MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141120/JO/2024
Date registered valid:	30 September 2024
Proposal:	Variation of Condition 10 (opening hours) to planning permission 123326/FO/2019 to enable opening from 6am.
Address:	Unit 1 Wood Street , Manchester, M11 2FB
Ward(s):	Clayton & Openshaw Ward
Applicant:	Richard Wainwright, Blochaus Climbing Ltd
Agent (if any):	Jeff Atkins, Jeff Atkins Architect
Case officer:	Ellie Knowles Tel: 0161 219 6633 Email: ellie.knowles@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**20 November 2024**

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Other

Date of site visit: 20 November 2024

Standard consultations:
Printed: 7 October 2024 Expired: 28 October 2024

Neighbour notifications
Printed: 7 October 2024 Expired: 28 October 2024

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/area

This planning application relates to one of three (unit 1) warehouse buildings located in a site enclosed with palisade fencing and bounded by Parkhouse Street (North), Bartlett Street (East), South Street (South) and Wood Street (West). Each unit presents its entrance to an integral car park and the Wood Street boundary beyond. The application property is the end unit positioned adjacent to the South Street boundary. The property is currently used as a Climbing Centre with café (Class E), which was permitted under plan ref 123326/FO/2019. The neighbouring units (2 & 3) are in used for commercial purposes.

The application building comprises of a high-level roof. Externally the building comprises of a pitched roof that would be partially screened by 2 sections of brickwork rising to form a parapet positioned to each side of the central pitched roof feature with a light grey metal profile cladding feature. The brickwork and cladding details are replicated to the southern and eastern elevations. The principal elevation comprises a curtain wall system to the former roller shutter bay, windows and canopied pedestrian entrance to the building.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Applicant is seeking to vary condition no. 10 (opening hours) attached to planning permission 123326/FO/2019 to allow the premises to open:

- Monday to Friday - 6am to 10pm
- Saturday, Sunday and Bank Holiday - 8am to 9pm

Consultations & Notification Responses

Local responses
None

Consultee responses

Highway Services – No objections.

Environmental Health – No objections, on the basis that no externally mounted ancillary plant, equipment and servicing are to be operated.

Relevant Planning History

At the application site –

123326/FO/2019 – Change of use of building (Class B8 storage and distribution) to a climbing and activity centre and training / exercise studio with ancillary cafe, car parking and new pedestrian access gate to South Street and elevational alterations including a glazing panel to the east elevation. Approved 02.10.2019.

Condition 10 of this permission stated:

The premises shall not be open outside the following hours:

Monday to Sunday, including Bank Holidays: 10.00 am to 10.00 pm.

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 for the City of Manchester.

It is acknowledged that conditions 7, 8 and 12 of permission ref 123326/FO/2019 have not yet been formally discharged, therefore these remain to be discharged by the applicant.

History of negotiations

No negotiations were entered into with the agent, given that the scheme was considered policy compliant.

Local Planning Policies

Places for Everyone (2022-2039) – Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The PfE Plan and its policies are now a material planning consideration in the determination of planning applications. The PfE Plan and its policies must therefore be given full weight in the planning balance.

Manchester Core Strategy Development Plan Document (2012-2027) - The Core Strategy was adopted on the 11 July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan. Parts of the policies have been superseded by the Places for Everyone Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Places for Everyone** policies for this application are as follows:

JP-S1 – Sustainable Development
JP-P1 – Sustainable Places
JP-P6 – Health
JP-P7 – Sport and Recreation

The relevant **Core Strategy** policies for this application are as follows:

SP 1 – Spatial Principles (partially superseded by PfE)
DM 1 – Development Management
T1 – Sustainable Transport (partially superseded by PfE)
T 2 – Accessible areas of opportunity and need

The relevant saved **UDP** policies for this application are:

DC26 – Development and Noise

National Planning Policy Framework

The NPPF (2023) sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt. Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors. The Local Planning Authority consider the following sections relevant to this proposal.

- Section 2 – Achieving sustainable development
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed places

Issues

Principle of development:

There is no objection in principle to amending the proposed opening hours of the internal Climbing Centre premises, which current use was approved under planning ref **123326/FO/2019**, to improve the site's availability and experience for members of the public utilising the facility. However, any potential disamenity to nearby residents and highway safety must be assessed and the possibility of attached additional conditions to mitigate against any such disamenity considered.

Impact on residential amenity and highway safety:

The application form sets out that the applicant wishes to extend the internal premises opening hours to the following hours:

- Monday to Friday - 6am to 10pm
- Saturday, Sunday and Bank Holiday - 8am to 9pm

These proposed hours have been assessed by Environmental Health and Highway Services and it is considered that they are appropriate subject to the assessment of the Transport Technical Note submitted in support of this application.

A People Trip Generation and Traffic Generation assessment has been undertaken within the Technical Note based on a first principles approach. The assessment findings states that the site would generate 26 vehicle trips (13 Arrivals and 13 Departures) in the AM peak hour (08:00 - 09:00). This level of traffic generation will have a negligible impact upon the highway network and as such the proposed extended opening hours would therefore be considered acceptable in this regard.

Therefore, on balance it is considered that the increase in opening hours of the internal premises would not result in detrimental impacts upon either the highway network or nearby residential amenity of occupants on Bartlett Street. As such, the revised opening hours would not conflict with saved policies DC26 of the UDP and policies SP1, DM1 and T2 of the Core Strategy.

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: Approve

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Condition(s) to be attached to decision for approval

5) Use
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any other purpose other than a Class E (Formerly Class D2 pre 2021) climbing centre and exercise studio with ancillary café of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (England) Order 2010 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the interests of residential amenity and to ensure that the development is satisfactorily related to the surrounding locality pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

6) Servicing
Upon the commencement of the authorised use, the development shall be fully implemented in accordance with the external site management arrangements comprising the following plans and documents, including servicing and car parking arrangements:

- Car parking Management Plan Report Unit 1, Wood St, Openshaw, Manchester, M11 2FB by Mecha Works received 4 September 2019
- Car parking Management Plan MW008 (Project MW0033) P11
- Waste management strategy site plan Ref: MW006 (Project MW0033) Rev P10
- Waste management strategy - From Storage to collection Ref: MW009 (Project MW0033) Rev P10.

The implemented details shall be maintained in situ thereafter.

Reason - In the interests of pedestrian and highway safety pursuant to policies SP1, T1 and DM1 of the Core strategy for the City of Manchester.

7) Waste
Upon commencement of the authorised development shall be fully implemented in accordance with the following drawings, documents and specifications comprising the submitted waste management plan, which shall be maintained in situ thereafter:

- Waste management strategy site plan Ref: MW006 (Project MW0033) Rev P10;
- Waste management strategy - From Storage to collection Ref: MW009 (Project MW0033) Rev P10;
- Waste Management Proforma received 30 April 2019 amended revised page 2 received 20 September 2019.

Within 2 months from the date this permission being granted, details confirming the contractual details relating to waste collection shall be submitted to and approved in writing by the City

Council and the agreed details shall be fully implemented as part of the development and maintained in situ whilst the authorised use is in operation.

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

8) Air quality
Within 2 months from the date of this permission being granted, details confirming mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority. Any agreed mitigation measures shall be implemented as part of the development and shall remain in situ whilst the use or development 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 SP1, EN16 and DM1 of the Core Strategy for the City of Manchester.

9) Noise plant
Prior to its installation any externally mounted ancillary plant, equipment and servicing shall be related to a scheme to be submitted to and approved in writing by the City Council detailing its acoustic treatment and demonstrating how it would achieve a satisfactory noise level below the typical background level at the nearest noise sensitive location. The installation of ancillary plant, equipment and servicing shall be implemented in accordance with the approved scheme, which shall remain in place thereafter.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

10) Opening hours
The premises shall not be open outside the following hours:

- Monday to Friday - 6am to 10pm
- Saturday, Sunday and Bank Holiday - 8am to 9pm

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policies SP1 and DM1 of the Core Strategy and saved Policy DC26 of the City of Manchester Unitary Development Plan.

11) Servicing/Deliveries
No loading, unloading, deliveries or collections (including waste collections) shall be carried out on the site outside the following hours:

- Monday to Saturday - 7.30 am to 8.00 pm;
- Sundays/Bank Holidays - No deliveries/waste collections.

Reason - In order to protect the amenity of local residents and 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 for the City of Manchester.

12) Bin/ Cycle Storage
Within 2 months from the date of this permission being granted, details confirming the details of the siting and provision bin and (36 space) cycle storage enclosures as shown on drawing referenced shall be fully implemented and maintained in situ thereafter:

- Waste management strategy site plan Ref: MW006 (Project MW0033) Rev P10;
- Waste management strategy - From Storage to collection Ref: MW009 (Project MW0033) Rev P10.

Reason - In the interests of residential amenity, to secure the appropriate storage of segregated waste and cycle storage pursuant to policies SP1, T2 and DM1 of the Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Units 1 To 3, Greenside Street, Manchester, M11 2FZ
5 Wood Street, Bradford, Manchester, M11 2FB
40 Bartlett Street, Manchester, M11 2EU
22 Bartlett Street, Manchester, M11 2EU
15 Vincent Street, Manchester, M11 2FU
42 Bartlett Street, Manchester, M11 2EU
8 Bartlett Street, Manchester, M11 2EU
44 Bartlett Street, Manchester, M11 2EU
38 Bartlett Street, Manchester, M11 2EU
36 Bartlett Street, Manchester, M11 2EU
28 Bartlett Street, Manchester, M11 2EU
26 Bartlett Street, Manchester, M11 2EU
9 Vincent Street, Manchester, M11 2FU
7 Vincent Street, Manchester, M11 2FU
31 Vincent Street, Manchester, M11 2FU
3 Vincent Street, Manchester, M11 2FU
29 Vincent Street, Manchester, M11 2FU
27 Vincent Street, Manchester, M11 2FU
25 Vincent Street, Manchester, M11 2FU
19 Vincent Street, Manchester, M11 2FU
17 Vincent Street, Manchester, M11 2FU
11 Vincent Street, Manchester, M11 2FU
1 Vincent Street, Manchester, M11 2FU
First Floor Unit 2A, Cuthbert Business Centre, 877 Ashton Old Road, Manchester, M11 2NL
Ground Floor Unit 2A, Cuthbert Business Centre, 877 Ashton Old Road, Manchester, M11 2NL
INFINITY, 819 Ashton Old Road, Manchester, M11 2NL
Unit 1, Cuthbert Business Centre, 877 Ashton Old Road, Manchester, M11 2NA
839 Ashton Old Road, Manchester, M11 2NL
Flat 9, 3 Greenside Street, Manchester, M11 2FZ
3A Greenside Street, Manchester, M11 2FZ
Units 5-8, Cuthbert Business Centre, 877 Ashton Old Road, Manchester, M11 2NA
116 - 118 South Street, Bradford, Manchester, M11 2FY
Unit 2, Cuthbert Business Centre, Ashton Old Road, Manchester, M11 2NA
The Queen Anne, 815 - 817 Ashton Old Road, Manchester, M11 2NL
34 Wood Street, Bradford, Manchester, M11 2FY

MANCHESTER FOOD TRADERS LIMITED, 32 Wood Street, Bradford, Manchester, M11 2FY
Flat At, The Queen Anne, 815 - 817 Ashton Old Road, Manchester, M11 2NL
Flat 3, Cuthbert Business Centre, 877 Ashton Old Road, Manchester, M11 2NL
Flat 2, Cuthbert Business Centre, 877 Ashton Old Road, Manchester, M11 2NL
Flat 1, Cuthbert Business Centre, 877 Ashton Old Road, Manchester, M11 2NL
Unit 9, Cuthbert Business Centre, 877 Ashton Old Road, Manchester, M11 2NL
Unit 3-4, Cuthbert Business Centre, 877 Ashton Old Road, Manchester, M11 2NL
Cuthbert Business Centre, 877 Ashton Old Road, Manchester, M11 2NL
Flat 8, 3 Greenside Street, Manchester, M11 2FZ
Flat 7, 3 Greenside Street, Manchester, M11 2FZ
Flat 6, 3 Greenside Street, Manchester, M11 2FZ
Flat 5, 3 Greenside Street, Manchester, M11 2FZ
Flat 4, 3 Greenside Street, Manchester, M11 2FZ
Flat 3, 3 Greenside Street, Manchester, M11 2FZ
Flat 2, 3 Greenside Street, Manchester, M11 2FZ
Flat 1, 3 Greenside Street, Manchester, M11 2FZ
1 Greenside Street, Manchester, M11 2FZ
134 South Street, Bradford, Manchester, M11 2FY
30 Bartlett Street, Manchester, M11 2EU
21 - 23 Vincent Street, Manchester, M11 2FU
851 Ashton Old Road, Manchester, M11 2NL
St Barnabas CE Primary School, Parkhouse Street, Manchester, M11 2JX
24 Bartlett Street, Manchester, M11 2EU
18 Bartlett Street, Manchester, M11 2EU
12 Bartlett Street, Manchester, M11 2EU
5 Vincent Street, Manchester, M11 2FU
33 Vincent Street, Manchester, M11 2FU
13 Vincent Street, Manchester, M11 2FU
Tinapa Restaurant, 853 Ashton Old Road, Manchester, M11 2NL
849 Ashton Old Road, Manchester, M11 2NL
34 Bartlett Street, Manchester, M11 2EU
32 Bartlett Street, Manchester, M11 2EU
20 Bartlett Street, Manchester, M11 2EU
16 Bartlett Street, Manchester, M11 2EU
10 Bartlett Street, Manchester, M11 2EU
14 Bartlett Street, Manchester, M11 2EU

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA