The proposals incorporate areas for the provision of storage and disposal of waste generated by the development.

Policy PA 1 (Developer Contributions) – Sets out where needs arise as a result of development, the Council will seek to secure planning obligations for the following:

- Provision of Green Infrastructure
- Public realm improvements



- Protection or enhancement of environmental value
- Training and employment initiatives
- Highway improvements, traffic management, sustainable transport and disabled people's access
- Climate change mitigation / adaptation

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include:

- the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health,
- refuse storage/collection,
- effects relating to biodiversity, landscape, archaeological or built heritage,
- Green Infrastructure including open space, both public and private,
- Vehicular access and car parking,
- Flood risk and drainage

Policy DM 2 (Aerodrome Safeguarding) - Development that would affect the operational integrity or safety of Manchester Airport or Manchester Radar will not be permitted.

Policy DM 3 (Public Safety Zones) Within the Public Safety Zones as defined by the Civil Aviation Authority, development or changes of use will not be permitted, except where that development conforms to that set out in Paragraphs 11 & 12 of DfT Circular 01/2010 or any replacement guidance.

#### *Saved Unitary Development Plan*

Saved policy EW11 allocates part of the application site formerly occupied by buildings associated with Ferranti on Simonsway, for business uses (Class B1), industrial purposes, ancillary warehousing purposes, and/or a hotel.

Saved policy DC26 (Development and Noise) – States that the development control process will be used to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider the effect of new development proposals which are likely to be generators of noise.

#### *Relevant National Policy*

The National Planning Policy Framework (September 2023) sets out Government planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and environmental role. The NPPF outlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted.

Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. The following sections of the NPPF are considered to be of particular relevance to the proposed development:

Section 6 'Building a strong, competitive economy' - Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

Section 9 'Promoting sustainable transport' - Transport issues should be considered from the earliest stages of development proposals.

In assessing sites that may be allocated for development in plans it should be ensured that: appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; safe and suitable access to the site can be achieved for all users; any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Section 11 'Making effective use of land'- Planning decisions are expected to promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Planning decisions should: recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production; give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; promote and support the development of under-utilised land and buildings.

Section 12 'Achieving well-designed places' - Planning decisions should ensure that developments: will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Section 13 'Protecting Green Belt land' - The fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of green belts are their openness and their permanence.

Green belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application, substantial weight should be given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

It is stated that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very exceptional circumstances. When considering any planning application. Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- (a) buildings for agriculture and forestry;
- (b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- (e) limited infilling in villages;
- (f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- (a) mineral extraction;
- (b) engineering operations;
- (c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- (d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- (e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- (f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Section 14 'Meeting the challenge of climate change, flooding and coastal change' - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk .

Section 15 'Conserving and enhancing the natural environment' - Planning decisions should contribute to and enhance the natural and local environment by amongst other things: minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Section 16 'Conserving and enhancing the historic environment' - Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

### *Other Material Considerations*

#### *Places for Everyone*

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 committee, on the 4 October 2023, has now agreed the Main Modification and endorsed an 8 week period of public consultation on the Main Modifications which commenced on 11 October 2023.

Once the consultation has been complete, the representations received will be forwarded to the Examination team managing the Plan. The Inspectors will consider all the representations made 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 are now a material planning consideration in the determination of planning applications in Manchester. The Plan and its policies must therefore be given considerable weight in the planning balance. Relevant elements of PfE are considered to be:

- Policy JP-J1 'Supporting Long-term Economic Growth'
- Policy JP-J2: Employment Sites and Premises
- Policy JP-J3: Office Development
- Policy JP-J4: Industry and Warehousing Development
- Policy JP-Strat9: Southern Areas
- Policy JP-Strat10: Manchester Airport
- Policy JP-Strat13: Strategic Green Infrastructure
- Policy JP-Strat14: A Sustainable and Integrated Transport Network
- Policy JP-S1: Sustainable Development
- Policy JP-S2: Carbon and Energy
- Policy JP-S5: Flood Risk and the Water Environment
- Policy JP-G2: Green Infrastructure Network
- Policy JP-G6: Urban Green Space
- Policy JP-G7: Trees and Woodland
- Policy JP-G9: A Net Enhancement of Biodiversity and Geodiversity
- Policy JP-G10: The Green Belt
- Policy JP-P1: Sustainable Places
- Policy JP-C1: An Integrated Network
- Policy JP-C7: Transport Requirements of New Development

*Manchester Green and Blue Infrastructure Strategy 2015* - The Manchester Green and Blue Infrastructure Strategy (MGBIS) sets out objectives for environmental improvements within the City within the context of objectives for growth and development.

*Manchester Climate Change Framework 2020 - 2025*

The Manchester Climate Change Framework (2020-2025) was published in February 2020 and sets out the Council high level strategy for Manchester to be a thriving, zero carbon, climate resilient city.

#### *National Design Guide*

This document outlines the priorities for well-designed places in the form of ten characteristics of: Context; Identity; Built form; Movement; Nature; Public Spaces; Uses; Homes and buildings; Resources; and, Lifespan.

#### *Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002*

Sets out the requirements of consultation with aerodromes for developments within safeguarded areas and the responsibilities of licensed aerodromes to take all reasonable steps to ensure that the aerodrome and its surrounding airspace are safe at all times for use by aircraft.

#### *Other Legislative requirements*

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.

Section 17 of the Crime and Disorder Act 1998 provides that in the exercise of its planning functions, the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

### **Issues**

#### *Principle of Development*

The western half of the site is located within an established employment area that is allocated for a range of commercial uses including offices, industrial, and ancillary warehousing within the Manchester Local Plan. The remainder of the site to the east is located within the Greater Manchester Green Belt. Whilst the provision of employment floorspace within modern, energy efficient buildings is supported within established and allocated employment areas, the principle of development and buildings within the established Green Belt is not one that is supported unless very special circumstances can be demonstrated. Further consideration of this is set out below.

#### *Benefits of the proposal*

Both National and local policy supports sustainable economic growth by ensuring that there is sufficient employment land available and to create the conditions in which businesses can invest, expand and adapt. Decisions are expected to



recognise and address the specific locational requirements of different sectors, including making provision for storage and distribution operations at a variety of scales.

The proposal would provide 36,706 sqm of new floorspace for light industrial, general industrial and/or storage or distribution uses, together with ancillary offices. The applicant has provided an economic benefits statement to accompany the application, this stated that the proposal could create around 580 new jobs with a significant number of potential net additional employment opportunities generated because of the development. Many of these jobs are expected to be for Manchester and specifically Wythenshawe residents based on the applicant's assessment. The proposal would also enhance the quality and attractiveness of the existing employment area by replacing vacant and underused land with modern and efficient buildings. The proposal would therefore have a positive impact on the local economy and employment opportunities. Employment for local people could also be secured through an appropriately worded condition.

The applicant has indicated that as part of the proposals they would engage to upgrade and improve the current shared pedestrian and cycleway along Simonsway and Styal Road running the length of the site boundary. Whilst improving sustainable access to the site this would also improve sustainable connections beyond the site. These improvements could be secured by way of an appropriately worded off-site highways condition together with the other highway requirements identified.



*Shared Cycle/pedestrian path on Simonsway the boundary of the application site is to the right*

### *The need for the proposals*

The applicant has provided a Market Report in relation to the supply of industrial property in the surrounding area and the recent levels of demand. This indicates a significant need for the development of additional logistics space, within the South Manchester area having consistently strong demand but with supply being constrained.

The importance of ensuring there is a supply of industrial warehousing meeting demand has been recently considered as part of the Places for Everyone Plan (PfE) which has now reached the modification stage following its examination. PfE has identified sites and Green Belt land release for industrial and warehousing, these sites and release of Green Belt have been undertaken in accordance with the overall Spatial Strategy of the PfE.

The policies in the PfE considered many objectives including the Greater Manchester Strategy 2018 which seeks to deliver a strong portfolio of industrial and warehousing locations to ensure GM remains competitive. This includes bringing forward new locations for industrial development and protecting industrial sites. A significant margin/buffer was added to demand to ensure there was enough land to meet:

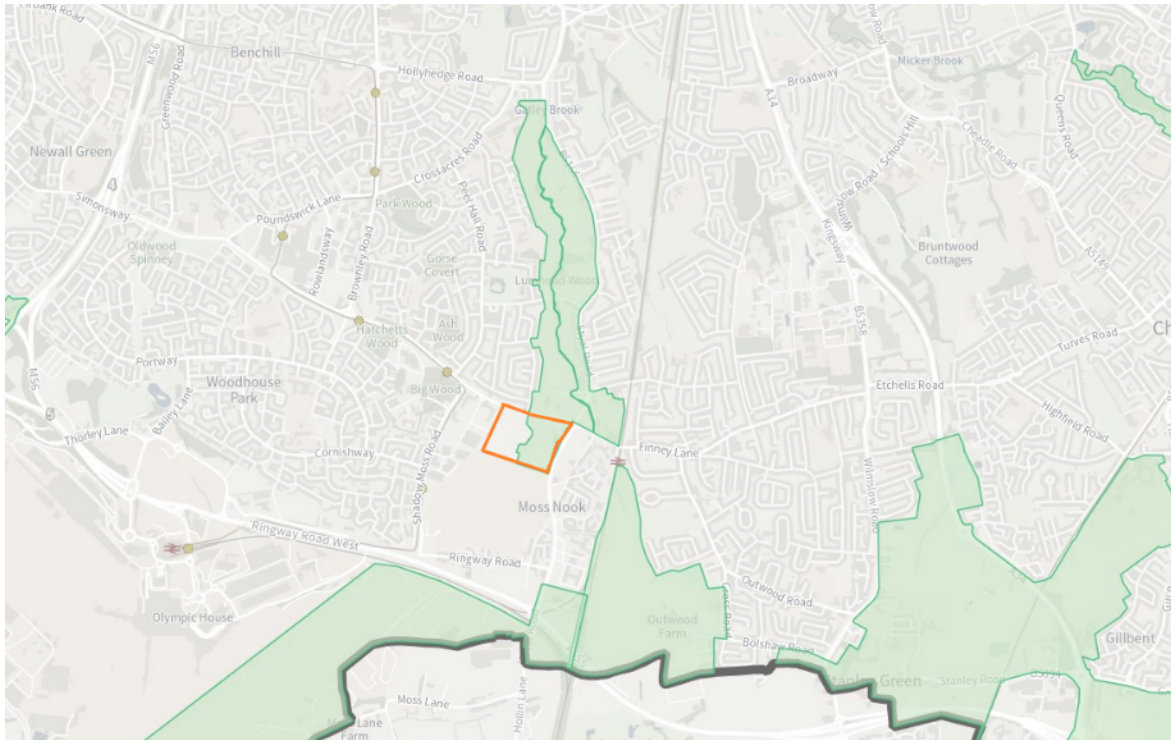
- Any unforeseen increase in demand for land (i.e. a margin of error linked to the inherent uncertainty of any forecasts of need);
- Aspirations to increase the overall size and competitiveness of the GM economy; and
- Accounting for demand which have been suppressed by a lack of supply.

To meet this strategy the PfE releases a number of significant sites of substantial scale across the 9 Greater Manchester districts, including within the 'southern area' and which are suitable for B2/B8 uses and the needs and demands of industrial and warehousing, taking into account existing land supply. The Green Belt land within the application site was not subject to identification in PfE to be released as part of the spatial strategy and is not required for release to meet the needs of industrial and warehousing.

The Core Strategy and saved UDP policy EW11 do identify the western half of the site and other undeveloped land at Atlas Business Park for a range of business and employment uses. It is accepted that this land is suitable for employment development and can contribute towards economic growth and employment opportunities to this part of Manchester.

### *Green Belt*

The proposed development of five units for light industrial, general industrial and/or storage or distribution use, together with ancillary offices, associated parking, vehicular access, landscaping and associated works, would be part located on land that is designated as Green Belt. According to the National Planning Policy Framework (NPPF), the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.



*Relationship of application site (edged orange) and the Greater Manchester Green Belt within and beyond the application site – shaded and edged green*

National planning policy is explicit in that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application, substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

New buildings are considered inappropriate in the Green Belt unless they meet a number of exceptions, the proposals would not meet any of those exceptions and would therefore result in inappropriate development in the Green Belt. Other forms of development are identified that are also not inappropriate as long as the openness of the Green Belt is preserved, Industrial and warehouse uses do not fall within these forms of development.

Within their submission, the applicant acknowledges that the proposals comprise inappropriate development in the Green Belt and that they would lead to a moderate level of harm to the openness of this particular parcel of Green Belt. This issue has been assessed in detail and it is considered that the proposed buildings located within the part of the site designated as green belt land, by reason of scale, mass and design would have a significant impact on the openness of the Green Belt. This particular part of the Green Belt is narrow and forms part of an open corridor bounded by non-green belt land which is of an urban character. It is considered that the scheme proposed would result in significant built form which would be contrary to the aims of including land within the green belt.



It is not considered that ‘very special circumstances’ have been demonstrated for that element of the application proposals that are located within the Green Belt. There is no overriding need for it to be released for development and the PfE plan has progressed to a stage to be of significant material weight in consideration of the application proposals. The PfE process has considered strategic matters around the amount of employment land needed, the identification of sites to deliver its strategy and also the extent of the Green Belt over the plan period, that part of the application site within the Green Belt is not identified as a site for employment land.

As such, on balance it is considered that the proposals constitute inappropriate development that is harmful to the Green Belt and very special circumstances have not been demonstrated to support the proposed development for that element of the site within the Green Belt.

*Character and Appearance*

The site is currently occupied by a mix of open vacant land, grass and scrub, with trees located within and around its boundaries, an electricity substation building remains on the site with hardstanding associated with the sites former industrial uses also present. To the west of the site there are industrial and commercial uses, including offices. The site is also located within close proximity to Manchester Airport. The applicant has undertaken a landscape and visual impact appraisal and Green Belt appraisal to accompany the application.



*View looking south-east towards the site from the junction of Simonsway/Styal Road*





*View northwards along Styal Road – eastern boundary of the application site is to the left*



*View south-west across Simonsway towards the northern boundary of the application site*





*View south towards the application site taken from junction of Simonsway/ Pasture Field Road*



*View east along Simonsway with northern boundary of the application site to the right*



The proposal involves the construction of five units arranged in four detached buildings. The units would vary in size from 3,621 sqm to 13,000 sqm and would have a range of heights from 16.8 metres to a maximum of approximately 20 metres. The units would have a simple rectangular form with pitched roofs and parapet walls and would be clad in a combination of grey metal panels, timber cladding, brickwork and glazing, service yards are to be located to the rear or side, screened by fencing, landscaping or existing and proposed trees. The design of the buildings would provide a consistent and coherent design of buildings to the application site.

The proposed buildings would be of a substantial scale, significantly greater both in terms of footprint and height to existing commercial premises in the area and substantially greater than residential properties located to the north, and further to the east. The application site and particularly its eastern half reflects the change in character at this part of Simonsway as it approaches Styal Road, where vegetation, lower boundary treatments and hedges are present. It is considered that the application proposals would, even with the presence of retained trees, would detrimentally alter the character of the area due to its over dominant and incongruous scale, siting and appearance and this impact would be unacceptable.



*CGI view from Finney Lane towards the application site and one of the proposed buildings to the left*

### *Residential amenity*

The application proposals are accompanied by a Noise Impact Assessment that assesses impacts of the construction and operational phases of development, and details of an external lighting scheme. These have been fully assessed.

The nearest residential properties to the site are located to the north on Patch Croft Road, approximately 50 metres to the north of the boundary of the site. There are also residential properties on Ringway Road, approximately 450 metres to the south and on Shadow Moss Road approximately 280 metres west of the site. It is not

considered that the proposal would have a significant impact on the amenity of these properties, for the following reasons:

- The proposal would maintain a sufficient distance and separation from the residential properties, ensuring that there would be no unacceptable loss of light, outlook or privacy.
- The proposal is not anticipated to result in any significant increase in noise levels either from activities associated with the development (vehicles movements) or equipment associated with the buildings.
- The proposed lighting scheme has been designed to minimise light spill from the site.

It is considered that the proposals would not give rise to significant impacts on the amenity of residential properties. If this scheme was considered to be acceptable and looked upon favourable then necessary measures identified within the acoustic report would need to be conditioned in order to ensure that impacts on nearby residents are appropriately mitigated and these would include acoustic insulation, restrictions on hours of servicing and other necessary measures.

#### *Accessibility and Highway Network*

The site is well connected to the highway network, with direct access to Simonsway via an existing access that would be upgraded and widened to serve the site. This would provide links to the strategic road network including the A555 and M56 motorway and Manchester Airport. The site is also served by public transport, with bus and Metrolink stops on Simonsway and Ringway Road, providing frequent services to Manchester city centre and other destinations. The site is also within walking and cycling distance of Wythenshawe town centre and other local facilities.



*Existing access to the site which would be upgraded*

The proposal would generate additional traffic movements associated with the operation of the units. However, the applicant has submitted a Transport Assessment that demonstrates that the proposal would not have a significant impact on the capacity or safety of the highway network. The Transport Assessment also shows that the proposal would comply with the relevant parking standards for industrial and warehousing uses, providing 382 car parking spaces, and 84 cycle parking spaces. The proposal would also provide adequate access and circulation for service vehicles, including HGVs.

The proposal would also encourage sustainable travel modes by providing pedestrian and cycle links within the site and to the surrounding network. The proposal would also include a Travel Plan that sets out measures to reduce car dependency and promote public transport use among staff and visitors.

In the responses to the notification process a number of mitigation measures have been identified by MCC Highway Services as being required in respect of a number of traffic junctions to improve their operation.

The proposal is not considered to give rise to unacceptable impacts on the highway network, with suitable mitigation measures in place together with the adoption of a Travel Plan for the site. If permission was to be granted then it would be necessary to include conditions to ensure that the necessary mitigation measures are provided prior to the scheme being brought into use. The comments received from Active England are noted and any required changes could also be addressed through an appropriately worded condition.

### *Environment*

**Ecology and Biodiversity** - The applicant has submitted an Ecological Impact Assessment that assesses the potential impact of the proposal on ecology and biodiversity. In addition to this assessment a Biodiversity Net Gain Assessment has also been prepared.

The site is not located within or near any designated sites of ecological or geological importance, the closest being three non-statutory designated sites within 2 km of the Site, the closest being Big Wood Site of Biological Importance (SBI) at a distance of 225 m to the west of the site. However, the site does contain some features of biodiversity value, such as woodland, hedgerows and grassland which also support. The proposal would result in the loss of a number of these features including woodland, an identified Manchester priority habitat.

The proposals would result in the significant loss of biodiversity at the site the applicant's assessment indicates that without mitigation the loss of overall biodiversity on-site is considered to have a moderate adverse effect that is significant. The submitted information indicates a number of mitigation measures both at construction and operation phase and recommends mitigation and enhancement measures. These include retaining existing trees where possible, planting native species, creating wildflower meadows, installing bird boxes and bat boxes, and implementing an ecological management plan.

The applicant has confirmed that the opportunities for on-site biodiversity enhancements and landscaping provision have been constrained due to the requirements of Manchester Airport to deter and prevent proposals that attract bird populations that may pose an aircraft collision hazard. They have confirmed that they are willing to enter into a bespoke compensation agreement in order to ensure the loss of biodiversity is compensated for, or an off-site area could be enhanced which they would be content to secure through a planning obligation. It is considered that a range of measures could be secured through a grant of planning permission with an associated legal agreement, if necessary, in order to secure relevant on and off site compensation for the losses.

Trees – The application proposals are accompanied by Tree Surveys and Method Statements for construction works and implications for trees to be retained. The application site contains 5 no. Oak trees subject to a Tree Preservation Order, 4 of these trees are located on the north eastern corner of the site

The surveys identify 15 trees on the site together with 22 groups of trees. The trees on site range from young to over-mature with none of the trees showing signs of past management with a majority of trees being in a fair condition apart from 5 groups of trees and 3 individual trees which were classified as Category U due to their poor condition and all are proposed to be removed. The proposals would result in the proposed retention of all 6 no. category A trees on the site (5 would require pruning works to implement the development), with the loss of 4 individual trees and 2 tree groups within Category B, and 4 trees groups and 7 partial tree groups being removed within Category C.

To mitigate the loss of trees on site the proposed landscaping scheme of the site includes for tree planting across the site and as additional planting within existing woodland areas on the eastern side of the site which are to be retained and enhanced with additional trees, shrub and wildflower planting.

Flood Risk and Drainage - The site is located within Flood Zone 1, which has a low probability of flooding from rivers or sea. However, there is a potential risk of flooding from surface water runoff. The applicant has submitted a Flood Risk Assessment and Drainage Strategy that proposes a sustainable drainage system to manage surface water runoff from the site. The drainage system would reduce runoff rates and volumes to greenfield rates, ensuring that there would be no increase in flood risk on or off-site.

Sustainability - The proposal would also incorporate energy efficiency measures to reduce greenhouse gas emissions and mitigate climate change. These include high levels of insulation, low-energy lighting, electric vehicle charging points and solar photovoltaic panels.

Air Quality – The proposals are accompanied by an air quality assessment which has assessed both construction and operational phases and concludes there would be no significant and negligible impacts respectively particularly on residential amenity, there would be a requirement for construction activities to be subject to good site practice and implementation of suitable mitigation measures to reduce dust risk.

## *Heritage*

As noted earlier in this report there are two grade II Listed Buildings to the north of the application site (Chamber Hall and Chamber Hall Barn), the application is supported by a proportionate Heritage Statement and Supplementary Heritage Statement. These conclude that the proposals would not give rise to harm to these two designated heritage assets. It is considered that this assessment is acceptable and due to the distance between the proposed development and the Listed Buildings that the setting of these buildings would not be harmed.

## *Aerodrome safety*

The Aerodrome Safeguarding Officer at Manchester Airport has raised significant concerns with the proposals in respect of the potential for these to endanger the safe movement of aircraft and the operation of Manchester Airport. The concerns raised relate to:

- its location relative to the final approach;
- a prediction of glare towards the air traffic controllers;
- the likelihood of a wind shear hazard at a critical point of aircraft landing manoeuvres;
- potential interference with vital communications, navigation and surveillance equipment;
- lighting of the site that would be confusing and misleading to pilots.

At this time these concerns have not been overcome by the applicant, but discussions are ongoing, if any further information is provided this will be reported to Committee. As such, it is considered that insufficient information is available to confirm that the proposals would not give rise to affects on the operational integrity or safety of Manchester Airport.

## *Conclusion*

The proposals would deliver benefits through provision of economic development that would provide employment opportunities to Wythenshawe and Manchester residents, together with the development of previously developed land allocated for employment type uses. These benefits are acknowledged in the overall assessment of the proposals against adopted local and national planning policies.

However, in this instance it is considered that the proposals would be an inappropriate form of development part located within the Green Belt where there is a presumption against such development. The type of development proposed has recently been subject of independent examination through the preparation of the Places for Everyone Plan, which sets out the overall strategy for provision of employment land across the 9 Greater Manchester districts signed up to its implementation (which includes Manchester). That examination has concluded on the level of employment land to be delivered over the plan period together with the release of land, some of which is within the Greater Manchester Green Belt. The relevant part of the application site has not been identified through that process for release from the Green Belt to deliver additional employment land. It is concluded



that 'very specific circumstances' do not exist for the proposals and in accordance with National Planning Policy for Green Belt, the application should not be approved.

The proposals would be of a scale and height of development that would be at odds with the character of the area in which the site is located. Whilst larger scale buildings are located adjacent to the site, the form of development proposed is of a greater height and footprint than those that currently exist. Given the open character of the site, in particular that element located within the Green Belt, the proposals would form an over dominant and incongruous addition to the area.

The site is located in close proximity to Manchester Airport and directly below the approach to runways. Concerns have been raised by the Aerodrome Safeguarding Officer at Manchester Airport particularly regarding the potential for the built form to impact, through turbulence and wind shear, the approach of aircraft to the airport. The applicant has sought to overcome these concerns through the preparation of assessments but at the current time the concerns of the Aerodrome Safeguarding Officer remain.

## **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 the right to a fair hearing and to this end the Committee 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 of the application 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 REFUSE**



## **Article 35 Declaration**

The application has been determined in a positive and proactive manner, in this instance the proposals are not considered to accord with adopted local and national policy and the emerging 'Places for Everyone Plan' in particular those relating to the Green Belt.

## **Reasons for refusal**

- 1) The proposed development is located within the Greater Manchester Green Belt, where there is a presumption against inappropriate development and where development will only be allowed if it is for an appropriate purpose or where very special circumstances can be demonstrated. The application proposals include inappropriate development in the Green Belt which would have a harmful impact on openness and the applicant has failed to demonstrate that there are very special circumstances to permit the type, scale and form of development proposed and as such the development is contrary to national policy contained within section 13 'Protecting Green Belt land' of the National Planning Policy Framework and in particular paragraphs 147, 148 and 149.
- 2) The design of the development proposal would constitute an overly dominant incongruous structure to the detriment of the visual amenity and character of the area and the openness of the Green Belt, by virtue of the height and scale of the proposed buildings, particularly along Simonsway and Styal Road contrary to policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework in particular section 12 'Achieving well-designed places' and section 13 'Protecting Green Belt land'.
- 3) The applicant has failed to demonstrate that the proposals would not affect the operational integrity or safety of Manchester Airport due to its scale, height, appearance, and layout pursuant to policy DM2 of the Core Strategy.

## **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 135952/FO/2023 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

**The following residents, businesses and other third parties in the area were consulted/notified on the application:**

**Highway Services  
Environmental Health  
Neighbourhood Team Leader (Arboriculture)  
MCC Flood Risk Management  
Greater Manchester Police  
United Utilities Water PLC**

**Manchester Airport Safeguarding Officer  
National Highways  
Greater Manchester Ecology Unit  
Stockport Metropolitan Borough Council  
Cheshire East Council  
Greater Manchester Archaeological Advisory Service  
Active Travel England**

**A map showing the neighbours notified of the application is attached at the end of the report.**

**Relevant Contact Officer :** Robert Griffin  
**Telephone number :** 0161 234 4527  
**Email :** robert.griffin@manchester.gov.uk

