

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126364/FO/2020

Date registered valid: 1 May 2020

Proposal: Change of use of vacant unit to indoor climbing centre (Use Class D2) for a temporary period of 3 years

Address: Dixylon House, Park Garage , Cheviot Street, Manchester, M3 1LW

Ward(s): Cheetham Ward

Applicant: Mr Thomas Stewart Rock Over Climbing 21 Leopold Avenue, Manchester, M20 1JL

Agent (if any):

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: j.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 28 May 2020

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 7 May 2020 Expired: 28 May 2020

Neighbour notifications

Printed: 7 May 2020 Expired: 28 May 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 seeks consent to extend the existing climbing centre facility into the adjoining unit referred to as Unit 2. The application is for a change of use only and no physical works would take place as part of this application. Therefore, the access arrangements into the unit remain the same via the neighbouring unit.

The proposal includes an increase in fulltime staff by 2 and part time staff by 3. The hours of operation are Monday - Friday 0900 - 2200, Saturday and Sunday 0900 - 2000 and Bank Holiday's 0900 - 2200 consistent with the existing operation.

The application relies on existing car parking provision for 20 vehicles including 2 disabled bays on Julie Street which the applicant has sole use. There would an increase of 30 cycle parking spaces increasing the overall amount to 65. This application is an extension of an existing use that has been in operation for a number of years and the details of the site are outlined below:

A previous application was approved for the removal of condition 10 associated with planning permission 108692/FO/2015/N1 to allow previous ancillary storage to be used in conjunction with the climbing centre that was approved under planning reference number 108692/FO/N1/2017.

The former application restricted Unit 3A (as described on the drawings, shall only be used for ancillary storage space to the Climbing Centre, and WC accommodation, as annotated on the

Proposed building layout plan, received 29/4/15. This proposal would increase the floor scape by 220sq metres, with an anticipated 20 more visitors per day.

The original consent relates to units 1 and 3 of the former Park Garage, Cheviot Street, Cheetham, and Rock Over Climbing, which is located within part of the ground and first floors of the former Clarence Hat Works, located at 45 Julia Street, adjoining the former Park Garage.

The former Clarence Hat Works is a historic mill building, and the former Park Garage is a more modern brick built building, attached to the former hat works. The premises are located in Strangeways, in the vicinity of HMP Manchester, and other commercial premises.

Planning Permission was granted in March 2010 for the Change of Use of part of the ground and first floors from wholesale cash and carry (sui generis) use to a climbing centre (Class D2 use) - 45-51 Julia Street Cheetham (092284). This permission was implemented five years ago, and Rock Over Climbing is successfully operating from the space.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted and no representations were received.

The Head of Environmental Health was consulted and made the following comments;

Environmental health have confirm that a fume extraction condition is not required as the kitchen facility is situated within the neighbouring unit and therefore, the kitchen facility does not form part of this proposal.

The hours of operation are considered to be acceptable given they are consistent with the existing facility.

An acoustic attenuation condition is not required in this instance as the applicant has confirm that there would be no music or amplified entertaining taking place at the premises.

Environmental health accept the waste management strategy however, still require some provision for pulvable waste and confirmation of the frequency of the waste containing collection. Therefore, an appropriate condition has been attached to the consent.

The Highways Team were consulted regarding the application and made the following comments;

The applicant suggests 80% will arrive by sustainable travel modes, an increase on the 70% modal split at present. Given the accessible location, Highways acknowledge that whilst this figure is optimistic, it is reasonable to suggest given the various public transport options available. In terms of trip generation, it is clear that expansion of the facility will increase parking demands on the highway surrounding the site however it is accepted that the additional trips associated with the site will not have a material impact on the operation of the local highway network.

In relation to parking it is understood there are currently space on-site to accommodate 32 vehicles and 30 cycles. In conjunction with this development, cycle parking will be increased to

65 spaces. This is welcomed from a Highways perspective. Highways question whether there is a Travel Plan for the site currently and should this be the case, appropriate amendments should be made to reference the expansion of the facility and to promote the use of sustainable modes.

It is unclear if coaches / minibuses will drop off / pick up at the site. Further commentary is required regarding the frequency and location of coach / minibus drop off / pick up, including swept path analysis to illustrate that all vehicle classes can safely access / egress the car park.

In response to the issues and queries raised by the highways team the applicant confirmed coaches and mini buses, the surrounding streets (Dutton Street and Julia St) are already used by the Arena for coach and mini bus parking and there are no issues with turning and parking. With regards the frequency of our customer coming by coach this is on average once a month for a school group and they currently use same location on Julia Street opposite 45 Julia Street as the Arena.

With regards travel plan, with each planning submission we have made since 2010 we have included in the access statement details of travel etc... We have updated this for this submission to indicate our positive promotion of sustainable travel and public transport.

The highways team confirmed that they accept the picking up and dropping off arrangements and have no objection in principle in lieu of the applicant's response. However, it is considered appropriate to attach a travel plan condition to consent to monitor the ongoing impact of the proposal in the area.

Greater Manchester Police were consulted and recommended that security measures be put in place to and an informative has been attached to the consent.

The Flood Management Team were consulted and made no objection to the proposal.

Re-Consultation.

A revised site edge red was submitted which included the associated car park to form part of the scheme, and a notice for individuals was served on the city council as land owner. No further issues were raised via representations made by statutory and non-statutory consultees as a result of the re consultation exercise.

Issues

Manchester's Local Development Framework: Core Strategy - 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.'

The following policies are relevant to the proposed development:

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of 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 and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. 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 DM 1 - Details a range of issues that require consideration when assessing development proposals. In this case particular consideration has been given to the following aspect of the development:

- a. Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation;
- b. Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes;
- c. Community safety and crime prevention;
- d. Design for health;
- e. Adequacy of internal accommodation and external amenity space;
- f. Refuse storage and collection;
- g. Vehicular access and car parking;
- h. Flood risk and drainage.

Policy EC 1 - Relates to employment and economic growth in Manchester and identifies the need to manage the provision of employment land within the city. It also identifies the need to ensure continued economic growth through a number of factors; the most pertinent to this application being:

- a. Improving access to jobs for all via public transport, walking and cycling;
- b. Measures to demonstrate that employment-generating development has fully considered opportunities to provide jobs for local people, through construction or use;
- c. Improving the portfolio of employment premises, by providing a range of employment sites and premises for small, medium and large businesses;
- d. Improving digital infrastructure delivery to businesses and residents;
- e. Ensuring the continued social, economic and environmental regeneration of the City.

Policy EN8 - Relates to adaptation to climate change and states that 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 EN 19 - Is a substantive policy dealing with the need to manage waste generated by new developments. In this case, the proposals relate to an existing use with established arrangement for waste management.

Policy T1 - Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport. The policy states that the Council will support proposals that, amongst other things:

- i. Improve choice by developing alternatives to the car;
- ii. 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;
- iii. Improve pedestrian routes and the pedestrian environment;
- iv. Reduce the negative impacts of road traffic, for example, congestion, air pollution and road accident casualties.

Furthermore, development should take account of the needs of road users according to a broad hierarchy consisting of (in the following priority):

- i. Pedestrians and disabled people;
- ii. Cyclists, public transport;
- iii. Commercial access;
- iv. General off peak traffic;
- v. General peak time traffic.

Saved Unitary Development Plan policies - The following policies are considered to be relevant:

Policy DC26.1 - The proximity of the site to residential uses has necessitated the consideration of the impact of noise, attributable to the development, on people living and working nearby. Policy DC26.1 is relevant in this regard.

Policy DC26.5 - In recognition of the noise potentially generated by the use, policy DC26.5 is referred to ensure the control of noise levels by requiring, where necessary, high levels of noise insulation in new development.

Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance - The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development we all want to see in Manchester.

National Planning Policy Framework - Sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

Principle of the Proposal

The use of the site and its associated activity is well established. Whilst the site is relatively secluded consideration is given to the amenity of occupiers of the surrounding buildings and the impact on car park provision in the area. The current operation in terms of the activity taking place and any wider impact this type of operation has not been detrimental to the area.

Policy CC10 identifies Economic Development Outside the City Centre. Sub Section 8.57 states, whilst the City Centre is the focus for the City's commercial activity, there are important locations for economic development beyond, including the remainder of the Regional Centre. Policies EC4-12 detail the strategy for economic development in these areas. This approach is based on the City's Strategic Regeneration Areas, but also includes the Strategic Locations which represent specific opportunities. The policies relating to Strategic Locations will provide the basis for more detailed proposals within a subsequent Development Plan Document, and will also provide a basis on which to consider planning applications.

submitted before the adoption of that document. The proposal is of a temporary nature and it is therefore considered not to undermine the wider development context.

The application site lies within the Great Ducie Street Framework and a temporary 3 year consent would be appropriate at this time, with a view to review the situation when it expires in 3 years' time.

Given the contained nature of the site, it is considered that the increase of floor space to create a climbing facility which is an increase to the facilities already offered by the climbing centre, would be satisfactorily related to Core Strategy policies SP1 and DM1 and Saved Policy DC26 from the Unitary development Plan for Manchester.

Activity around the site - It is considered that the level of additional use, and the hours of operation are acceptable within this commercial city fringe context, away from residential properties. The use will not detract from the economic base within the area established by saved policy CC10, as this is a commercial use, which does not conflict with, for example, wholesale trades, due to the commercial characteristics of the use, and provision for sustainable travel. The proposal would allow for additional 30 customers are anticipated daily, with staffing levels proposed to increase by 5. The proposed hours of operation are to remain as existing; 09:00 to 22:00 Monday to Friday (including bank holidays), and 09:00 to 20:00 Saturday and Sunday. 80% of customers that use the facility use public transport and the anticipated increase in visitor's numbers would not significantly have an impact on the existing car parking arrangements.

It is more likely that there would be a gradual increase in activity during the course of the day without having any apparently detrimentally impact on amenity. Again, satisfactorily related to Core Strategy policies SP1 and DM1 and saved UDP policies DC26.

In addition to the Policies outlined above. The proposal has been assess in relation to the use and any potential harm it may have on the vitality of the town centre.

The National Planning Policy Framework 7 Ensuring the vitality of town centres Sub Section 87 states, 'Planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period' and NPPF sub section 86 States, 'Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.' Sub Section 89. States, 'When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m).

The proposal to increase the capacity of an existing leisure use in this location is considered to be in accordance with the NPPF section 7 the Policy C9 of the Core Strategy for Manchester as the site is well connected to the town centre, and is under the threshold of (2,500 sq m) and would not therefore not require a sequential test or an Impact Assessment of the development.

Policy C 9

Out-of-centre development

Development of town centre uses in locations which are outside a centre identified in policy C1 or a strategic location identified for such uses will be inappropriate unless it can meet the following criteria:

The proposal would not have unacceptable impacts, either individually or cumulatively with recently completed and approved schemes and having regard to any allocations for town centre uses, on the vitality and viability of the City Centre and designated district and local centres.

The proposal is appropriate in terms of its scale and function to its location. Development that improves the environment of an existing out-of-centre facility or its relationship with surrounding uses will be supported, providing that it also meets the other criteria in this policy.

The proposal is considered to be in accordance with the Policy C9 'out of centre development' as the increase in capacity of visiting members of the public would not have an unacceptable impacts, on amenity in area nor would the use have a detrimental impact on the vitality and viability of the City Centre, and this proposal has been considered on its own merits.

Conclusion - It is not considered that the proposed increase in activity associated with the increase of floor space dedicated to the climbing facility would adversely affect amenity. There have been no reported difficulties in relation to comings and goings as a result of the activity taking place. The proposal is therefore considered to be appropriately related to Core Strategy policies SP1 and DM1 and saved UDP policies DC26.

Temporary Consent.

The application site lies within the Great Ducie Street Framework and a temporary 3 year consent would be appropriate at this time, with a view to review the situation when it expires in 3 years' time.

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 to seek solutions to problems arising in relation to dealing with the planning application. No such problems have arisen on this application.

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

1) The permission hereby granted is for temporary period only expiring on 28 May 2023. The use and any ancillary works comprising the development for which permission is hereby granted is required to be respectively removed and discontinued at the end of the said period and the land reinstated to its current use.

Reason - The development is of a temporary nature only and in the interest of residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

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

Proposed Floor Plan, stamped as received on the 28th February 2020,

Block Plan also indicating Refuse Collection Location ref: 004-001-006, stamped as received on the 9 March 2020,

The Access Statement and the Area Plan, stamped as received on the 28 February 2020,

The Waste Management Strategy, stamped as received on the 9 March 2020.

The Location Plan, stamped as received on the 1 May 2020.

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

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

Monday - Friday 0900 - 2200

Saturday and Sunday 0900 - 2000

Bank Holiday's 0900 - 2200

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

4) Notwithstanding details submitted in relation to the waste management strategy, stamped as received by the city council as local planning authority on the 9 March 2020, within one month from the first occupation of the premises the provision for handling pulvable waste material must be provided and details of the frequency of the collection of waste containers shall also be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development within one month

from when the agreed strategy has been approved and shall remain in situ whilst the use is in operation.

Reason - In the interests of residential and visual amenity, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

5) The scheme for cycle provision and storage shall be implemented in accordance with the submitted Plan numbered 004-001-005 1:500 Area Plan, stamped as received on the 28 February 2020. The details of the approved scheme shall be implemented prior to the first use of the development and shall remain in situ whilst the use or development is in operation.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core

6) A Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development
- ii) a commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority 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 to the school, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

7) The car park for 20 vehicles off Julia Street, as annotated on the location plan and within the Access Statement, received 28 February 2020, shall be made available for use prior to the first use of the extended Climbing Centre. The car parking spaces shall thereafter not be used for any other purpose than the parking of vehicles whilst the Climbing Centre is in use.

Reason - To ensure that there is access to the car parking spaces when the Climbing Centre is operational, pursuant to policies DM1 and T2 of Manchester's Core Strategy.

Informatives

0) Any new external fittings (i.e. shutters, windows or doors) should be certified to Secured by Design standards.

Any new glazing in external doors, ground floor or easily accessible windows should include at least one pane of laminated glass rated as P4A under EN 356.

If cash is to be kept within the property overnight then a time delay safe certified to LPS 1183 should be installed and kept within a secure room that is only accessible by the members of staff.

Any staff areas that are to be included within the property should be access controlled and restricted to members of staff only.

An intruder alarm should be installed with contacts on all external doors and with movement detectors in all ground floor rooms with windows. The alarm should be monitored by an appropriate body-

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
Environmental Health
MCC Flood Risk Management
Highway Services
Greater Manchester Police

Flat 27, Globe House, 30 Southall Street, Manchester, M3 1LP
Flat 26, Globe House, 30 Southall Street, Manchester, M3 1LP
Flat 25, Globe House, 30 Southall Street, Manchester, M3 1LP
Flat 24, Globe House, 30 Southall Street, Manchester, M3 1LP
Flat 23, Globe House, 30 Southall Street, Manchester, M3 1LP
Flat 22, Globe House, 30 Southall Street, Manchester, M3 1LP
Flat 21, Globe House, 30 Southall Street, Manchester, M3 1LP
Flat 13, Globe House, 30 Southall Street, Manchester, M3 1LP
Flat 12, Globe House, 30 Southall Street, Manchester, M3 1LP
Flat 11, Globe House, 30 Southall Street, Manchester, M3 1LP
Flat 10, Globe House, 30 Southall Street, Manchester, M3 1LP
Flat 9, Globe House, 30 Southall Street, Manchester, M3 1LP
Flat 8, Globe House, 30 Southall Street, Manchester, M3 1LP
Flat 7, Globe House, 30 Southall Street, Manchester, M3 1LP
Flat 6, Globe House, 30 Southall Street, Manchester, M3 1LP
Flat 5, Globe House, 30 Southall Street, Manchester, M3 1LP
Flat 4, Globe House, 30 Southall Street, Manchester, M3 1LP
Basement, 45 Julia Street, Manchester, M3 1LN
8 Cheviot Street, Manchester, M3 1LW
Unit 3, 1 Cheviot Street, Manchester, M3 1LW
Unit 2, 1 Cheviot Street, Manchester, M3 1LW
Unit 1, 1 Cheviot Street, Manchester, M3 1LW
First Floor, 45 Julia Street, Manchester, M3 1LN
1 Cheviot Street, Manchester, M3 1LW
First Floor Unit 2, 43 Carnarvon Street, Manchester, M3 1EZ
Ground Floor Unit 2, 43 Carnarvon Street, Manchester, M3 1EZ
Ground Floor, 47 - 49 Carnarvon Street, Manchester, M3 1LQ
First Floor, 47 - 49 Carnarvon Street, Manchester, M3 1LQ
Basement, 47 - 49 Carnarvon Street, Manchester, M3 1LQ
Ground Floor, 45 Julia Street, Manchester, M3 1LN
Ground Floor, 6 Cheviot Street, Manchester, M3 1LW
47 - 49 Carnarvon Street, Manchester, M3 1LQ
45 Julia Street, Manchester, M3 1LN
43 Carnarvon Street, Manchester, M3 1EZ
Unit 1, 43 Carnarvon Street, Manchester, M3 1EZ
45 Carnarvon Street, Manchester, M3 1EZ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Area Team Boundary - Name: NORTH1