

DELEGATED REPORT

Report by Helen Leach	Date of report: 19/12/2024	Ref: 71346/NON
Registration: 12/11/2024	LDFC:	Expiry Date: 10/12/2024
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: NONE
Reason for Delay:		EIA:
N/A		Dec Level: DEL
		Stat Class: MIOT

Proposal: Non-material amendment following grant of planning permission 70619: The proposed kiosk and the outdoor communal area have been reduced in size; Accessible parking has been repositioned and a suitable ramp and staircase have been integrated to ensure the development is truly accessible for all; the cycle parking location has also been moved to the parking area for padel to ensure the existing ramp on-site which grants access to the pitches is not obstructed and further landscaping has been added adjacent to the kiosk to improve screening and create a usable and inviting space for padel users.

Location: Manchester Maccabi Community And Sports Club, Bury Old Road, Prestwich, Manchester, M25 0EG

Description

The application site relates to a existing sports club. There is a two storey building located in the northern part of the site with 3G and grassed pitches located to the west and south. The site is accessed from Bury Old Road, which leads to a car park and there is vegetation and trees along the perimeter of the site.

The Woodthorpe pub is located to the north of the site and there are residential properties to the south and east. Bury Old Road forms the boundary to the west and there are residential properties beyond.

Planning permission was granted in September 2024 for the erection of 4 covered padel courts, an ancillary kiosk, revisions to the car park and the provision of a cycling store. The padel courts and kiosk would be located on land to the south of the 3G pitches. The site would be accessed from Bury Old Road via the existing access.

The applicant seeks a non material amendment for the following works:

- Reduction in size of kiosk and WC/change buildings and amendment to layout.
- Relocation of the accessible parking.
- Provision of a ramp and staircase between car park and the entrance to the kiosk.
- Relocation of the cycle parking.
- Addition of landscaping adjacent to the kiosk.

Relevant Planning History

Pre-application enquiry

02882/E - Erection of 4 covered padel courts, 1 uncovered padel court, 2 pickleball courts, ancillary clubhouse, revised car and cycling parking and associated signage. Enquiry completed 22/12/2023

Planning applications

52771 - Application to extend the time limit for implementation of planning permission 48012 for alterations and extension to entrance area and first floor extension to form

meeting room - Withdrawn by Applicant, 02/08/2010

52962 - Alterations to Entrance/ Reception and first floor meeting room (Renewal of planning application 48012) - Approved with Conditions, 13/09/2010

63072 - 2 No. non-illuminated free standing hoarding signs at entrance - Refused, 10/09/2018

64602 - Erection of first floor extension to provide additional offices and alterations to existing office area at ground floor - Approved with Conditions 10/10/2019

66523 - Temporary change of use of land to food hall with associated catering facilities (Class E) - Approved with Conditions, 15/06/2021

70619 - Erection of 4 no, covered padel courts, ancillary kiosk; revised car parking layout and installation of a cycling store - Approved with conditions, 06/09/2024

Publicity

None required.

Statutory/Non-Statutory Consultations

None required.

Pre-start Conditions - Not relevant.

Development Plan and Policies

CF1	Proposals for New and Improved Community Facilities
CF1/1	Location of New Community Facilities
RT1	Existing Provision for Recreation in the Urban Area
RT1/1	Protection of Recreation Provision in the Urban Area
RT1/2	Improvement of Recreation Facilities
HT2/10	Development Affecting Trunk Roads
HT6/1	Pedestrian and Cyclist Movement
EN1/2	Townscape and Built Design
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN8	Woodland and Trees
RT3/5	Noisy Sport
JP-C1	Our Integrated Network
JP-C4	Strategic Road Network
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-G6	Urban Green Space
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air
JP-P7	Sport and Recreation
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guide

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the

adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PpE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Design and layout - The proposed kiosk and WC/change buildings would be smaller in footprint and would be rotated so the WC/change building would be located adjacent to the 3G pitches. Overall, the proposed kiosk building would be smaller and as such, would be further away from the nearest residential properties. This would be a distance of 36.8 metres. As such, the proposed minor change would not have a significant adverse impact upon the design of the buildings and would not have a significantly adverse impact upon the amenity of the neighbouring dwellings.

The proposed ramp and stairs would be located between the car park and the entrance to the proposed kiosk. The proposed ramp and stairs would have a 1 metre high brick wall and a handrail/balustrade would be provided at the top of the stairs. The proposed ramp

and stairs would not have an adverse impact upon the overall design of the proposed development.

Additional landscaping would be provided adjacent to the kiosk, which would be help to screen the proposed kiosk from view.

Therefore, the proposed development would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan.

Highways issues - The proposed accessible spaces would be relocated to the north and a safe pedestrian route would be marked on the ground from these spaces to the entrance to the proposed padel courts.

The proposed cycle storage would be located to the area adjacent to the internal access road. The proposed relocation would not impact upon any parking spaces and would be adjacent to the safe pedestrian route. The turning head would be provided and the number of parking spaces would be maintained from the previous approval. The Traffic Section has no objections to the proposed development.

Therefore, the proposed development would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan and Policy JP-C8 of the Places for Everyone Joint Development Plan.

Recommendation:

Conditions and Reasons:

The proposed amendments would not impact adversely upon the appearance of the site or the residential amenity of the nearby properties. As such, the proposed development would not be unduly prominent in the locality. The proposed amendments would not have a detrimental impact upon highway safety and would still be in accordance with the overall principles in terms of the approved application 70619 and the Policies against which this was approved. As such, the application is a non-material amendment.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HL - 19/12/2024		DM - 20/12/2024	