

Planning

Growth & Development

Delegated officer report for planning application

Application no. 127692/FO/2020

Date registered valid: 23 September 2020

Proposal: Retrospective application for change of Use from Class F2 community centre to Class E Boxing Club/gymnasium

Address: Ardwick Boxing Club , Clayton Lane, Manchester , M11 2AS

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Peter Heyes Ardwick Boxing Club Clayton Lane, Manchester , M11 2AS

Agent (if any): Mr Paul Simpson Bowker Sadler Architecture Hatherlow House , Hatherlow, Romiley, Stockport, SK6 3DY

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 22 February 2021

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit:

Standard consultations:

Printed: 25 September 2020 Expired: 16 October 2020

Neighbour notifications

Printed: 26 November 2020 Expired: 3 December 2020

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

This application relates to a single storey detached building whose authorised uses is as a Class F2 community centre, granted planning permission in 1980 (F12632). The site lies on Clayton Lane to the east of the Manchester City FC training complex. It has some open land in its immediate vicinity with residential properties beyond to the east.

The club has been operating as the Ardwick Boxing Club for a number of years without planning consent. There is no evidence of when the use started but 8 years has been suggested by the applicant.

Retrospective consent is now sought for the retention of the boxing club use. The premises has a floorspace of approximately 260 square metres. The premises has 9 employees and the hours of operation, existing and proposed, are:

4pm to 10pm - Monday to Friday

8am to 1pm - Saturday and Sunday

Originally an extension was proposed, but this has been removed from the scheme, but no external alterations are now proposed, and an area of hardstanding, at the rear of the site is to be used to provide car parking for 5 vehicles.

Consultations & Notification Responses

Local residents/adjoining occupiers - No comments received.

Highway Services - Makes the following comments:

In order to review and provide our formal response, Highways seek further information and/or clarification as follows:

- Whilst it is accepted that some visitors will walk, the submission provides no quantitative information on levels of trip generation, neither for existing nor proposed use. It is suggested quantification of existing demands (including mode of travel) would provide a good basis of estimating future levels.
- In terms of the above, Highways are particularly interested in vehicle demands and where parking can occur (relative to existing availability) at session change times and with respect to the larger community events.
- Highways question why the application does not seek to make formal use of the existing car parking area to the rear.
- It is noted that some cycle parking is offered. The applicant should ensure this is compliant with the Council's Core Strategy for parking.
- Waste management seems ad-hoc for the nature and scale of development.

In response, the applicant has confirmed the following:

- The 5no. bay sizes are each 6m x 3m. With careful manoeuvring vehicles can enter and leave the site in a forward gear.
- The centre holds small community events with maximum attendees 70no. There are approx. 50-70 young people in total in the centre every evening - training is between 4 and 10pm - there are 3 sessions per evening (approx. 20-25 young people per session never all 70 at one time) Monday-Friday and on Sunday mornings there are sessions for Elite. A lot of users are local and many are young so they walk to the centre and minimal come in cars (most get dropped off on Clayton Lane).
- There is a cycle rack with hoops to the rear of the building which holds 3 bikes, there is also space inside to secure more if needed.
- Hours of opening are 4pm - 10pm Mon to Friday. 8am - 1pm Saturday & Sunday. The above notes confirm the travel arrangements for people using the building and how the building is used.

Highways Made further comments on this response:

The responses provided are generally accepted, but as there is very limited on-site car parking, and at session changeover there are likely to be a crossover of drop off and pick ups. they would like the following items to be conditioned

- A travel plan to ensure that sustainable travel is monitored and encouraged.
- Additional cycle storage (6 bikes) provided which should be secured and weather proofed.

The applicant stated that they did not have the funds to meet these requirements, with the clubs financial difficulties exacerbated by recent events related to Covid and lockdown. The applicant did, however, confirm the following:

- There is currently an uncovered cycle rack, with hoops, at the rear of the building, which can accommodate 3 cycles and a space has been indicated, inside the building that could accommodate any additional cycles.
- The centre holds small community events with maximum attendees 70no. There are approx. 50-70 young people in total in the centre every evening - training is between 4 and 10pm - there are 3 sessions per evening (approx. 20-25 young people per session never all 70 at one time) Monday-Friday and on Sunday mornings there are sessions for Elite. A lot of users are local, and many are young, so they walk to the centre and few arrive in cars (most get dropped off on

Clayton Lane). Members are kept up to date through emails and social media, they are encouraged to consider sustainable forms of transport by walking and cycling to the centre, the use of buses and trams, parents sharing cars etc. Notice boards within the club can display details of local transport including timetables.

- Ardwick Boxing Club is a busy and useful community facility. Interest in boxing and general health and well being within the immediate locality indicates that there is still a requirement to extend the building and give more options on how the Club can support the community.
- It is recognised by the Club membership that they have a commitment to encourage sustainable forms of transport and therefore any future application, to extend the building will include a sheltered cycle store and a travel plan as part of the application. A position for a future sheltered cycle store is indicated on the submitted drawings.

In response Highways Services confirmed that they can support the application, on the basis that the cycle parking and travel plan will be provided if the proposed extension comes forward.

Strategic Area and Citywide Support Manager - Recommends that conditions are attached in relation to hours of operation and refuse and that a contaminated land watching brief is attached to any permission. It is not, however, proposed to attach the contaminated land watching brief, as no external works are now proposed.

Greater Manchester Police - Makes a number of security improvement suggestions, which are provided as an informative.

Issues

National Planning Policy Framework (February 2019) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and communities' health, social and cultural well-being; and

An environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

- a) 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;

- b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) 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);

d) 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;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

There should be a presumption in favour of sustainable development and planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this' (paragraph 124).

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

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision

Policy T1 relates to sustainable transport and states that to deliver a sustainable, high quality, integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking, to support the needs of residents and businesses and to prepare for carbon free modes of transport, and that the Council will support proposals that improve choice by developing alternatives to the car.

Policy T2 - States that outside the City Centre all new development should provide appropriate car parking facilities, taking account of the guidance in Appendix B (of the Core Strategy). In all parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B (this indicates maximum car parking standards for various uses, but no stipulation is made for places of worship)

Notwithstanding the above, Policy T2 requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking that may be required. Policy T2 requires the provision of proportionate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

Policy EN19 requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. The sustainable waste management needs of the end user will be met.

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed

guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan (UDP) - The site is unallocated in the plan.

Saved Policy DC26.1 advises that the Council intends to use the development control processes 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 both:

- a. the effect of new development proposals which are likely to be generators on noise; and
- b. the implications of the new implications of new development being exposed to existing noise sources which are effectively outside planning control.

Policy DC26.4 - Requires that where an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, consideration is given to measures to deal with it satisfactorily. This is particularly relevant given the proximity of the site to residential uses.

Policy DC26.5 states the Council will control noise levels by requiring, where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate

Principle of development - Whilst in a different use class, to a community centre, the boxing club can be regarded as a community facility and it has apparently operated for a number of years with no apparent issues. It lies in an area of mixed uses, with no residential properties directly adjoining the site. It does operate until the evening (10 pm) although there are other late night uses in the vicinity of the site, towards Ashton New Road. The proposed use is considered to be a community facility and an acceptable use of the building, in principle, subject to assessment of residential amenity and car parking/activity at the site.

Residential amenity - The nearest residential properties are located approximately 50 metres away to the rear of the site. For a sports centre/gym type activity, the hours of use are considered appropriate and a 10pm finish will ensure that there is no disturbance to residents at the most noise sensitive times. It is not therefore considered that the proposal would have an adverse impact upon the amenities of surrounding residents.

Car/cycle Parking - The premises have operated for a number of years with no apparent highway safety issues. However the current application has given the City Council the opportunity to address car parking and highways issues. Five car parking spaces are proposed, along with cycle parking facilities. Whilst, ideally, Highways Services wished for conditions relating to cycle parking and a travel plan, they have accepted the current cycle parking and have noted how sustainable modes of transport are encouraged at the premises. The applicant has given an undertaking that, should they apply for an extension at a future date, these issues would be addressed. On the basis that this is an existing use of the premises, and some improvements are proposed, highways services accept that the use would not lead to any highway safety issues.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a

decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: APPROVE

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Discussions have taken place with the applicant through the course of the application, particularly in respect of the car parking arrangements. The proposal is considered to be acceptable and therefore determined within a timely manner.

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

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

Analytical report (ref: 19-50880), stamped as received by the City Council, as Local Planning Authority, on 6 August 2020

Transport Statement, dated September 2020 and the Refuse Statement (ref:19-059) stamped as received by the City Council, as Local Planning Authority, on 23 September 2020

Drawings numbered 1000, 1021 and 1022, stamped as received by the City Council, as Local Planning Authority, on 26 November 2020

The Planning Statement and drawings numbered 1001 rev B and 1020 rev A, stamped as received by the City Council, as Local Planning Authority, on 3 February 2021

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

2) The premises shall not be open outside the following hours:

4pm to 10pm - Monday to Friday

8am to 1pm - Saturday and Sunday

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) the building shall, be used as a Class E Boxing Club/Gymnasium only and no part of the building shall be used for any other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 2020 (as amended) or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without modification) other than a Boxing Club/Gymnasium.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation as an unrestricted Class E use may give rise to unacceptable impacts which have not been

assessed as part of the application proposals, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

4) The car parking indicated on the approved plans shall be demarcated and made available for use within one month of the date of this permission. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with Policies DM1 and T2.6 of the Manchester Core Strategy.

5) The area shown on plan ref : 19-059 1020 rev.A (Existing Floor plan) showing space for the storage of cycles within the building , and the existing cycle rack, with hoops, at the rear of the building, shall be made available for use within one month of the date of this permission. The cycle storage facilities shall then be available at all times whilst the site is occupied.

Reason - To ensure there is bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

6) The measures proposed by the Boxing Club in regard to promoting the use of sustainable forms of transport (including cycling and walking to the club, car sharing etc) in the Planning Statement received 3rd February 2021 shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

Informatives

- 1) - Any new external fittings (i.e. shutters, windows or doors) should be certified to Secured by Design standards.
- All aspects of the extension, particularly doorways should be illuminated with dusk til dawn lighting.
- Coverage for any CCTV systems or alarms will need to be reviewed to check all areas of the development are covered.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

MCFC Facilities Management Building, 161 Clayton Lane, Manchester, M11 4TS
14 Emily Beavan Close, Manchester, M11 2JY
31 Kincaig Close, Manchester, M11 2JP
27 Kincaig Close, Manchester, M11 2JP
32 Kincaig Close, Manchester, M11 2JP
24 Kincaig Close, Manchester, M11 2JP
29 Kincaig Close, Manchester, M11 2JP
23 Kincaig Close, Manchester, M11 2JP
17 Kincaig Close, Manchester, M11 2JP
30 Kincaig Close, Manchester, M11 2JP
28 Kincaig Close, Manchester, M11 2JP
26 Kincaig Close, Manchester, M11 2JP
273 Clayton Lane, Manchester, M11 4SS
30 Torness Walk, Manchester, M11 2GY
28 Torness Walk, Manchester, M11 2GY
26 Torness Walk, Manchester, M11 2GY
24 Torness Walk, Manchester, M11 2GY
22 Torness Walk, Manchester, M11 2GY
20 Torness Walk, Manchester, M11 2GY
18 Torness Walk, Manchester, M11 2GY
16 Torness Walk, Manchester, M11 2GY
14 Torness Walk, Manchester, M11 2GY
12 Torness Walk, Manchester, M11 2GY
10 Torness Walk, Manchester, M11 2GY
8 Torness Walk, Manchester, M11 2GY
6 Torness Walk, Manchester, M11 2GY
4 Torness Walk, Manchester, M11 2GY
2 Torness Walk, Manchester, M11 2GY
3 Newtonmore Walk, Manchester, M11 2GP
1 Newtonmore Walk, Manchester, M11 2GP
24 Emily Beavan Close, Manchester, M11 2JY
22 Emily Beavan Close, Manchester, M11 2JY
20 Emily Beavan Close, Manchester, M11 2JY
18 Emily Beavan Close, Manchester, M11 2JY
16 Emily Beavan Close, Manchester, M11 2JY
25 Kincaig Close, Manchester, M11 2JP
21 Kincaig Close, Manchester, M11 2JP
19 Kincaig Close, Manchester, M11 2JP

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH2