

Application Number	Date of Appln	Committee Date	Ward
119701/JO/2018	12 th Apr 2018	31 st May 2018	Brooklands

Proposal Variation of condition no. 4 attached to planning permission 086382/FO/2008/S2 to allow the premises to open between 9.00am to 9.00pm Mondays to Tuesday, Thursdays to Saturdays and 9.00am to 10.00pm on Wednesdays

Location Norbrook Youth Club, Bordley Walk, Manchester, M23 0AR

Applicant Mr Gavin Evans, Norbrook Youth Club, Bordley Walk, Manchester, M23 0AR

Description

Norbrook Youth Club is located to the west of the Bordley Walk and Garthorp Road junction. The youth club building occupies approximately a third of the site with the remainder given over to car parking facilities and outdoor games/activity areas. To the north of the site lies no. 246 to 260 Kerscott Road and a number of residential properties on Garthorp Road. To the east of the site, on the opposite side of Bordley Walk, lies nos. 1 to 7 Bordley Walk. To the south and west of the site runs the Metrolink line. The site context is shown below with the youth club marked by a X.



When the youth club was originally approved in 2008 (ref. 086382/FO/2008/S2) a condition (no. 4) was imposed that limited the hours of opening to the following:

9.00am to 9.00pm Monday to Saturday only

In order to meet the needs of the young people in the area and to match the youth work delivery times at two other youth centres in Wythenshawe, the applicant is now proposing to vary the wording of condition no. 4 in order to allow the premises to open for an extra hour on Wednesday evenings. As a result the proposed wording for condition no. 4 reads as follows:

- 4) The premises shall not be open outside the following hours:-
- a. 9.00am to 9.00pm Mondays to Tuesday, Thursdays to Saturdays
 - b. 9.00am to 10.00pm on Wednesdays

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policy DM1 in the Core Strategy Development Plan Document and Saved Policy DC26,1 in the Unitary Development Plan for the City of Manchester.

Consultations

Local Residents – One letter of objection has been received, the comments of which are detailed below:

- There is no objection to the youth club itself but can see no reason as to why the hours of opening should be extended.
- The proposal will lead to increased traffic in the area when we already have increased traffic following installation of Metrolink station
- Concerns about increased anti-social behaviour and possibly criminal damage.
- In the summer when there are outside games there is already increased noise and the distraction of the floodlights on the pitches. If the times are increased to 9p.m or 10p.m this means this will continue even longer into the evenings and impact on residential amenity.
- Increased opening hours will result in prospective house buyers being put off.

Environmental Health – Given the limited additional opening hours no objections have been raised.

Greater Manchester Police – No objections.

Policies

The National Planning Policy Framework (NPPF) – The NPPF was published on the 27th March 2012 and replaces and revokes a number of Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) previously produced by Central Government. The NPPF constitutes guidance for local planning authorities and decision-makers both in drawing up plans and as a material consideration in determining planning applications. It does not change the statutory status of the development plan, i.e. the Core Strategy, as the starting point for decision making and it states further that development that accords with an up-to-date local plan, such as the Core Strategy, should be approved unless other material considerations indicate otherwise.

The NPPF states that the planning system must contribute to the achievement of sustainable development. These are encapsulated into three categories: economic, social and environmental.

Within paragraph 17 of the NPPF, core land use planning principles are identified. The most relevant principles to this proposal are:

- Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of specific issues, the most relevant of which are detailed below:

- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Community safety and crime prevention.

Saved UDP Policies – Policy DC26.1, *Development and Noise*, states that the Council intends to use development control process to reduce the impact of noise on people living and working in or visiting, the City. In giving effect to this intention, the Council will consider both:

- i. The effect of new development proposal, which are likely to be generators of noise; and
- ii. The implications of new development being exposed to existing noise sources which are effectively outside planning control.

Issues

Principle of the Proposal – The work of Norbrook Youth Club is recognised and supported by a number of agencies and third parties such as Manchester Young Lives, Wythenshawe Community Housing Group Trust, StreetGames and the Boys and Girls Clubs of Greater Manchester. The club now needs to open an additional hour on Wednesday evenings in order to meet the needs of the young people in the area and to match the youth work delivery times at two other youth centres in Wythenshawe. While this further engagement with the young people is welcomed and meets the principles of the NPPF in delivering *sufficient community and cultural facilities and services to meet local needs*, the impact of the proposal upon existing levels of residential amenity and pedestrian/highway safety must be assessed.

Residential Amenity – It is recognised that the youth club can generate certain levels of noise, particularly when its members are coming and going and when the external games area is utilised. However, it is also acknowledged that the youth club works closely with local residents to limit any impact and given this it is considered that any impact from the additional hour of opening can be managed. As a result, it is not considered that the additional hour of opening between 9.00pm and 10.00pm on Wednesdays will have an undue impact upon the levels of residential amenity enjoyed by the occupants of those dwellings nearest to the youth club.

Pedestrian and Highway Safety – It is not considered that the additional opening hour on Wednesday evenings will result in a discernible increase in traffic movements to and from the site. As a result, it is not considered that the proposal will have a detrimental impact upon the levels of pedestrian and highway safety enjoyed within the vicinity of the youth club.

Crime and Safety – It is recognised that the youth club has an experienced management team and robust procedures in place to deal with any anti-social behaviour associated with its members. Given this, it is not considered that the additional hour of opening will lead to an undue increase in the instances of anti-social behaviour experienced in the vicinity of the youth club.

Property Values – The impact of any development upon property values is not a material planning consideration.

Conclusion

For the reasons set out above it is considered that the addition of one hour to the operation of the youth club on a Wednesday evening from 9.00pm to 10.00pm would not adversely impact upon residential amenity and would accord with policies SP1 and DM1 in the Core Strategy and saved UDP policy DC26.1

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 the right to a fair hearing and to this end the Committee 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 Head 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 approval of the application is proportionate to the wider benefits of approval 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 to resolve any problems arising in relation to the planning application.

Conditions to be attached to the decision

1) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority:

- a) Technical details and drawing no's 4613 D2/F, D1/D, L209-03, date stamped as received on 7th, 23rd April 2008 and 14th July 2008.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Policy DM1 in the Core Strategy Development Plan Document.

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

- a) 9.00am to 9.00pm Mondays to Tuesday, Thursdays to Saturdays
- b) 9.00am to 10.00pm on Wednesdays

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policy DM1 in the Core Strategy Development Plan Document and Saved Policy DC26.1 in the Unitary Development Plan for the City of Manchester.

3) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 119701/JO/2018 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

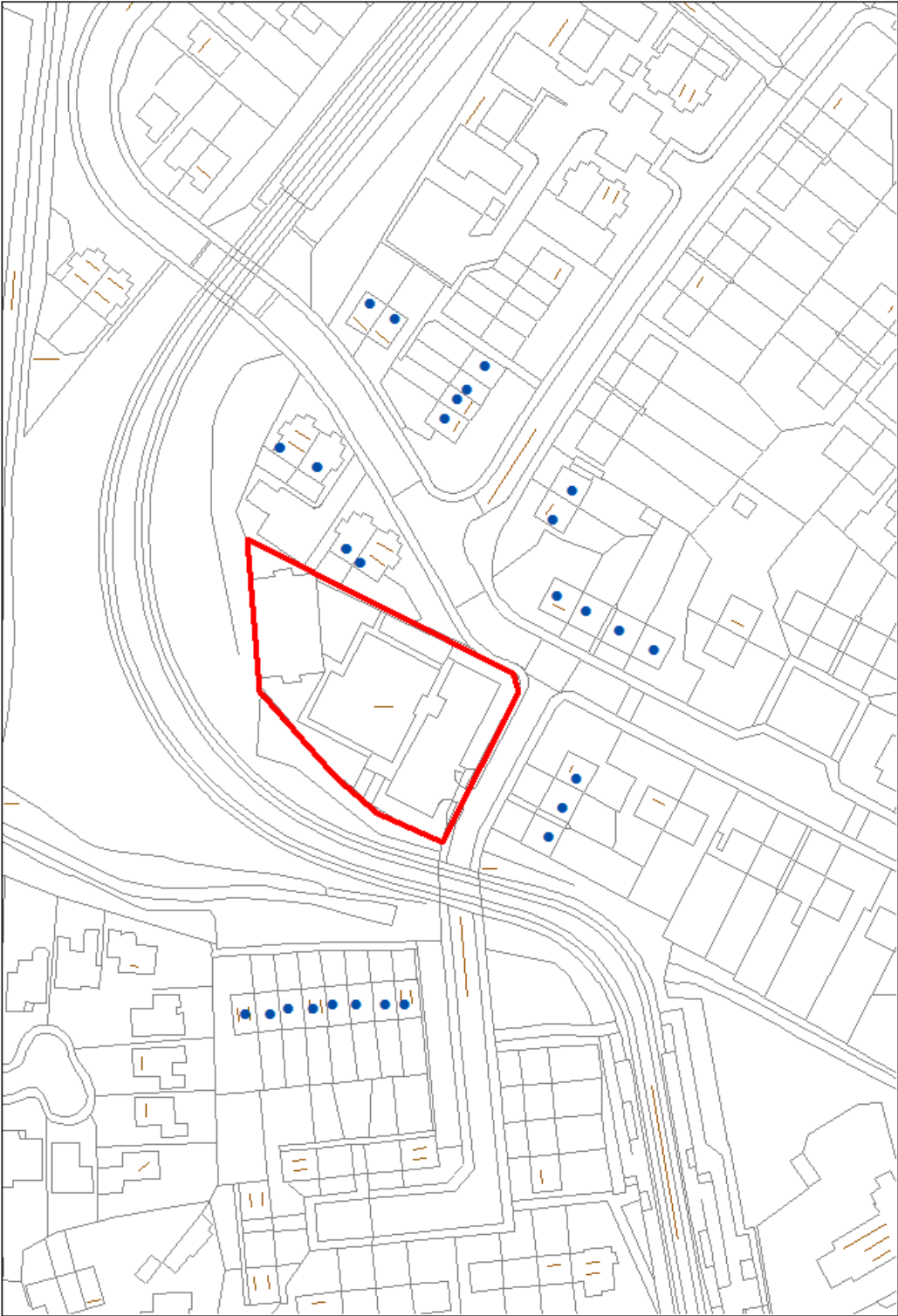
The following residents, businesses and other third parties in the area were consulted/notified on the application:

Greater Manchester Police
Transport for Greater Manchester

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Relevant Contact Officer : David Lawless
Telephone number : 0161 234 4543
Email : d.lawless@manchester.gov.uk



 Application site boundary  Neighbour notification
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