

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142825/NMC/2025

Date registered valid: 28 April 2025

Proposal: Non Material Amendment to planning permission 140587/FO/2024 to remove the previous reference to 3 years from the application title and alter references to ancillary sports facilities

Address: Land At Peary Street, Manchester

Ward(s): Piccadilly Ward

Applicant: C/o Agent C/o Agent Social Sports Society

Agent (if any): Mr Tom Leigh JMS Planning & Development Ltd

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 06/05/2025

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The site relates to a 0.51ha area of hardstanding off Rochdale Road. It is bounded by Bilbrook Street to the west, Burstock Street to the north and Peary Street to the east. It was formerly the site of a large police station. It mainly comprises unfinished concrete and low-quality shrubbery.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area relates to a stretch of road just north east of Manchester's City Centre, which lies between Collyhurst and the Green Quarter. The area is relatively undeveloped, with uses comprising light industrial, storage, car parking with some residential and retail. The area is due to undergo significant change in coming years, with many sites - including that subject to this application - identified for redevelopment in the Northern Gateway SRF. Structures in the area are currently low-rise and utilitarian in nature and there is little of aesthetic value in the area.

Description of development

The application proposes to change the description to Temporary permission for the installation of padel courts and ancillary sports facilities; the erection of canopies; the installation of containers to include ancillary food and beverage use, toilets, changing facilities, and reception area; and the inclusion of car and cycle parking, outdoor seating / recreation area, refuse area, lighting, and associated infrastructure.

Consultations & Notification Responses

No publicity has been produced, nor any consultations have been made, as the application is for a non-material amendment.

Issues

The applicant is seeking to alter the proposed plans and temporary time period of planning permission reference 140587/FO/2024 through a section 73 application to vary the approved plans and the condition which limits the period of the permission to three years. In order to do so, the description of development for the original permission must be altered to remove explicit references to the sports facilities that the applicant is seeking to omit together with the three-year temporary period originally granted.

Therefore, it is proposed to change the description of development to Temporary permission for the installation of padel courts and ancillary sports facilities; the erection of canopies; the installation of containers to include ancillary food and beverage use, toilets, changing facilities, and reception area; and the inclusion of car and cycle parking, outdoor seating / recreation area, refuse area, lighting, and associated infrastructure

This change to the description is considered to be non-material in nature. The description continues to reflect the currently approved facilities, together with the temporary nature of the development. The new layout sought by the applicant would be material but these matters are to be considered through a separate section 73 application. Any change to the length of the temporary period would not alter the physical manifestation of the development itself and the temporary nature of the development would continue to be clear from the description of the development.

The change in description is necessary to facilitate the submission of a section 73 application which would allow for any material matters to be fully considered and consulted upon. Given the above, the change to the description is considered to be acceptable and recommended for approval.

Other Legislative Requirements Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and

owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Condition(s) to be attached to decision for approval

1) Reason 1: Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority. The City Council is satisfied that the proposed changes will have no material impact upon the previously approved scheme and the works will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development.

2) The Applicant requires the description of development to no longer have reference to the temporary time period and certain specific sporting facilities (multi-use courts, and boule/pétanque courts), to allow for the possibility that the temporary period could be extended and the approved layout could be changed through a separate section 73 application to vary conditions attached to 140587/FO/2024. For the avoidance of doubt, the acceptability of the non-material amendment sought under 142825/NMC/2025 does not imply support for any changes sought under a future section 73 application.

This will have the effect of amending the description of development to the following:

Temporary permission for the installation of padel courts and ancillary sports facilities; the erection of canopies; the installation of containers to include ancillary food and beverage use, toilets, changing facilities, and reception area; and the inclusion of car and cycle parking, outdoor seating / recreation area, refuse area, lighting, and associated infrastructure

Appendix 1 – List of consultees & neighbours notified

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(c) To C3

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: CENTRAL