

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Part 1 – Particulars of the application/development

Proposal:

Change of use from the existing warehouse building to an indoor electric go-karting track (Sui Generis).

Location:

234 Briscoe Lane Manchester M40 2XG

Application reference:

144104/FO/2025

Applicant:

Battlekart St Albans Ltd

Date of application:

29 May 2026

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **refused** in accordance with the application and plans submitted for the reasons listed below.

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to matters arising in relation to dealing with the planning application. No pre application advice was sought in respect of this matter. The application has been assessed against policy and the comments received. There would be conflicts with policy which could not be resolved through amendments to the scheme. The application is determined in a timely manner.

Reason(s) for decision

- 1) The proposed Sui Generis use as an indoor electric go-karting track would represent a loss of industrial employment and employment space within the Central Park Strategic Employment Location for a leisure use. The proposed scheme has failed to demonstrate the tests within Core Strategy Policy EC2 for alternative uses on allocated sites have been met, specifically that the existing use is un-viable or that the proposal is able to offer greater benefits in terms of the Core Strategy's vision and spatial objectives than the existing industrial and storage/distribution building (Sui Generis) use within the Central Park Strategic Employment Location. The proposal would therefore represent an unacceptable loss of industrial employment and employment space within the Central Park Strategic Employment Location and not support the ongoing vitality of the site and wider area for employment purposes, failing to comply with Places for Everyone Policies JP-Strat1, JP-J2 and JP-P1; Core Strategy Policy EC2 and EC6; Saved UDP Policy EM5; and Section 6 of the NPPF with respect to employment in the Central Park Strategic Employment Location.

- 2) The proposed Sui Generis use as an indoor electric go-karting track would be a main town use in an out-of-centre location. The proposed scheme has failed to demonstrate that the site is sequentially preferable in line with the requirements of Policy C9 of the Core Strategy. It is moreover not considered appropriate in function as a leisure use within the Central Park Strategic Employment Location. As such the scheme would be an inappropriate use within the location and fails to comply with Core Strategy Policies EC3, C1, and C9; as well as Section 7 of the NPPF.

Date: 23 July 2026



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 (as amended) 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 (as amended) within six months of the date of the notice of the decision. However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:
 - 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
 - 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

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 (as amended), namely Sections 70(1) and 72(1) of the Act.
4. If either the local planning authority or 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 (as amended).

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 (as amended).

Right of challenge on planning application decision

A third party does not have a right of appeal against a decision on a planning application. Instead, there is a right of challenge (a Judicial Review) which is limited to lawfulness of the procedure that we have taken in coming to that decision.

Any challenge must be based on the following and not the merit of the decision:

- Procedural irregularity
- Irrationality
- Illegality

Any application for permission to bring such a challenge (which is through the High Court) must be made within 6 weeks of the date of the decision being issued.