

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136655/FO/2023
Date registered valid: 31 March 2023
Proposal: Continued use of premises as an indoor trampoline park & leisure facilities with associated parking for a temporary 2 year period
Address: Kickair , 61 Great Ducie Street , Manchester
Ward(s): Cheetham Ward

Applicant: Al Khafaji Gravaty Manchester Limited
Agent (if any): Miss Nazia Shah Urban Future Planning Consultancy Ltd
Case officer: David Brettell
Tel: 0161 234 4556
Email: dave.brettell@manchester.gov.uk

Recommendation: **APPROVE**
Date of recommendation: 13th June 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 18 April 2023 Expired: 9 May 2023

Neighbour notifications

Printed: 18 April 2023 Expired: 9 May 2023

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

The application site is located at 61 Great Ducie Street, at the north-western corner of the junction of Trinity Way and Great Ducie Street, at the edge of Manchester city centre.

The area is highly commercial in nature with several leisure venues nearby including the Manchester Arena, a snooker centre and an indoor climbing centre. There are a number of hotels and pay-and-display car and the site is close to Strangeways Prison. As identified on the adopted proposals map3, the site is located in 'North Manchester' and within an 'Economic Improvement Area'. The site also falls in to the Great Ducie Street Strategic Regeneration Framework (SRF) Area.

The site is located within a sustainable location which is readily accessible. Manchester Victoria Train Station is just 0.2miles from the site to the southeast. The nearest bus stops on Great Ducie Street are within less than a 1-minute walk whilst Shudehill Interchange is just 0.7 miles to the southeast of the site. Car parking is available within the site for around 70 vehicles.

Description of development

The commercial unit which contains the proposed use comprises approx. 5130sqm and has been occupied by an indoor trampoline park with an associated café area since 2017. Internally there is a freestyle trampoline play area, large foam cube pits and an under-5's soft play zone. There are a number

of party rooms together with facilities such as a kitchen, toilets, baby changing, first aid room and an office.

As stated above, on-site car parking is available and the proposed hours of operation are 9am to 10pm daily.

Consultations & Notification Responses

Site Notice / Press Notice / neighbours - no comments received

Highways - Recommended conditions

Env Health - Recommended conditions

GMP - No objections

Flood Risk - No objections

Issues

The existing use has benefitted from two temporary planning consents, and has operated successfully for some six years. The use

Along the Trinity Way boundary is a vehicular access to a small parking area, accommodating up to ten cars. This area has been used, not by the applicant, for parking in conjunction with the nearby arena. This parking is of concern to the applicant and also to neighbours, and has been raised with the Planning Team. The issue has been discussed with the agent, and Highways, and the imposition of a condition requiring the erection on bollards on private land to restrict unauthorised vehicular parking is welcomed by all parties.

Other recommended conditions replicate those imposed on previous consents, and the agent has confirmed acceptance of these, along with the wording of the bollards condition.

The proposed use does not adversely impact upon the amenities of the area, and helps to support the economy of the city centre. It continues to be in accordance with planning policies of relevance to previous temporary consents, and as such, a further temporary consent is considered acceptable.

Approval of this application would not prejudice the long terms development opportunities of this site.

The application was originally for a temporary period of three years, but this has been reduced to two years, with the agreement of the agent, to avoid future development proposals being discouraged.

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 policies 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

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

0) 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.

1) The permission hereby granted is for a 2 year temporary period only, expiring on 13th June 2025. The use comprising the development for which permission is hereby granted is required to be respectively discontinued following the expiration of this period.

Reason - In the interests of the long term regenerative framework objective for the area, pursuant to policy SP1 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

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

Location Plan showing site edged red, received 31st March 2023

Planning Statement by Urban Future Planning Consultancy, received 31st March 2023

Flood Risk Assessment prepared by GLR Construction, received 31st March 2023

Transport Note by Urban Future Planning Consultancy, received 31st March 2023

Drawings numbered 4D01OS, 4D04 stamped as received by the City Council as Local Planning Authority on 17th January 2017 and drawings numbered 488.01 and 488.10 received by the City Council as Local Planning Authority via e-mail dated 5th April 2017 relating to planning permission referenced 115056/FO/2017.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy.

3) The premises shall not be open outside the following hours:-

09.00 to 22.00 hrs daily

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.

4) Deliveries, servicing and collections, including waste collections shall not take place outside of the following hours:

07.30 to 20.00 Monday to Saturday.

No Deliveries, servicing and all collections, including waste collections shall take place on Sundays and Bank Holidays.

5) Any externally mounted ancillary equipment shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. Externally mounted ancillary plant, equipment and servicing shall be acoustically treated in accordance with a scheme designed so as to achieve a noise level of 5dB below the existing background (LA90) in each octave band at the nearest noise sensitive location.

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

6) The use hereby approved shall continue to operate in accordance with the approved waste management strategy, pursuant to planning permissions referenced 115056/FO/2017, 116561/JO/2017, 126009/FO/2020 and subsequent condition discharge application referenced CDN/17/0397. 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 visual amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

7) The use hereby approved shall continue to operate in accordance with the Acoustic Assessment produced by AB Acoustic received via e-mail dated 28th July 2017, together with the additional details provided in an e-mail dated 9th August 2017, pursuant to planning permissions referenced 115056/FO/2017, 116561/JO/2017, 126009/FO/2020 and subsequent condition discharge application referenced CDN/17/0397.

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

8) The use hereby approved shall continue to operate in accordance with the agreed cycle parking provision, pursuant to planning permissions referenced 115056/FO/2017, 116561/JO/2017, 126009/FO/2020 and subsequent condition discharge application referenced CDN/17/0397.

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 and DM1 of the Manchester Core Strategy.

9) The use hereby approved shall continue to operate in accordance with 'Secured by Design' award, as per the letter received from Greater Manchester Police dated 8th August 2017 (Ref: 2017/0119/SBD/01) pursuant to planning permissions referenced 115056/FO/2017, 116561/JO/2017, 126009/FO/2020 and subsequent condition discharge application referenced CDN/17/0397.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

10) The use hereby approved shall continue to operate in accordance The Travel Plan produced by RSK dated 30th June 2017, pursuant to planning permissions referenced 115056/FO/2017, 116561/JO/2017, 126009/FO/2020 and subsequent condition discharge application referenced CDN/17/0397. Within six months of this permission, a further, revised Travel Plan which takes into account the information about travel patterns gathered shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

11) The use hereby approved shall continue to operate in accordance with the Car Park Management Plan produced by RSK dated 3rd July 2017, pursuant to planning permissions referenced

115056/FO/2017, 116561/JO/2017, 126009/FO/2020 and subsequent condition discharge application referenced CDN/17/0397.

Reason - In the interests of highway safety and to ensure adequate car parking provision, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

12) The use hereby approved shall continue to operate in accordance swept path arrangement for waste collection vehicles, shown on drawing numbered 488.01A received by the City Council as Local Planning Authority on 6th July 2017, pursuant to planning permissions referenced 115056/FO/2017, 116561/JO/2017, 126009/FO/2020 and subsequent condition discharge application referenced CDN/17/0397.

Reason - In the interests of highway safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

13) 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) the unit shall be for a trampoline and associated leisure use only. No part of the premises shall be used for any other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, 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 highway safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

14) Within three months of the date of this consent, a scheme for the erection of bollards, including timescale for fitting, shall be submitted to the City Council, as local planning authority. The bollards shall be erected, in accordance with the scheme following approval by the local planning authority, and shall remain in situ for the duration of the planning permission.

Reason - In the interests of highway safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

