



Build Studios, London, SE1 7FR

Michael Pearson
Manchester City Council
Planning Department
Town Hall
Albert Square
Manchester
M60 2LA

24th June 2025

Dear Michael,

Application Submitted Under Section 73 of the Town and Country Planning Act 1990 to vary Conditions 1, 2, 4, 6, 7, 8, 10, 12, 14, 15, 17 and 21 of Planning Application Ref: 140587/FO/2024 for the *"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 (Description amended via 142825/NMC/2025)"* at Land At Peary Street, Manchester.

I act on behalf of Social Sports Society (S3) and I am instructed to submit to your authority an application under Section 73 of the Town and Country Planning Act 1990 in relation to the above site which is intended to facilitate changes to the extant permission following a detailed design review by S3 as the proposed operator.

The application has been submitted and paid for via the Planning Portal (Ref: PP-14112045).

Further detail is provided below, however, a summary of the conditions relevant to this application, along with the proposed amendments, is as follows:

Vary

- Condition 1
- Condition 2
- Condition 4
- Condition 6
- Condition 10
- Condition 14
- Condition 15(a)
- Condition 17

- Condition 21

Remove

- Condition 7
- Condition 8
- Condition 12(b)
- Condition 15(b)

Recent Site History

Permission (140587/FO/2024) was granted at the application site in September 2024 for the *“Temporary permission for three years for the installation of padel courts, multi-use courts, and boule/pétanque courts; the erection of canopies; the installation of containers to include ancillary food and beverage use, portaloos, and reception area; and the inclusion of car and cycle parking, outdoor seating area, refuse area, lighting, and associated infrastructure.”*

In May 2025, an NMA (142825/NMC/2025) was approved which amended 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”*

The NMA removed the reference to the three-year temporary period and excluded certain elements of the originally approved design - such as the multi-use games area and boule/pétanque courts - which are not included in the revised proposal now submitted under this Section 73 application.

Proposed Amendments

Condition 1

Following the approval of the Non-Material Amendment in May 2025 to remove reference to the number of consented years from the description of development, this application seeks to extend the temporary period by an additional 2 years.

Condition 1 reads:

“The permission hereby granted is for a limited period only, expiring on 17/09/2027”

The proposed wording is:

“The permission hereby granted is for a limited period only, expiring on 17/09/2029”

Condition 2

Similarly, Condition 2 should be updated to reflect the revised temporary permission period.

Condition 2 reads:

"The use hereby permitted shall be discontinued no later than the 17/09/2027 and the works and structures comprising the development are required to be removed no later than one month from the use ceasing."

The proposed wording is:

"The use hereby permitted shall be discontinued no later than the 17/09/2029 and the works and structures comprising the development are required to be removed no later than one month from the use ceasing."

Condition 4

Condition 4 sets out the approved drawings and documents. This S73 application seeks to amend the approved layout and therefore the approved drawings / documents should be amended in line with the below:

- ~~Drawing - Site Plan Proposed Block Plan 100.03 P2~~ Drawing - Site Location / Block Plan P1.01.B
- ~~Drawing - Site Plan Proposed Block Plan 100.03 P2~~ Drawing - Proposed Site Plan P2.01.B
- ~~Drawing - Proposed Access Strategy 200.30 P4~~ Drawing - Proposed Access Strategy P3.01.B
- ~~Drawing - Proposed Canopy Roof Plan 200.05 P5~~ Drawing - Proposed Canopy Plan P4.01.B
- ~~Drawing - Proposed Detail drawing 200.10 P5~~ Drawing - Boundary Treatment Plan P5.01.B
- ~~Drawing - Proposed Refuse Strategy 200.20 P3~~ Drawing - Refuse Strategy P6.01.B
- ~~Drawing - Proposed Elevations AA & BB 300.00 P2~~ Drawing - Sections AA & BB P7.01.B
- ~~Drawing - Proposed Typical Container Unit 300.11 P1~~ Drawing - Typical Reception & F&B P8.01.B
- ~~Drawing - Proposed Typical Welfare Unit 300.12 P1~~ Drawing - Typical Welfare Container Unit P9.01.B
- ~~Drawing - Proposed Typical Canopy Elevations 300.10 P0~~ Drawing - Typical Canopy Elevation P10.01.B
- ~~Drawing - Proposed Typical Cycle Storage 300.13 P2~~ Drawing - Typical Cycle Storage P11.01.B
- ~~Drawing - Proposed Elevations CC & DD 300.01 P2~~ Drawing - Sections CC & DD P12.01.B
- ~~Drawing - Proposed External Lighting Layout External Lighting Layout Overlay LUX level WECE / PEARY STREET / E / 02 Rev P1~~ Residential Receptor Location Plan SK-01

- ~~Drawing - Proposed External Lighting Layout External Lighting Layout WECE / PEARY STREET / E / O1 Rev P2 Assessed Scheme of Lighting SK-02~~
- ~~Supporting Information EXTERNAL LIGHTING STRATEGY Light Spill SK-03~~
- ~~Noise assessment or information 18397-NIA-01 REV D NOISE IMPACT ASSESSMENT Noise Impact Assessment - 18397-NIA-01 RevE~~

Condition 6

Condition 6 sets out the requirement for a Surface Water Drainage Scheme to be submitted to the Local Authority for review. Due to the temporary nature of the scheme applicant is seeking to vary the condition to consider surface water network performance for up to the 30yr event as opposed to the existing 100yr event.

The strategy for the proposal is to minimise breaking through the existing hardstanding and building ground level upwards only, therefore the applicant requests that the requirement for BRE 365 testing also be omitted. Whilst it is possible that a 100yr storm event could occur the impact of this would not differ greatly from the existing undeveloped site.

Condition 7

Condition 7 imposes a requirement for a SuDS Verification Report to be submitted prior to first occupation. Whilst it is understandable for a SuDS Verification Report to be requested on most schemes, due to the temporary nature of the scheme, and the approach to match existing rates of discharge, the Applicant is requesting this condition be removed in this case.

Condition 8

Condition 8 requires a watching brief to be undertaken for any unexpected contamination during the construction works.

It is understood that the reasoning for this Condition being attached originally was to support the removal of a small area of soil to allow for construction of a Padel Court. With the revised layout, this area now will remain untouched and therefore it is considered the need for a watching brief is unnecessary. The Applicant therefore seeks to remove Condition 8.

Condition 10

As part of this submission, a Construction Management Plan has been prepared as required by Condition 10. Subject to its acceptability, it is requested that the trigger for this Condition be changed to “*compliance*” as opposed to “*prior to commencement*” of development.

Condition 10 reads:

“Prior to the commencement of the development hereby approved, a detailed

construction management plan shall be submitted to and approved in writing by the City Council, as Local Planning Authority. This shall include the following:

- *The quantification /classification of vehicular activity associated with planned construction/container placement*
- *Details of any traffic management required to facilitate site set-up*
- *A dilapidation survey should also be provided*

The approved details shall be implemented as part of the development.

The applicant/contractor must liaise with Highways Network Management prior to commencement and during construction works as surrounding plots are/will be subject to ongoing construction works. The applicant should also note that prior agreement/permits will be required for any traffic management measures, temporary access works, hoarding / scaffolding and skips. ”

The proposed wording is:

“The development should be carried out in accordance with the construction management plan dated June 2025 which outlines working practices during development.”

Condition 12

Condition 12 (b) requires the technical specifications of the multi-use games areas to be submitted to the City Council prior to the commencement of development. This revised scheme removes the multi-use games areas from the site. It is therefore considered that part (b) of Condition 12 is no longer relevant and should subsequently be removed.

Condition 14

Condition 14 is a compliance condition ensuring the development is carried out in accordance with the approved Noise Impact Assessment. Given this submission includes an amended Noise Impact Assessment the wording of the condition should be amended to reflect the latest assessment.

Condition 14 currently reads:

“The development hereby approved shall be carried out in accordance with the approved noise impact assessment (Noise assessment or information 18397-NIA-01 REV D NOISE IMPACT ASSESSMENT received by the City Council, as Local Planning Authority, on 23/07/2024).

The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation. ”

The proposed wording is:

“The development hereby approved shall be carried out in accordance with the approved noise impact assessment (Noise Impact Assessment 18397-NIA-01 RevE received by the City Council, as Local Planning Authority, in June 2025).

The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.”

Condition 15

Condition 15 (a) is a compliance condition which makes reference to the approved lighting scheme.

Condition 15 (a) currently reads:

“The development hereby approved shall be carried out in accordance with the approved lighting scheme (Supporting Information EXTERNAL LIGHTING STRATEGY; Drawing - Proposed WECE/PEARY STREET/E/01 P2 ELECTRICAL SERVICES EXTERNAL LIGHTING LAYOUT; Drawing - Proposed WECE/PEARY STREET/E/02 P1 ELECTRICAL SERVICES EXTERNAL LIGHTING LAYOUT OVERLAY LUX LEVELS received by the City Council, as Local Planning Authority, on 23/07/2024). The approved details shall be implemented as part of the development.”

The proposed wording replaces reference to the previously approved lighting scheme with the newly proposed scheme:

“The development hereby approved shall be carried out in accordance with the approved lighting scheme (Supporting Information Residential Receptor Location Plan SK-01, Assessed Scheme of Lighting SK-02, and Light Spill SK-03 received by the City Council, as Local Planning Authority, on 23/07/2024). The approved details shall be implemented as part of the development.”

Condition 15(b) is a pre-occupation condition requiring a lighting verification report. It is considered that the above compliance condition is suitable to deal with any instances of non-compliance and therefore the applicant requests part (b) is removed from Condition 15.

Condition 17

Condition 17 is a compliance condition ensuring the provision of cycle storage is carried out in accordance with the approved details and in place prior to the first use of the development and retained in situ.

Condition 17 currently reads:

“The cycle provision shall be carried out in accordance with the approved details (Drawing - Proposed 23.0050 300.13 REV P2 TYPICAL CYCLE STORAGE; Drawing - Site Plan 23.0050 200.00 P9 SITE PLAN received by the City Council, as Local

Planning Authority, on 23/07/2024) and be in place prior to the first use of the development hereby approved and thereafter retained and maintained in situ. "

To make reference to the revised scheme, the proposed wording is:

"The cycle provision shall be carried out in accordance with the approved details (Proposed Site Plan P2.01.B and Typical Cycle Storage P11.01.B received by the City Council, as Local Planning Authority, in June 2025) and be in place prior to the first use of the development hereby approved and thereafter retained and maintained in situ. "

Condition 21

Condition 21 is a compliance condition ensuring the boundary treatment is installed in accordance with the approved details and shall remain in place for the lifetime of the development.

Condition 21 currently reads:

"Boundary treatment shall be installed in accordance with the approved drawing (Drawing - Proposed Detail drawing 200.10 P5 received by the City Council, as Local Planning Authority, on 23/07/2024). The approved boundary treatment shall remain in place for the lifetime of the development. "

The proposed amendment is:

"Boundary treatment shall be installed in accordance with the approved drawing (Proposed Site Plan P2.01.B and Boundary Treatment Plan P5.01.B received by the City Council, as Local Planning Authority, in June 2025). The approved boundary treatment shall remain in place for the lifetime of the development. "

Overall, the proposed variations and removals of the respective conditions, following a detailed design review by S3 as the proposed operator, are considered entirely reasonable and should therefore be allowed.

Should you have any queries regarding the above or any other matter relating to this application please contact me on [REDACTED]

Yours sincerely



Tom Leigh
JMS Planning & Development