MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/25/0417
Date registered valid:	2 May 2025
Proposal:	Discharge of conditions 1 (time), 2 (approved plans), 3 (electric vehicle charging), 4 (car parking), 5 (cycle storage), 6 (waste management), 7 (community use agreement), 8 (planters) and 9 (hours of operation) from planning approval reference 141847/FO/2025
Address:	Unit 9 Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT
Ward(s):	Ardwick Ward
Applicant:	Mr Khalid Aldarragi, Apex Padel Clubs
Agent (if any):	
Case officer:	Sue Wills Tel: 0161 234 4524 Email: sue.wills@manchester.gov.uk
Recommendation:	Split decision
Date of recommendation:	**16th July 2025**

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:
Printed: 14 May 2025 Expired: 5 June 2025

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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Highway Services – In regard to Condition 3 (Electric Vehicle Charging Points) plan 'Proposed Out Site Layout /Rev P01' details the proposed electric vehicle charging point. The information is sufficient to allow them to recommend the discharge of part a of the condition from a Highways perspective.

In regard to Condition 4 (Car Parking) plan 'Proposed Out Site Layout /Rev P01' details the car parking arrangements and specifications. The information is sufficient to allow them to recommend the discharge of part a of the condition from a Highways perspective.

In regard to Condition 5 (Cycle Storage) plan Proposed Out Site Layout /Rev P01' details the cycle store location and the Cover Letter provides specification details. The information is sufficient to allow them to recommend the discharge of part a of the condition from a Highways perspective.

In regard to Condition 6 (Waste Management) plan 'Proposed Out Site Layout /Rev P01' details bin store location and waste vehicle routing. A Waste Proforma has been provided detailing waste arrangements. The information is sufficient to allow them to recommend the discharge of part a of the condition from a Highways perspective.

Environmental Heath – 06.06.2025.
Condition 6 can be discharged.

No information has been submitted for condition 9 and so this cannot be discharged.

Condition 3 cannot be discharged as there is an insufficient number of EV charge points at the development. The applicant should refer to our planning and air quality guidance for additional information on the requirements.

Manchester Active – 20.05.2025 Advised that they were working with the applicant to prepare the CUA and it will be submitted once it has been finalised.
Forwarded a copy of the finalised (but unsigned) Community Access Agreement on 7th July 2025.

The applicant on 15th July 2025 confirmed that that CUA which had been forwarded by M/CR Active to the LPA was the latest version and that they were happy with the content of the agreement.

Sport England – No comments received.

Issues

On balance given temporary nature of approval and EV provided, EV accepted.

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 polices 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: Split decision

Article 35 Declaration

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

Condition no. 1 (timeframe)

1)Condition no 1 is a compliance condition, which requires that the permission hereby granted is for a limited period only, expiring on 30th April 2028; and the works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued. On this basis condition no.1 cannot be discharged at this time

Condition no.2 (approved plans)

2) Condition no. 2 is a compliance condition, which requires that the development is carried out in accordance with the following drawings and documents:
Transport Statement ref: 599-24-1 dated 23.12.2024 (notwithstanding proposed parking layout in appendix B)
Received 7th January 2025

Location plan (site edged red) received 16th January 2025.

Parking layout and Design and Access Statement rev. P01(notwithstanding number of courts indicated) dated 21st February 2025.
Received 21st February 2025.

Proposed Courts - GF Ground Floor (1) , GF Ground floor (2) plan ref: CTS-A-4409;
Proposed Courts - Long Section double court, short elevation double courts, short elevation single court plan ref: CTS-A-4410;
Padel Court document ref: 4401-P-03 (including Proposed courts - GF Ground floor , RF Eaves level (1) plan ref CTS-A - 4406 P-03; Proposed front elevation , right side elevation , plan ref: CTS-A-4407 P-03)
3D visual images
Letter from Landlord dated 19th December 2024
Vaughan Street Padel Project Manchester document
Received 10th March 2025

Agent email confirming 3 year temporary permission dated 12th March 2025.

Lawn Tennis Association letter dated 27th March 2025.
Applicant's email dated 1st April 2025 confirming the indoor padel courts will fully comply with the SAPCA Code of Practice for the Construction of Padel Courts, and providing specifications of the courts, and lighting.

Lighting information dated 19.01.2023; court specifications and plan refs. Padel Alba S.L. 00 Padel Alba S.L. 01; Padel Alba S.L. 02 and Padel Alba S.L. 03.
Mondo artificial turf specification
Received 1st April 2025.

Proposed site plan/ parking plan ref: CTS-A - 4408 P-03 received 9th April 2025 (notwithstanding EV location).

On this basis condition no.2 cannot be discharged at this time

Condition no.3a (electric vehicle charging)

3a) The details in relating to the Electric Vehicle Charger in the supporting information for discharge of conditions document, in the location shown on the Proposed site layout ref: 100 P01, is considered to be acceptable on the basis of the duration of the permission granted. On this basis condition no.3a is discharged.

Condition no.4 (car parking)

4) It is noted that the car parking indicated on the Proposed site layout plan ref: 100 P01 has been revised slightly to relocate the 2 spaces for disabled users, and the addition of one space from the originally approved plan ref: CTS-A - 4408 P-03. On the basis that the car parking area is surfaced, demarcated and made available for use prior to the Padel Tennis Centre being brought in to use, condition no.4 is discharged.

Condition no.5 (cycle storage)

5) The specifications related to cycle storage in the supporting information for discharge of conditions document has been considered in conjunction with the location and cycle shelter design shown on plan ref: Proposed site layout ref: 100 P01. On the basis that the cycle storage arrangements detailed above are implemented in full before the use commences and remain in situ whilst the use is in operation, condition no.5 is discharged.

Condition no.6 (waste management)

6) The details of waste storage in the supporting information for discharge of conditions document has been considered in conjunction with the location and bin store design shown on plan ref: Proposed site layout ref: 100 P01, and the completed waste management proforma. On the basis that the waste storage arrangements detailed above are implemented in full before the use commences and remain in situ whilst the use is in operation, condition no.6 is discharged.

Condition no.7 (community use agreement)

7) The content of the Community Use Agreement (dated 05.06.2025) received on 7th July 2025 at 1:07pm has been reviewed. On the basis that the development is not be used otherwise than in strict compliance with the approved agreement and for the duration of the development, condition no.7 is discharged.

Condition no. 8 (planter)
8)The details of the planter received on 7th July 2025, has been considered in conjunction with the area delineated for the provision for planters on Proposed site layout ref: 100 P01, and the details related to condition no.8 in the supporting information for discharge of conditions document. On the basis that the arrangements detailed above are implemented in accordance with the approved scheme, within 6 months of the development being brought into use, and be retained thereafter, condition no.8 is discharged.

Condition no. 9 (hours of operation)

9) Condition no 9 is a compliance condition, which requires that the Padel Tennis Centre shall not be open outside the following hours:-
Mondays to Sundays 06:00 to 24:00 (Midnight).

On this basis condition no.9 cannot be discharged at this time

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCR Active
Sport England

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA