MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139607/FO/2024
Date registered valid:	5 April 2024
Proposal:	Installation of a metal container unit for food sales.
Address:	National Speedway Stadium, Belle Vue Arena, 148 Kirkmanshulme Lane, Manchester, M12 4WB
Ward(s):	Longsight Ward
Applicant:	CEO Mark Lemon, Belle Vue Speedway 2017 Limited
Agent (if any):	Mark Lemon, Belle Vue Speedway 2017 Limited
Case officer:	Steven McCoombe Tel: 0161 234 4607 Email: steven.mccoombe@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	15 May 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 10 May 2024

Standard consultations:
Printed: 10 April 2024 Expired: 1 May 2024

Neighbour notifications
Printed: 10 April 2024 Expired: 1 May 2024

Site notice
No site notice has been produced

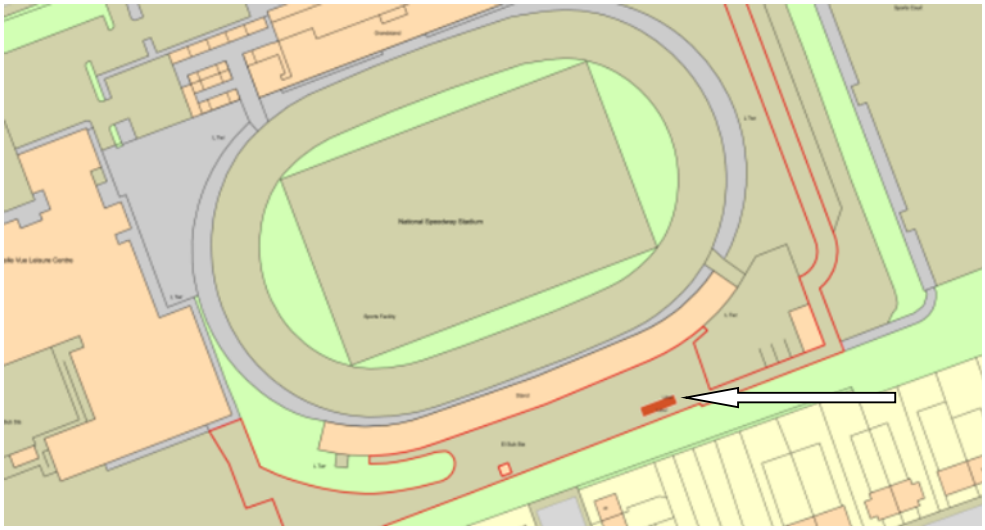
Press advert
No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to Belle Vue Sports Village and specifically Belle Vue Speedway stadium.



The speedway stadium includes a grandstand and spectator bowl with capacity for around 6,024 seats. For this application, the site relates to an area of hardstanding to the rear of the grandstand which presently accommodates a couple of container type buildings housing toilets.

The site is neighboured to the rear by the rear gardens of residential properties along Stanley Grove separated by an acoustic fence and a grassed strip of incidental open space.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The site is bounded by Kirkmanshulme Lane to the north, Pink Bank Lane to the west, the rear gardens of residential properties along Stanley Grove and Penketh Avenue to the south and the Belle Vue Greyhound and Speedway Stadium to the east.

The wider area mainly comprises two storey residential properties and community facilities located within the neighbourhood of Gorton North. The area consists of tightly packed residential areas of terrace properties to the south of the site along with semi-detached properties, located off Kirkmanshulme Lane, to the north-west. St Peter's RC High School is located off Pink Bank Lane to the east. There is a cinema complex, including associated car parking, beyond the north-eastern part of the application site.

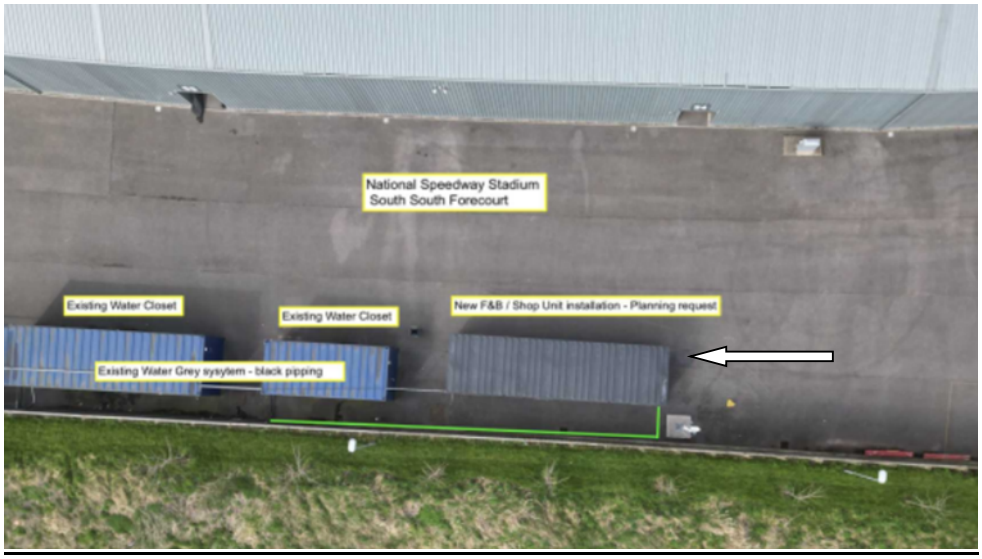
Description of development

Planning permission is sought for the siting of a metal container for sales associated with events at the Speedway.

The single storey container which measures approximately 11 metres x 3 metres is proposed to be sited to an area of hardstanding to the rear of the grandstand adjacent to existing toilet facilities, set back from the existing acoustic fence by around 2 metres. The container would primarily serve patrons of the south stand and would replace a temporary, mobile container that has operated for the sale of food in recent years.



View of proposed area



Annotated photograph showing the position of the proposed container

The operation of the Speedway is restricted by its lease to only operate 43 events per calendar year (25 events in average recent years). Opening times on these race days are between 5:30pm - 10:30pm and bank holidays from 10:30am - 3:00pm. The proposed food container would only operate within these times.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Environmental Health - the proposed food sales container would be very close to the nearest garden boundary so the applicant will need to demonstrate that the proposals will not cause disamenity to nearby resident.

Understand that the unit would be powered from the mains so I assume that equipment noise wouldn't be an issue but that should also be confirmed, as well as potential noise from customers queuing and congregating in that area. Restricted hours of use may be necessary.

Proposals for waste and recycling are also required

Policy

The following policies and guidance is considered relevant to the consideration of this application.

-Policies SP1, EC1, EC2, EC5, C10 and DM1 of the Manchester Core Strategy;

-Saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester;

-Places for Everyone Joint Development Plan;

-National Planning Policy Framework (NPPF).

Issues

Principle

The general principle of development that supports and improves an existing employment site and leisure facility is considered acceptable and compliant with the aforementioned policy and guidance.

The proposal would not result in the over concentration of such activities and would not undermine the role and function of nearby shopping areas/neighbourhood centres. The proposal would form a typical, ancillary function for the host site and would not be out of character with its surroundings.

The main consideration in this case relates to the impact upon nearby residential occupiers as set out below.

Residential Amenity

Noise Impact

The proposed food container is sited in a back of house area to the rear of the main grandstand which presently accommodates similar structures used as toilet facilities.

Such structures are typical of stadium venues and given the existing context within a sports complex, any noise impact is likely to be negligible given the use of the stadium of speedway and events for motor vehicles and associated background noise levels.

The site is separated from the nearest residential properties along Stanley Grove to the south by an acoustic fence with a soft landscaped strip providing a further buffer between sites. Given the container would only operate during events which in themselves are only for limited periods/times, it is considered that any noise impact would be less than significant.

Fumes/Odours

The application has been accompanied by details to demonstrate how fumes/odours would be controlled.

It is proposed to use a hooded exhaust system constructed from stainless steel, with a canopy containing an internal central fan system with controlled speed settings, as well as having stainless grease collection drawer and baffles to eliminate odours and smells. The dispersion ducting outlet can be an east facing vent. When in operation, 2 front (north facing) opening hatches sizing 2.5 x 1 metres would be open for service counter adding additional air ventilation, with regular cleaning and maintenance undertaken.

Environmental Health have raised no objection to the proposed means of fume/odour control and given the unit would only be in operation for limited times, with such measures in place, the proposed impact is considered acceptable.

As a safeguard, a condition has been included which would require measures for the elimination/mitigation of any adverse fumes and controls if any future problems arise.

It should also be noted that a temporary, mobile food venue has operated for the last couple of years in a similar location as proposed and without complaint. It is not therefore considered the siting of the proposed container would be significantly harmful. On this basis, the impacts are considered acceptable.

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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter. The proposal is considered to be acceptable and therefore determined within a timely manner.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Floor plan and annotated photographs received by the City Council as Local Planning Authority on 22 March 2024 and location plan received by the City Council as Local Planning Authority on 5 April 2024.

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.

3) The food container hereby approved shall only be in use on event days and shall not be operational outside the following hours:-

10.30-22.30 hrs daily

Reason - In interests of residential amenity, policies SP1 and DM1 of the Manchester Core Strategy.

Reason - To safeguard residential amenity, pursuant to saved policy DC10 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

4) The use hereby approved shall only operate in accordance with the details to control fumes/odours, received by e-mail from Belle Vue Speedway dated 9 May 2024.

Reason - To safeguard residential amenity, pursuant to saved policy DC10 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

5) If during operation of the food container hereby approved, the use causes fumes or odours which in the opinion of the Council as Local Planning Authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination/mitigation of such fumes and controls shall be submitted to the Council as Local Planning Authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of fumes and odours on the occupiers of nearby residential accommodation, pursuant to saved policy DC10 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

6) The food container hereby approved shall not become operational until a detailed scheme for the storage (including segregated waste recycling) and disposal of refuse, as well as for the management of associated litter, has been submitted to and approved in writing by the City Council as Local Planning Authority. 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 public health and residential amenity, pursuant to saved policy DC10 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

181 Stanley Grove, Longsight, Manchester, M18 7DL
215 Stanley Grove, Longsight, Manchester, M18 7DL
207 Stanley Grove, Longsight, Manchester, M18 7DL
197 Stanley Grove, Longsight, Manchester, M18 7DL
191 Stanley Grove, Longsight, Manchester, M18 7DL
189 Stanley Grove, Longsight, Manchester, M18 7DL
183 Stanley Grove, Longsight, Manchester, M18 7DL
175 Stanley Grove, Longsight, Manchester, M18 7DL
167 Stanley Grove, Longsight, Manchester, M18 7DL
165 Stanley Grove, Longsight, Manchester, M18 7DL
163 Stanley Grove, Longsight, Manchester, M18 7DL
3 Penketh Avenue, Manchester, M18 7DG
6 Penketh Avenue, Manchester, M18 7DG
213 Stanley Grove, Longsight, Manchester, M18 7DL
211 Stanley Grove, Longsight, Manchester, M18 7DL
209 Stanley Grove, Longsight, Manchester, M18 7DL
205 Stanley Grove, Longsight, Manchester, M18 7DL
203 Stanley Grove, Longsight, Manchester, M18 7DL
201 Stanley Grove, Longsight, Manchester, M18 7DL
199 Stanley Grove, Longsight, Manchester, M18 7DL
195 Stanley Grove, Longsight, Manchester, M18 7DL
193 Stanley Grove, Longsight, Manchester, M18 7DL
187 Stanley Grove, Longsight, Manchester, M18 7DL
185 Stanley Grove, Longsight, Manchester, M18 7DL
179 Stanley Grove, Longsight, Manchester, M18 7DL
177 Stanley Grove, Longsight, Manchester, M18 7DL
173 Stanley Grove, Longsight, Manchester, M18 7DL
171 Stanley Grove, Longsight, Manchester, M18 7DL
169 Stanley Grove, Longsight, Manchester, M18 7DL
167A Stanley Grove, Longsight, Manchester, M18 7DL
161 Stanley Grove, Longsight, Manchester, M18 7DL
159 Stanley Grove, Longsight, Manchester, M18 7DL
157 Stanley Grove, Longsight, Manchester, M18 7DL
223 Stanley Grove, Longsight, Manchester, M18 7DL
221 Stanley Grove, Longsight, Manchester, M18 7DL
219 Stanley Grove, Longsight, Manchester, M18 7DL
217 Stanley Grove, Longsight, Manchester, M18 7DL
215A Stanley Grove, Longsight, Manchester, M18 7DL
8 Penketh Avenue, Manchester, M18 7DG
7 Penketh Avenue, Manchester, M18 7DG
5 Penketh Avenue, Manchester, M18 7DG
4 Penketh Avenue, Manchester, M18 7DG
2 Penketh Avenue, Manchester, M18 7DG
1 Penketh Avenue, Manchester, M18 7DG

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA