MANCHESTER CITY COUNCIL

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant	Agent (if used)
Mr Khalid Aldarragi Apex Padel Clubs Ltd and LSZ Investment Ltd Piccadilly Business Centre Aldow Enterprise Park Manchester M12 6AE	Mrs Hannah Moorhouse Constructive Thinking Studio Ltd Constructive Thinking Studio Ltd 131 Mount Pleasant Liverpool L3 5TF

Part 1 – Particulars of the application/development

Proposal: Temporary permission for the installation of 11 padel courts; inclusion of a reception area facility and ancillary beverage use, car and cycle parking, internal lighting and associated infrastructure

Location: Unit 9, Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT

Date of application: 16 January 2025

Application number: 141847/FO/2025

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. The original submission raised initial concerns about cycle parking, the provision of an electric vehicle charging point and the provision of an out of centre sports facility. These matters have been satisfactorily resolved, and the appropriate conditions have been attached.

Condition(s) attached to this decision

1) 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.

Reason - In the interests of amenity and as the proposals are for a temporary period only pursuant to policies DM1 of the Manchester Core Strategy (2012).

2) The development hereby approved shall be 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).

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 (2012).

3) a) Notwithstanding the location shown on Proposed site plan/ parking plan ref: CTS-A - 4408 P-03 received 9th April 2025, finalised details of the location and specifications of the electric vehicle charging point shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use is in operation.

Reason - To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy (2012).

4) The car parking indicated on the Proposed site plan/ parking plan ref: CTS-A - 4408 P-03 received 9th April 2025, shall be surfaced, demarcated and made available for use prior to the Padel Tennis Centre being brought in to use. The car parking shall then be available at all times whilst the Padel Tennis Centre is operational and be retained thereafter.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to Policies T2, SP1 and DM1 of the Manchester Core Strategy (2012).

5) Notwithstanding the location shown on Proposed site plan/ parking plan ref: CTS-A - 4408 P-03 received 9th April 2025, finalised details of the location and specifications of the cycle storage arrangements shall be submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences, and remain in situ whilst the use 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, T2, EN6 and DM1 of the Manchester Core Strategy (2012) and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

6) a) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.
New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) 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.

Reason - In the interests of amenity and public health, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy (2012).

7) Prior to first use of the development a Community Use Agreement shall be submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the Padel Courts and associated ancillary facilities that support the use of the Padel Courts, and include details of pricing policy, hours of use, access by Manchester's priority groups, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement and for the duration of the development.

Reason- To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport, pursuant to policy EN10 of the Manchester Core Strategy (2012).

8) Prior to the use being operational, finalised details of the location and design of the planters (including planting) referenced in the Design and Access Statement (section 5) shall be submitted to and approved in writing by the City Council as local planning authority . The development shall be implemented in accordance with the approved scheme, within 6 months of the development being brought into use, and be retained thereafter.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy (2012).

9) The Padel Tennis Centre shall not be open outside the following hours:-
Mondays to Sundays 06:00 to 24:00 (Midnight).

Reason - In interests of 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 Manchester Core Strategy (2012).

Informatives

Building Regulations 2010
This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements
Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:
http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Mining Information
The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Mining Remediation Authority.

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004) Email -highwaylicences@manchester.gov.uk.

Guidance on preparing Community Use Agreements is available from Manchester Active https://mcractive.com/contact/

Guidance on preparing Community Use Agreements is also available from Sport England. http://www.sportengland.org/planningapplications/ For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.

Network Rail Advice is set out below.

Measurements to railway tracks and railway boundary
When designing proposals, the developer and council are advised, that any measurements must be taken from the operational railway / Network Rail boundary and not from the railway tracks themselves. From the existing railway tracks to the Network Rail boundary, the land will include critical infrastructure (e.g. cables, signals, overhead lines, communication equipment etc) and boundary treatments (including support zones, vegetation) which might be adversely impacted by outside party proposals unless the necessary asset protection measures are undertaken. No proposal should increase Network Rail's liability. To ensure the safe operation and integrity of the railway, Network Rail issues advice on planning applications and requests conditions to protect the railway and its boundary.

Obligations
Properties adjoining or in the vicinity of the railway are frequently the subject of obligations, rights, exceptions and reservations for the benefit of Network Rail's land and railway. The applicant must review the title to their property to see whether any such obligations etc exist and ensure that there is no non-compliance or breaches of them or any interference with or obstruction of Network Rail's rights and reservations. If the proposed development would not comply with or would breach any of the terms of the conveyance, the developer must revise his proposals.

RAMS
The developer is to submit directly to Network Rail asset protection, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Builder to ensure that no dust or debris is allowed to contaminate Network Rail land as the outside party would be liable for any clean-up costs. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer.

Fail Safe Use of Crane and Plant
All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of

falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of
overhead electrical equipment or supports. With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by Network Rail prior to implementation.

Please see links to guidance for tower crane and mobile cranes adjacent to the railway to be flagged up to the developer/applicant.

https://www.cpa.uk.net/downloads/80/CPA-CIG-Mobile-Cranes-Alongside-Railways-181201.pdf

https://www.cpa.uk.net/safety-and-technical-publications/tower-crane-guidance

Encroachment
The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail land and its infrastructure or undermine or damage or adversely affect any railway land and structures.
o There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land or under the Network Rail boundary.
o All buildings and structures on site including all foundations / fencing foundations must be constructed wholly within the applicant's land ownership footprint.
o Buildings, windows and structures must not over-sail Network Rail air-space/boundary.
o Any future maintenance must be conducted solely within the applicant's land ownership.
o Rainwater goods must not discharge towards or over the railway boundary
o Should the applicant require access to Network Rail land to facilitate their proposal they would need to approach the Network Rail Asset Protection Team at least 20 weeks before any works are due to commence on site. The applicant would be liable for all costs incurred in facilitating the proposal and an asset protection agreement may be necessary to undertake works. Network Rail reserves the right to refuse any works by an outside party that may adversely impact its land and infrastructure.
o Any unauthorised access to Network Rail air-space or land will be deemed an act of trespass.

Lighting
To ensure the ongoing safety of the operational railway the applicant's lighting design must demonstrate no overspill of light onto Network Rail land. Lighting close to or adjacent to the railway boundary must not impact train driver's ability to perceive signals and therefore all column lighting is recommended to be:
o White LED
o Flat bottom luminaires
o Downlit throw lighting
o Lighting to be directed away from the railway boundary

Scaffolding

Scaffolding which is to be constructed within 10 metres of the Network Rail / railway boundary must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffolding must be installed. The applicant / applicant's contractor must consider if they can undertake the works and associated scaffolding / access for working at height within the footprint of their land ownership boundary. The applicant is reminded that when pole(s) are erected for construction or maintenance works, they must have a minimum 3m failsafe zone between the maximum height of the pole(s) and the railway boundary.
This is to ensure that the safety of the railway is preserved, and that scaffolding does not:

- Fall into the path of on-coming trains
- Fall onto and damage critical and safety related lineside equipment and infrastructure
- Fall onto overhead lines bringing them down, resulting in serious safety issues (this is applicable if the proposal is above the railway and where the line is electrified).

Drainage proposals and Network Rail land
The applicant must ensure that the proposal drainage does not increase Network Rail's liability, or cause flooding pollution or soil slippage, vegetation or boundary issues on railway land. Therefore, the proposed drainage on site will include the following:

- All surface waters and foul waters must drain away from the direction of the railway boundary.
- Soakaways for the proposal must be placed at least 30m from the railway boundary.
- Any drainage proposals for less than 30m from the railway boundary must ensure that surface and foul waters are carried from site in closed sealed pipe systems.

Excavation and Earthworks and Network Rail land:
The applicant will agree all excavation and earthworks within 10m of the railway boundary with Network Rail. Network Rail will need to review and agree the works to determine if they impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway. Network Rail would need to agree the following:

- Alterations to ground levels
- De-watering works
- Ground stabilisation works
- Works to retaining walls
- Construction and temporary works
- Maintenance of retaining walls
- Ground investigation works must not be undertaken unless agreed with Network Rail.
- Confirmation of retaining wall works (either Network Rail and/or the applicant). Prior to the commencement of works on site the applicant must confirm with Network Rail if there are any retaining walls/structures and the applicant must interface with Network Rail to ensure that no retaining structures are impacted on a permanent basis by their proposal.
- Alterations in loading within 15m of the railway boundary must be agreed with Network Rail.
- For works next to a cutting or at the toe of an embankment the developer / applicant would be required to undertake a slope stability review.

Network Rail would need to re view and agree the methods of construction works on site to ensure that there is no impact upon critical railway infrastructure. No excavation works are to commence without agreement from Network Rail. The council are advised that the impact of outside party excavation and earthworks can be different depending

on the geography and soil in the area. The council and developer are also advised that support zones for railway infrastructure may extend beyond the railway boundary and into the proposal area. Therefore, consultation with Network Rail is requested. Any right of support must be maintained by the developer.

Boundary treatments
Any structures on the applicant's land which runs seamlessly into a section of Network Rail infrastructure will require Network Rail agreement/comments and interface/supervision to ensure that there is no impact to or increase in risk to Network Rail assets.

Access to Railway
All roads, paths or ways providing access to any part of the railway undertaker's land both temporary and permanent, must remain open and unblocked (24/7, 365 - around the clock) both during construction works and as a permanent arrangement.
The proposal must not encroach onto any Network Rail access road, paths or ways of access to any part of Network Rail land. This also includes emergency vehicle's ability to access and exit Network Rail land.
The proposal construction works must not prevent Network Rail from accessing its land.

3m Gap
Network Rail REQUIRES that the developer includes a minimum 3 metres gap between the buildings and structures on site and the railway boundary. Less than 3m from the railway boundary to the edge of structures could result in construction and future maintenance works being undertaken on Network Rail land, and close to the railway boundary potentially impacting support zones or lineside cabling. All the works undertaken to facilitate the design and layout of the proposal should be undertaken wholly within the applicant's land ownership footprint including all foundation works. Network Rail requires a minimum 3m easement between structures on site and the railway boundary to ensure that we can maintain and renew our boundary treatments. No part of the structure should over-sail the railway boundary or discharge rainwater goods onto or toward the railway boundary.

Trees
Proposals for the site should take into account the recommendations of, 'BS 5837:2012 Trees in Relation to Design, Demolition and Construction', which needs to be applied to prevent long term damage to the health of trees on Network Rail land so that they do not become a risk to members of the public in the future.

Parking / Hard Standing Area
As the proposal calls for the following adjacent to the boundary with the operational railway running parallel to the operational railway or where the existing operational railway is below the height of the proposal site:

- hard standing areas
- turning circles
- roads, public highways to facilitate access and egress from developments

Network Rail requests the installation of suitable high kerbs or crash barriers (e.g. Armco Safety Barriers).

This is to prevent vehicle incursion from the proposal area impacting upon the safe operation of the railway.

BAPA (Basic Asset Protection Agreement) formal railway interface
As the proposal includes works which could impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent.

Date: 11 April 2025

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/appeal-planning-decision The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority of the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Mining Remediation Authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Standing Advice valid from 1st January 2025 until 31st December 2026