

6 April 2023  
L230406 SAV Cover Letter



Head of Planning  
Manchester City Council  
PO Box 532  
Town Hall  
Manchester  
M60 2LA

Francesca Opoku-Gyamfi  
E: francesca.opokugyamfi@savills.com  
DL: +44 (0) 7870 981665

Belvedere  
12 Booth Street  
Manchester M2 4AW  
T: +44 (0) 161 126 8644  
F: +44 (0) 161 228 0544  
savills.com

**SUBMITTED VIA PLANNING PORTAL REF: PP-112077272**

Dear Sir/ Madam,

**SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
APPLICATION TO DEVELOP LAND WITHOUT COMPLIANCE WITH CONDITION 8 OF PLANNING  
PERMISSION: 118061/FO/2017  
JD GYMS, SOUTHMOOR ROAD, WYTHENSHAW, MANCHESTER, M23 9DS  
JD SPORTS GYMS LIMITED**

## Introduction

We write on behalf of our client, JD Gyms Limited, to apply for permission to develop land without compliance with Condition 8 of Planning Permission: 118061/FO/2017. The application seeks permission to allow JD Gyms to operate at the premises 24 hours a day, seven days a week.

In accordance with the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), we enclose the following documents which comprise the application:

- The completed application forms and certificates;
- This cover letter;
- Planning Permission: 118061/FO/2017.

As the application has been submitted electronically via the Planning Portal website (**PP-112077272**) payment for the application fee of £234.00 has been made online.

## The Application Site

The application site (the '**Site**') is the existing JD Gyms unit, located on Southmoor Road in Wythenshawe. The Site is bound by Southmoor Road to the east and is also accessed via the same route.

The Site is located in an established commercial destination, directly to the south of Southmoor Industrial Estate. The existing land uses to the north, west and south of the Site are exclusively commercial, trade and industrial. Baguley Metrolink stop is located immediately adjacent to the east of the Site. The nearest residential dwellings are located on the opposite side of Southmoor Road approximately 85m to the south east. Importantly, Wythenshawe Hospital is located approximately 1km to the south, which already operates on a 24 hour basis.

## Relevant Planning History

On 5 February 2018, planning permission was granted for the change of use from retail warehouse (Class A1) and general industrial/ storage (Class B2/B8) to gymnasium (Class D2) with elevational alterations (App Ref: 118061/FO/2017 (the '**2018 Permission**').

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

Savills (UK) Limited. Chartered Surveyors. Regulated by RICS.

A subsidiary of Savills plc. Registered in England No. 2605138. Registered office: 33 Margaret Street, London, W1G 0JD



The 2018 Permission was granted subject to 13 conditions. Condition 8 of the 2018 Permission restricted the operating hours of the unit and states:

*"The premises shall not be open outside the following hours:-  
Monday – Friday 06:00 – 22:00 hours  
Saturday – Sunday and Bank Holidays 08:00 – 20:00 hrs"*

The reason for imposing Condition 8 was:

*"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."*

### **The Proposed Development**

This application seeks permission to extend the operational hours of the Site to enable JD Gyms to be open to customers 24 hours a day, seven days a week. There are no physical works or other changes proposed as part of the application.

The proposed extension to the operating hours is required to ensure that the gymnasium better meets the needs of its customer base and enhances its overall efficiency. It is now an established part of the business models of a number of 'value' gyms to operate throughout both day and night time hours. They provide access to health and fitness facilities for a variety of people who are unable to visit clubs during traditional operating hours, including shift workers and emergency service staff.

### **Justification for the Proposed Development**

As set out above, the original 'reason' for imposing Condition 8 was to safeguard the amenities of occupiers of premises / dwellings in the vicinity of the application site. However as set out above, the location of the premises means that the surrounding buildings are occupied by commercial land uses, which are not noise sensitive. The nearest residential properties are located approximately 85m away from the building at the application site. The Site accommodates ample vehicle parking for members which is also segregated from nearby land uses. There is therefore a very low prospect of sound from the gym exceeding the 'Lowest Observable Adverse Effect Level' at the closest noise sensitive receptors. It follows that the proposed development accords with Paragraph 185 of the NPPF and the Noise Policy Statement for England.

The proposed extension of hours is required to ensure that the unit is better able to meet the demands of the tenant's customer base and enhance its overall efficiency. The proposed development will increase the accessibility of health and fitness facilities to the resident population of Wythenshawe and its surrounds. The proposal therefore accords with policies in the National Planning Policy Framework ('NPPF') which seek to promote healthy communities as part of the overarching objective of creating more sustainable forms of development.

### **Summary and Conclusion**

This application seeks permission for the removal of Condition 8 of Planning Permission: 118061/FO/2017 to enable JD Gyms Wythenshawe to operate 24 hours a day, seven days a week.

It is established that the proposal is uncontentious and will not result in an adverse impact on amenity to neighbouring residents.

In light of the above, we respectfully request that the application is approved pursuant to Section 73 of the Act, and planning permission is granted for the removal of Condition 8 of Planning Permission: 118061/FO/2017.

We trust that the information provided above is sufficient for the Council to register and consider this application. We will endeavour to contact you within the next few days to establish your timetable for decision making.

In the meantime, should you require any clarification or additional information, please do not hesitate to contact Brad Wiseman or Francesca Opoku-Gyamfi at these offices.

Yours faithfully

A handwritten signature in dark ink, appearing to read "Savills", written in a cursive, flowing style.

**Savills (UK) Limited**  
Planning