

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
089869/FO/2009/S2	17th Apr 2009	25th June 2009	Woodhouse Park Ward

**Proposal** Use of vacant site for off-airport car parking for 3,155 vehicles for a temporary period of 18 months

**Location** Land Adjacent To Thorley Lane/Bailey Lane, Wythenshawe,

**Applicant** Jet Parks, C/o MAG Developments, Olympic House, Manchester Airport, Manchester, M90 1QX

**Agent** Mr Stephen Cain, C/o Manchester Airport Plc, Olympic House, Manchester Airport, Manchester, M90 1QX

### **Description**

This application was placed before the Wythenshawe Area Committee on 25<sup>th</sup> May 2009. At that meeting the committee was minded to approve the application subject to the applicant entering into a legal agreement to provide traffic calming measures along Hilary Road.

This application relates to an area of land, approximately 8.5 hectares (21 acres) in size which is located to the east of the M56 junction 5 slip roads. The site is currently vacant but was last used as a long stay off-airport car park for 4,240 cars, planning permission for which expired in October 2006.

The site is bounded to the north by Thorley Lane and Bailey Lane, to the east by Baguley Brook and to the south and west by the protected route of the Manchester Airport Eastern Link Road (MAELR), beyond which lies the slip road for the M56 and the roundabouts which serve Terminals 1 and 2 at Manchester Airport, the latter of which are linked by Outwood Lane West.

To the north of the site, on the opposite side of Thorley Lane and Bailey Lane, stands the Etrop Grange Hotel (grade II listed), a series of office developments and playing fields. To the east of the site, beyond Baguley Brook, stands the partially completed Manchester Business Park, an office development formed from a joint venture between Manchester City Council and Goodman's (formerly Arlington Securities Plc), and also a number of residential properties, namely those on Hilary Road. Beyond the M56 slip roads and the two roundabouts stands Manchester Airport. The site is currently bisected along a north-south axis by Thorley Lane, which runs through the site and links up with Outwood Lane West.

In terms of existing landscaping, the north and south/west perimeters of the site are heavily landscaped with established screen planting, while the eastern perimeter consists of a wetland corridor formed by Baguley Brook, mature trees, shrubs and aquatic plants. Within the site itself there are a total of 48 mature trees and a number of hedgerows. A field footpath runs through the southern tip of the site.

The applicants are applying for temporary consent to operate a 3,155 space "off-airport" long stay car park on the site for a temporary period of 18 months.

The number of spaces on the site would be reduced by 1,085 as the car park would be run on a self-park basis, not on a block park basis as operated previously. 125 of the spaces would be reserved for use by disabled drivers. The car park would operate 24 hours a day, 7 days a week, all year round. A courtesy bus would transfer passengers to and from the main terminal buildings. All vehicle movements in and out of the site will be via the two existing access points onto Thorley Lane, with signing provided from the M56 Junction 5 spur road.

Consent to use the site as an "off-airport" car park was originally granted on appeal in 1994 for three years (ref. 044146). Planning permission was granted for another three years in June 1996, again following the lodging of an appeal against non-determination (ref. 048276). The last temporary consent to use the site for off-site parking was granted on 13<sup>th</sup> October 2005 (ref. 076789). That consent expired in October 2006, although the use continued for a period after that time.

A number of consents to use the site for a Class B1 business park have been granted since 2000, the most recent being on 11<sup>th</sup> January 2007 under reference 078993.

### **Consultations**

**Local Residents/Businesses** – No comments received.

**Combined Association of Wythenshawe Tenants** – no comments received.

**Head of Highway Services** – No objection to the continued of use of this land as a car park, provided that it remains as a 'long stay' facility and continues to be operated and maintained at current levels. Notwithstanding this, the field footpath which runs through the southern tip of the site shall remain open.

**Head of Regulatory and Enforcement Services** – No objection in principle to the proposal.

**Landscape Practice Group** – It would serve no ecological benefit to remove these car parks now.

**Environment and Operations, Green Space Division** – No objection to the proposal as there are no trees works proposed.

**Highway Agency** – No objections to the proposal.

**Greater Manchester Ecological Unit (GMEU)** – There are no known ecological reasons why the current use of the site cannot continue. However, should the site be redeveloped in the future the existing pond needs to be surveyed for the presence of great crested newts.

**Greater Manchester Police (GMP)** – GMP is mindful of the issues relating to car crime within close proximity to Manchester Airport and has endeavoured to encourage long stay car park operators to minimise the impact of crime. In order to ensure that the site can sustain car crime related issues, it is requested

that the approval be conditioned to require the car park achieve the Safer Parking Scheme Award.

**Manchester Airport (Aerodrome Safeguarding Officer)** – The application does not conflict with any safeguarding criteria, accordingly there is no objection.

### **Issues**

**Unitary Development Plan (UDP)** – The application site is subject to site specific policy EW8 as found in Part 2 of the UDP. This policy states that this site and the adjoining Arlington(now Goodman)/Manchester City Council site is allocated as one of the major strategic sites in the City for high technology industry.

As the eastern half of the site is within the 40-49 Noise and Number Index (NNI) contours associated with the area around Manchester Airport, Part 2 policy EW4 is also relevant. This policy states that within the 40-40 NNI contours new development may be allowed provided that it is in accordance with other planning policies for the area and that new buildings are sound insulated in accordance with the City Council's requirements.

The City Council's aspirations to create a network of safe and attractive linear recreational routes has led to the formation of policy E3.4 in Part 1 of the UDP. One such linear recreational route runs through the application site along a west to east axis.

Along with the above policies which are either specific to the site or cover a part of it, consideration is also given to the following policies, all of which are found in Part 1 of the UDP.

Policy I1.1 states that the Council will ensure the allocation of a range of sites both in terms of size and appropriate location for a variety of different commercial and industrial development purposes in order to maximise new employment opportunities. One of the major opportunities in locational terms are sites with good access to Manchester Airport.

Policy I1.2 states that the Council has identified major sites for high technology industries. These represent opportunities in strategic locations for the provision or creation of high amenity sites, preferably in existing urban area, with good access to the motorway network and public transport. One of the major strategic sites identified in the City is Woodhouse Park to the north of Manchester Airport.

Policy H2.2 states that the City Council will not allow development which will have an unacceptable impact on residential areas. The matters which the City Council will consider in coming to such decisions will include the scale and appearance of the development and its impact in terms of noise, vibration, traffic generation, road safety and air pollution.

**North West of England Plan Regional Spatial Strategy (RSS) to 2021 (adopted September 2008)** – The following policy is considered to be of relevance:

**Policy RT 5, Airports** – states that plans and strategies should support the economic activity generated and sustained by the Region's airports, in particular, the importance of Manchester Airport as a key economic driver for the North of England.

The future operational and infrastructure requirements, surface access demands and environmental impacts for the airport should be identified and measures to address and monitor them included in Airport Master Plans and other relevant plans and strategies, based on the strategic framework for the development of airport capacity set out in the White Paper 'Future of Air Transport'.

Plans and strategies for airports and adjacent areas should include measures to regulate the availability of car parking space for passengers and employees across the site.

**Wythenshawe Strategic Regeneration Framework (SRF)** – Approved in December 2004, the SRF includes a number of policies related to the airport, the most relevant of which in this instance includes:

Policy ED1 - to support the continued growth of Manchester Airport and Wythenshawe, as one of the UK's premier business locations, capable of attracting corporate end users on an international scale to the conurbation.

**Principle of the Proposal** – The application site has accounted for a significant proportion of the supply of long stay spaces servicing demand at the Airport. In 1996 there were 14,040 spaces operating on 27 off-airport sites, the capacity of the application site at that time (3170 spaces) represented 22% of the total off-airport provision. In 2006 there were 15,700 off-airport spaces operating on 27 sites, the 4,240 spaces on this site at that time represented 27% of the total off-airport provision. The application site provides a significant proportion of this 'off-airport' provision, in seeking to retain a car parking use for an 18 month period the applicant wishes to ensure a continuity of supply during the summers of 2009 and 2010.

The principle of the use has already been established with the granting of the previous appeals and the previous temporary planning consents. However, the principle is based on the use being temporary being mindful of the longstanding aspirations since 1995 to develop the site as a business park and fulfill wider regeneration objectives.

In the 18 month period that the car park will be in operation it is expected that Manchester Airport will continue to work closely with the City Council on the

concept of Manchester Airport City. A proposal will be brought forward in consultation with the City Council over the coming months and will form the basis for bringing together the benefits of linking sustainable Airport growth, the high quality transport interchange and surrounding employment sites into an integrated Airport City proposal. This will provide employment and regeneration benefits to both the local area of Wythenshawe and to the wider City Region as a unique proposition in the UK.

**Access for Disabled People** – The number of parking spaces reserved for use by disabled drivers is considered acceptable.

**Highway Safety** – It is not considered that the use of the site as an off-airport car park will have a detrimental impact upon the current levels of highway safety enjoyed in the vicinity of the site. Notwithstanding this, the provision of the highway safety improvements requested by the Wythenshawe Area Committee will ensure that any impact of the proposal upon existing levels of highway safety is minimised.

**Legal Agreement** – The applicant has stated his intention to enter into a unilateral undertaking to provide the highway safety improvements requested by the Wythenshawe Area Committee in a timescale to be agreed related to the future development of the total site of Airport City.

**Residential Amenity** – The use of the site as a car park for an additional 18 months will not have a detrimental impact upon the levels of residential amenity enjoyed by the occupants of the nearby residential accommodation.

**Trees** – It is not proposed to fell any trees to facilitate the development.

**Field Footpath** – The applicant has amended the application to ensure that the field footpath remains open.

**Impact upon Listed Building** – This type of use has previously operated on the site without any demonstrable adverse impact on the listed building. Given this, it is not considered the proposal will harm the setting of the adjoining listed building, i.e. the Etrop Grange Hotel.

**Crime and Disorder** – The perimeter of the site is secured by fencing and the entrance points are controlled by staffed barriers, in addition security staff patrol the car parking areas. Overall the security provision is considered appropriate in this instance. Notwithstanding this, any approval granted will be conditioned so that the Safer Parking Scheme Award must be achieved.

### **Conclusion**

As the applicant intends to enter into a unilateral undertaking to provide the highway safety improvements it is not felt in this instance that there is a requirement to link the agreement into the approval of this application as the works are not specifically required to mitigate against the temporary use. As such the Head of Planning's recommendation is one of approve, rather than minded to approve subject to the signing of a S106 agreement.

**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 Unitary Development Plan, the Head of Planning 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. He believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

**Recommendations:** **Head of Planning – Approve** for a temporary period of 18 months on the basis that the proposal is in accordance with the Unitary Development Plan for the City of Manchester, in particular policy H2.2 and there are no material considerations of sufficient weight to indicate otherwise.

**Wythenshawe Area Committee – Minded to Approve (subject to the signing of a S106 agreement for the provision of highway improvements to Hilary Road)** for a temporary period of 18 months on the basis that the proposal is in accordance with the Unitary Development Plan for the City of Manchester, in particular policy H2.2 and there are no material considerations of sufficient weight to indicate otherwise.

### **Conditions**

1) The permission hereby granted is for a limited period only, expiring on 31<sup>st</sup> December 2010 and the buildings, works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued at the end of the said period and the land reinstated in accordance with a landscape scheme and a timetable of implementation both of which shall be submitted to and approved in writing by the Local Planning Authority before this permission expires on 31<sup>st</sup> December 2010.

Reason - It is desirable to preserve the option of retaining the site for high technology industry and there is a real possibility of such a use, in particular in light of application 078993/OO/2006/S2, and in the interest of visual amenity.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: plan nos. 001 and 002 C01, stamped as received on 17th April 2008

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 of the Manchester Unitary Development Plan.

3) No development shall commence until details of the measures to be incorporated into the development ( or phase thereof ) to demonstrate how the Safer Parking Scheme Award and/or Secured by Design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.

Reason - To reduce the risk of crime pursuant to Policy E3.5 of the Unitary Development Plan of the City of Manchester and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development".

#### **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: 089869/FO/2009/S2 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:**

GMPTE

Greater Manchester Police

Greater Manchester Ecology Unit

CAWT (Combined Associated Of Wythenshawe Tenants)

Manchester Airport Safeguarding Officer

The Highways Agency

Wythenshawe Regeneration Team

Environment Agency

16-58, 29-109 Hilary Road, Manchester, M22 1WQ

2-4, 1-6 Torridon Walk, Manchester, M22 1PP

1-16 Somerby Drive, Manchester, M22 1PL

2-16, 1-11 Saltdene Road, Manchester, M22 1PN

27 Gorston Walk, Manchester, M22 1PG

40-68, 67-79 Selstead Road, Manchester, M22 1TR

2-34, 1-27 Rottingdene Drive, Manchester, M22 1PJ

2-46, 21-51 Kingsdown Road, Manchester, M22 1PF

Yew Tree Cottage, Thorley Lane, Manchester, WA158UN

Rose Cottage, Thorley Lane, Manchester, WA158UN

Little Flyers, Thorley Lane, Manchester, WA158UN

Hilton Hotel, Outwood Lane, Manchester, M90 4WP

Holly Cottage, Thorley Lane, Manchester, WA158UN

Woodpecker Hotel, Selstead Road, Manchester, M22 1TP

Corus Hotels, Etrop Grange Hotel, Bailey Lane, Manchester, M90 4EG

Accenture, Kingsley Hall, 20 Bailey Lane, Manchester, M90 4AN

**Representations were received from the following third parties:**

Greater Manchester Police  
Greater Manchester Ecology Unit  
Aerodrome Safeguarding Officer  
Highways Agency  
Manchester Airport Safeguarding Officer

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