

Application Number	Date of Appln	Committee Date	Ward
125615/FO/2019	2nd Dec 2019	16 Jan 2020	Longsight Ward

Proposal Renewal of previous planning permission 110616/FO/2015/N2 for the continuance of stock car racing for a maximum of eleven meetings per season between 1st March to 31st December (annually) for a temporary period of 4 years

Location Belle Vue Greyhound Stadium, Kirkmanshulme Lane, Manchester, M18 7BD

Applicant Mr Steven Rees, Startrax Oval Motorsport Ltd, 12 Heyhouses Lane, Lythan St Annes, FY8 3RT

Planning permission is sought for a temporary period of 4 years in order to allow stock car racing to continue to take place for a maximum of eleven meetings per season between 1st March and 31st December (annually).

As background to this planning application, it is advised that the Planning & Highways committee approved application 062940/FU/NORTH2/01 in March 2002 for a temporary two-year period for Five Formula one and seven Regular stock car meetings to operate for two seasons subject to a number of conditions. In February 2004 a further temporary approval was granted by committee for the variation of conditions 1 and 3 of permission 062940/FU/NORTH2/01 to allow 8 stock car meetings per year including 4 Formula One events up to 31 October 2007. In February 2008, a temporary approval was granted by committee for the continuance of stock car racing for a maximum of eight meetings per season during a period from 1st March to 30th November for a temporary period of 4 years (ref: 085126/FO/2007/N2). Planning permission 097958/FO/2011/N1 related to the continuance of stock car racing for a maximum of eleven meetings per season during a period from 1st March to 31st December for a temporary period of 4 years; this application was given a temporary planning permission which expired on 1st March 2016.

A further application for the renewal of previous planning permission 097958/FO/2011/N2 for the continuance of stock car racing for a maximum of eleven meetings per season between 1st March to 31st December (annually) for a temporary period of 4 years (ref:110616/FO/2015/N2) was approved on 04.02.2016 for 4 years and will expire on 4th February 2020.

At the meeting of the Planning & Highways Committee on 19th December 2019 members were minded to approve residential development on this site, subject to a legal agreement for affordable housing (ref: 122160/FO/2018).

Description

The application site is within a mixed commercial and residential area and consists of a stadium and ancillary buildings, which are principally used for greyhound and stock car racing. The Showcase Cinema and associated car park is opposite the

application site with vehicular egress on to Kirkmanshulme Lane. The National Speedway Stadium is located to the west on Kirkmanshume Lane.

There is a history of stock car racing at the site, with continuous use of the stadium for stock car racing events between 1999 - 2019. The planning permission for this has always been approved on a temporary basis to allow for continued monitoring and assessment of the impact on the residential amenity of neighbouring occupiers.

This application relates to the continued undertaking of stock car racing with no associated building works. The number of proposed race events would remain at 11 to be held between 1 March and 31 December for a temporary period of 4 years. In so doing, the applicant has replicated the operational details of the planning application approved under ref: 097958/FO/2011/N2 on 4 February 2016. On this basis stock car racing would take place within the inner shale track within the confines of the greyhound track at Belle Vue Stadium.

The applicant has stated that this application has been submitted, as the current temporary permission lapses in 2020, and as such a renewal of permission will be required, even if events were to take place only in 2020, or part thereof, depending on any timeframes to redevelop the site for housing. The applicant has indicated that under the terms of the lease the stadium would still remain operational for a period of 6 months, if the residential development goes ahead.

It is anticipated that this pattern of events would take place throughout the duration of the proposed temporary planning permission on the same basis as the previous approval. As such, no more than 2 events would take place per month, nor would events take place on consecutive weeks.

In previous years 1 event has been held in February, March, April, June and October, with two events in May, August and November.

Events would take place during the following hours:

- (i) Sundays Commence at 3.30 pm and conclude no later than 7.00pm;
- (ii) Bank Holidays: Commence at 4.30 pm and conclude no later than 7.30 pm;
- (iii) Occasional Tuesday evenings: Commence at 7.00 pm and conclude by no later than 9.30 pm.

The applicant indicated a provision of 1000 car parking spaces, 350 within the application site and the continued leasing of 650 spaces within the Showcase Cinema car park situated directly to the north of the site. The applicant has also indicated the provision of stewards to manage unrestricted on-street car parking along Kirkmanshulme Lane.

Consultations

Local residents - one letter of objection has been received from a resident in Bracewell Close, Longsight, on the grounds that 11 meetings per season is too

many. They ask the Council to consider the environmental impact on the health of local residents from breathing increased levels of carbon dioxide not only from races, but from associated traffic.

Comments received from interested parties – 30 letters of objection have been received from residents in Wolverhampton, Waterloo, Ramsbottom, Birkenhead, Hereford, Thetford, Doncaster, Edinburgh, Solihull, Dublin, Westwood, Halton, Drury, Darwen, Stockport, Gresley, Worsley (2), Birmingham, Norwich (3), Audenshaw, Chorlton, Southport, West Devon, Newcastle upon Tyne Sutton Coldfield, Letchworth on the following grounds:-

- The provision of much needed housing is needed more than racing cars or dogs. The number of homeless and people needing housing is rising, and they should be helped and provided for in Manchester. The site could provide housing to alleviate these social problems. More affordable housing is needed.
- One resident queries why this should be left for 4 years, and questions how stock car racing or dog racing can be more important than housing for people.
- The venue should be shut down.
- Please consider animal welfare and their rights.
- Raise the issue of carbon reduction and question whether a motorsport venue is going to reduce emission, noise pollution etc.
- The stadium is an outdated waste of land, which could be put to better use in building affordable homes.
- The amount of jobs created in building the homes, the supply of materials for the construction and people moving into the completed home will have a substantial impact on the local economy. Please do not issue permission for a leisure activity over the positive impact of housing on the local economy.
- This place is an eyesore that could look good with newly built homes.
- Stock car racing is detrimental due to the noise and exhaust fumes generated, an greyhound racing is an outdated cruel form of entertainments. The land would be better used for housing.

Environmental Health – Have no objection to the approval of the above approval subject to all previous conditions relating to operating hours and noise mitigation being re-applied in respect of this planning application. They have considered the amended hours and would comment that later hours into Sunday evenings may give rise to concerns regarding increased noise impacts on nearby residents. No information has been submitted to address this potential concern. Therefore, as previously stated, on the basis that there have been no recent relevant complaints regarding activities at the premises, they would have no objection to the hours and additional relevant conditions of approval 110616/FO/2015/N2 being re-applied for the temporary period applied for with the amendment of hours on Bank Holiday Mondays to 1630-1930 (from 1700-2130).

Highways Services - The following comments have been received:

The proposed extension of the planning permission is accepted in principle by Highways. The existing and proposed permission is for 11 meetings per year and there would be no more than two meeting in any one month.

Highways works including TROs were previously installed to Kirkmanshulme Lane to

facilitate the development. The highway works are considered satisfactory and therefore no further interventions would be likely due to a further 4 year temporary permission.

A planning condition setting out the requirements for a travel plan is attached to the previous consent and Highways would request that a similar planning requirement is attached to any consent granted for the proposed extension to the temporary planning permission.

Greater Manchester Police Design for Security - Have no comments to make on this occasion.

Issues

National Planning Policy Framework (2019)

The revised NPPF was adopted in early 2019. It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below.

The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7).

In order to achieve sustainable development, the NPPF states that the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 8 'Promoting Healthy and Safe Communities' states that planning policies and decisions should aim to achieve healthy, inclusive and safe places (paragraph 91). This section states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use (paragraph 97). This application would enable the existing Stock Car events to continue to take place at the Belle Vue Stadium for a further temporary period.

Section 9 'Promoting Sustainable Transport' states that 'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health' (paragraph 103). Developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 109).

Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations (paragraph 110).

All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed (paragraph 111).

Section 11 'Making effective use of land' states that 'planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions' (paragraph 117).

Section 14 'Meeting the challenge of climate change, flooding and coastal change' states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 148).

Section 16 'Conserving and enhancing the historic environment' states that in determining applications, Local Planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation (paragraph 189).

In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness. (Paragraph 192)

In considering the impacts of proposals, paragraph 193 states that the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use (paragraph 195).

Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

NPPF defines designated heritage assets as: 'A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation'.

The proposal does not affect any designated heritage asset and reference is made to the above as context to the proportionate consideration of the issues concerning consideration of a non-designated heritage asset.

NPPF adds that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 197).

Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Planning Practice Guidance (PPG)

The relevant sections of the PPG are as follows:

Noise

This section states that Local Planning Authorities’ should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design

This section states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other
- form – the shape of buildings
- scale – the size of buildings
- detailing – the important smaller elements of building and spaces
- materials – what a building is made from

Health and Well Being

This section states opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation);

Travel Plans, Transport Assessments in Decision Taking

This section states that applications can positively contribute to:

- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;
- creating accessible, connected, inclusive communities;
- improving health outcomes and quality of life;
- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

The Development Plan

The Development Plan consists of:

- The Manchester Core Strategy (2012); and
- Saved policies of the Unitary Development Plan for the City of Manchester (1995)

The Core Strategy was adopted in July 2012 and is the key document in the Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) and sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved and 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 as directed by the National Planning Policy Framework (NPPF).

Section 38(6) of the 2004 Act requires planning applications to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. The NPPF also refers to this requirement.

The relevant policies within the Core Strategy are as follows:

Policy SP1 'Spatial Principles' - one of the key spatial principles is the emphasis on the creation of neighbourhoods where people choose to live, providing high quality and diverse housing, in a distinct environment. New development should maximise the use of the City's transport infrastructure, in particular promoting walking, cycling and the use of public transport.

The proposal would enable existing Stock car events to continue to be held at Belle Vue for a further period of time, and contribute towards the leisure events held at this facility. Consideration has been given to continuing to minimise the impact on local residents, in terms of noise, and event day car parking.

Policy C10- Leisure and the Evening Economy advises that new development and redevelopment that supports the evening economy, contributes to the vitality of district centres and supports a balanced and socially inclusive evening/night-time economy will be permitted, subject to considerations, including:

- i. Cumulative impact - in areas where there is already a concentration of bars (A4), hot food takeaways (A5) and other night-time uses which are detrimental to the character or vitality and viability of the centre, there will be a presumption against further facilities;
- ii. Residential amenity - the proposed use should not create an unacceptable impact on neighbouring uses in terms of noise, traffic and disturbance;
- iii. Balance - new uses in Manchester centres should support both the day-time and evening/night-time economies whilst not undermining the role of the primary shopping area.

Policy EC1 (Employment and economic growth in Manchester) - Outlines the priorities for ensuring continued economic growth in the City. Major employment growth areas are identified within the policy. In addition, the Council will support other significant contributors to economic growth and productivity including health, education, retailing, cultural and tourism facilities, and other employment generating uses.

The priorities for such developments include: improving access to jobs for all via public transport, walking and cycling; demonstrating that employment generating development has fully considered opportunities to provide jobs for local people, through construction or use; improving the portfolio of employment premises, by providing a range of employment sites and premises for small, medium and large businesses; ensuring the continued social, economic and environmental regeneration of the City and creating business destinations by enhancing the primary business use with ancillary commercial facilities.

Policy EC5 (East Manchester) - Outlines areas for specific employment growth, including Eastlands, which is identified as a major leisure visitors destination with ancillary retail and offices. Through the relevant sections of policy EC5 the Council will promote development which: ensures major employment opportunities are connected via non - car modes to residential neighbourhood within East Manchester and North Manchester, these include the City Centre, Central Park, Eastlands and railway stations in the City Centre; and, take advantage of key transport infrastructure such as the arterial roads and public transport networks, such as bus routes, and the proposed extension to Metrolink including two new lines and the new stops.

Policy T1 'Sustainable Transport' seeks to deliver a sustainable, high quality, integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking. The proposal is located in an area where there is access to a range of public transport modes, including the Gorton train station and regular bus services.

Policy T2 'Accessible areas of opportunity and needs'. It is considered that the proposed development is in a sustainable location and is close to all forms of public transport and would have a minimal impact on the local highway network and encourage the use of other forms of transport.

Policy EN3 'Heritage' states that proposals for development must preserve or enhance the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments,

listed buildings, registered parks and gardens, conservation areas and archaeological remains. The proposed development site contains no heritage assets and is not located within a Conservation Area. There are no listed buildings in close proximity to the application site. However, the historic use of the site along with the social heritage of the stadium requires full assessment as part of this application and will be considered in detail below.

EN4 'Reducing CO2 emissions by enabling low and zero carbon development' the Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO 2 emissions and rising fossil fuel prices. All development must follow the principles of the energy hierarchy being designed to reduce the need for energy through design and the use of energy efficient features and through the use of low or zero carbon energy generating technologies.

Policy EN10 'Safeguarding Open Space, Sport and Recreation Facilities' outlines that the Council will seek to retain and improve existing open spaces, sport and recreation facilities. Proposals on existing open spaces and sport and recreation facilities will only be permitted where equivalent or better replacement open space, sport or recreation facilities will be provided in the local area; or the site has been demonstrated to be surplus for its current open space, sport or recreation function or the development will be ancillary to the open space, sport or recreation facility and complement the use or character. The application site is not allocated within the Local Development Plan as open space, sport or recreation nor is it designated within the City Council's Open Spaces Audit of 2009. The issue of the retention of the Stadium for use by stock cars racing is covered in the report below.

Policy EN16 'Air Quality' outlines that the Council will seek to improve air quality within Manchester and particularly in Air Quality Management Area, located along Manchester's principle traffic routes.

The proposal would involve the extension of the existing use of the stadium for 11 stock car events between March and November 2019 each year, for a further 4 years. A condition relating to measures relating to the suppression of dust are proposed to be attached to minimise the effects of the proposed events on air quality.

EN19 'Waste' states proposals must be consistent with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). The applicant has a waste management strategy for the site. Compliance with this strategy will form part of the conditions of the planning approval.

Policy DM1 'Development Management' all development should have regard the following specific issues:-

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area;
- 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;
- Design for health;
- Adequacy of internal accommodation and external amenity space;
- Refuse storage and collection;
- Vehicular access and car parking;
- Effect on biodiversity, archaeological or built heritage;
- Green infrastructure;
- Flood risk and drainage.

The applicant has given careful consideration to the noise and dust impacts, refuse and car parking.

The proposal has been assessed in relation to the Core Strategy, and it is considered that 11 stock car events would broadly accord with the aim of supporting the evening economy as set out in policy CC10. The continued safeguarding the amenity of local residents is capable of being delivered by the inclusion of conditions to restrict hours of operation, ensuring all competing cars are fitted with effective silencers. The race meetings, on this basis, would be undertaken in accordance with appropriate operational arrangements to secure compliance with policies SP1, EN19 and DM1. It is considered that the arrangements for appropriate waste disposal can be achieved through the recommended conditions to secure compliance the policies SP1, EN19 and DM1. It is also considered that the combined retention of existing car parking arrangements supplemented with a condition requiring the submission and implementation of a travel plan with policies SP1, T2 and DM1. For the reasons given below and within this report, it is considered that the proposal is consistent with the policies contained within the Core Strategy.

The Unitary Development Plan for the City of Manchester (1995)

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which are considered relevant and material and therefore have been given due weight in the consideration of this planning application. The relevant policies are as follows:

Saved policy DC26, Development and Noise, states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise. Conditions will be used to control the impacts of developments. The proposal has been designed to minimise the impact on future residents from existing noise sources adjacent to the application site and mitigation will be secured by planning condition.

For the reasons given below, it is considered that the proposal is consistent with the policies contained within the UDP.

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (Adopted 2007) - This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design,

quality of public realm, facilities for disabled people, pedestrians and cyclists. It also promotes a safer environment through Secured by Design principles, appropriate waste management measures and environmental sustainability. In this instance, it is considered that the proposed development would broadly accord with this guidance as set out further in the report.

Issues

Publicity

This application was advertised on site as being of Public Interest on 17th December 2019, and in the press on 10th December 2019.

Principle

Belle Vue Stadium has been used for a variety of sports for many years, including greyhound racing and speedway racing. Stock Car racing has taken place at the stadium since May 1999. Notwithstanding the recent decision to be minded in principle to approve the redevelopment of the site for residential purposes, as long as the stadium remains in use for sporting activity, the principle of Stock Car racing is considered to be appropriate. This is subject to the detailed consideration of the potential impacts originating from the use.

Asset of Community Value

The existing site is currently occupied by the Belle Vue Stadium and associated car parking and supporting operational land. The site is also occupied by the MSM Motorcycle Training Centre and associated office cabin. With reference to the Development Plan, the site is not allocated within the Core Strategy or within the saved Proposals Maps of the Unitary Development Plan.

The Belle Vue Stadium was designated as an Asset of Community Value (ACV) in July 2018. The primary purpose of ACV listing being brought in to force through Part 5 Chapter 3 of the Localism Act, and the Assets of Community Value (England) Regulations was to afford the community a 'Right to Bid' should an owner of a listed asset make the decision to sell. ACV status places restrictions on the disposal of the land, namely the sale of the freehold or the grant of a lease of 25+ years (or the assignment of a lease with 25+ years remaining). In brief, where the owner wishes to dispose of an ACV, it cannot do so until it has given the opportunity to community groups to bid for the asset. However, even if a community group puts together a bid, the owner is free to dispose of the asset to whoever they choose at the end of the bidding process.

The application for, and/or grant of planning permission will not trigger these restrictions. Anyone can apply for planning permission on land they do not own, just as the grant of planning permission does not necessarily mean that the land will be sold and developed in accordance with that permission. However, if the owner subsequently decides to sell the land to a developer, it will need to follow the strict process set out in the legislation to allow bids to come forward from community groups. Therefore, this process runs separately to the planning process.

The test for designating land as an ACV is different to the considerations the Local Planning Authority take into account in determining a planning application, and so it

is possible to grant planning permission for an alternative, apparently conflicting use. It is open to the LPA to take ACV status into account as a material consideration, subject to the usual test of reasonableness/irrationality, as the designation itself recognises that the stadium is of community value.

The listing of the stadium as an ACV is not, of itself, an overriding consideration as case law that pre-dates the ACV legislation has already established that the desirability of preserving an existing use is a material consideration in any planning application, provided that there is a reasonable probability that such a use will continue should the planning application be refused. Listing a site as an ACV is simply a public recognition of this and the weight to be placed on this issue is a matter for the decision maker, which in this case is the City Council.

Taking all of the above information into account, the proposal would allow the existing stadium to be used for Stock Car racing alongside the use for Greyhound racing.

Operating hours

The previous temporary planning permission was approved on the basis of the following operating hours: Sunday 1:30 pm to 5:00 pm, Bank Holiday Mondays, 5.00 pm to 9:30 pm and Tuesday 7 pm and 9:30 pm.

The current application seeks approval for Sundays 3.30 pm to 7.00pm; Bank Holidays: 4.30 pm to 7:30pm and occasional Tuesday evenings:7.00 pm to 9.30 pm.

Environmental Health officers considered the amended hours and are of the view that later hours into Sunday evenings may give rise to concerns regarding increased noise impacts on nearby residents. No information has been submitted to address this potential concern. However, they would have no objection to the hours and additional relevant conditions of approval 110616/FO/2015/N2 being re-applied for the temporary period applied for with the amendment of hours on Bank Holiday Mondays to 1630-1930 (from 1700-2130).

The existing hours give a degree of certainty regarding potential impacts of the continued operation of the use. Although the applicant has sought consent for later operating hours on Sundays, there remains concern regarding the undertaking of races into the evening periods on Sundays due to the potential for noise disturbance and residential amenity. The applicant has not provided any justification for the above changes. It is therefore considered that the replication of previous approved operation hours would be appropriate to ensure no unacceptable impacts on residential amenity arise and to secure compliance with Core Strategy policies SP1 and DM1, saved UDP policy DC26 and the NPPF. The applicant has been advised of this approach and any further comments will be reported.

The applicant has now agreed to the hours as previously approved without the later operating times on a Sunday evening.

Residential Amenity

The applicant has provided a schedule of events for the 2019 season which shows a typical dispersal of events between March and November with a break during July. These arrangements reflect the existing circumstances.

The stadium has historically had consent for speedway and greyhound racing, alongside a history of longstanding stock car racing. In light of the new national Speedway Stadium consideration has been given to the likelihood of stock car racing been undertaken simultaneously with racing at the neighbouring National Speedway Stadium.

Although motor sports by their nature are noisy events, stock car events have now been held at the stadium for 20 consecutive seasons with low levels of complaints. Furthermore, the Neighbourhood Compliance and Licensing & Out of Hours officers have advised that there have not been any relevant complaints regarding activities at the above premises recently.

On the basis of the re-imposition the previously approved hours (Sunday 1:30 pm to 5:00 pm, Bank Holiday Mondays, 5.00 pm to 9:30 pm and Tuesday 7 pm and 9:30 pm), it is unlikely that stock car racing and speedway meetings would take place at the same time in their respective stadia. It is the case that flat track racing would be undertaken in November through to the end of February at the National Speedway Stadium, which would coincide with the end of the stock car racing season on Sundays. Whilst there is a potential for flat track and stock car racing to take place at the same time, i.e., November through to the end of February, this would be for 3 hours only. As part of the planning application for the speedway stadium, Environmental Health considered that there would only be a 3dB rise in noise emission if stock car and speedway racing was to be undertaken at the same time. It is considered that such a rise in noise levels would be acceptable given the short duration the noise emission would take place. On this basis, it is considered that the proposed continued undertaking of limited stock car racing and the operation of the speedway stadium would not have an unacceptable cumulative impact on residential amenity.

Due to the nature of the proposal the impact on the residential amenity of the area is a key consideration in determining the proposed development. Environment Health has noted that complaints have been received historically in relation to the undertaking of stock car racing, but is satisfied that any adverse impact can be managed subject to appropriate planning conditions. It is the case that stock car racing has not generated any complaints to the Planning Compliance Team since 2010. This basis it is considered that the previously approved number of events and operating times and arrangement should be re-imposed.

Visual amenity

There are no physical changes to the appearance of the building as part of this application. Therefore it is considered that the proposal to use the stadium for stock car racing will not visually affect the visual amenity of the area. On this basis, it is considered that this aspect of the development has been satisfactorily related to Core Strategy policies SP1 and DM1.

Access for disabled people

There are no physical works proposed as part of this submission; the stadium already has disabled car parking spaces, level access and a lift to upper floors and disabled toilet facilities.

Noise

It is the case that motor racing in the form of speedway racing and limited stock car racing events has historically been undertaken at the stadium, alongside greyhound racing. It is therefore the case that the area is accustomed to noise generating uses, which have been subject to appropriate controls and measures to minimise any impact on surrounding residential amenity. Notwithstanding the above, consideration still needs to be given the provision of measures to reduce the impact of noise disturbance on residential amenity and whether these remain a satisfactory means to control any adverse impact on residential amenity.

The applicant has submitted a noise assessment, which concludes that there have been no changes in circumstances that would materially affect the undertaking of stock car racing at the application site. Environmental Health has accepted these assertions and has not objected to the proposals on the basis of the re-imposition of previous conditions relating to hours of operation , numbers of events each session, and that all competing cars shall be fitted with effective silencers and exhaust systems, which shall accord with MSA and RAC guidelines or equivalent and be subject to visual and sound pressure level checks prior to the meeting in accordance with the 'Code of practice for the control of noise from Oval Racing Council' .

The applicant has also indicated that neither the maximum car engine sizes nor the arrangement for racing has changed since the previous temporary planning permission. The applicant has also reaffirmed that all events operate under the rules and regulations of the British Stock Car Association and the British Oval Racing Safety Executive. The event employs scrutinisers to ensure all vehicles are fitted with working silencers and appropriate exhaust systems to MSA/RAC blue book guidelines. Furthermore, the use of silencers and the disqualification of vehicles from racing should appropriate standards not be met has been attached as a condition of approval. In addition, a condition has been recommended to ensure that at each race meeting engine noise would not be permitted until 30 minutes prior to the commencement of racing and the loading / removal of competing vehicles within 15 minutes of the conclusion of each race event. This will seek to ensure residents are not subject to unacceptable levels of noise prior to a race commencing or event concluding.

On the basis of the above subject to the recommended conditions it is considered that the development has been satisfactorily related to Core strategy policies SP1, C10 and DM1 and saved UDP policy DC26 and the NPPF.

Highway Related Matters and Car Parking

Policy T1 and T2 of the Core Strategy seeks to encourage modal shifts away from the car and locate new development that is accessible by walking, cycling and public transport. Policy DM1 goes on to state that traffic generation and road safety must be considered as part of new developments.

The application site is located in an accessible location with bus routes on Hyde Road and Kirkmanshulme Lane and a railway station to the north east of the site on Hyde Road. The existing Stadium car park can accommodate approximately 350 cars. The applicant has reaffirmed that up to 650 additional parking spaces are leased for race events within the Showcase Cinemas on event days without charge to race goers. These arrangements have previously operated during the life of the previously planning permission. A condition is also recommended to ensure the on-going marshalling of cars parking along Kirkmanshulme Road when events take place. In response to highways service comments a condition has been recommended to ensure the provision of a travel plan.

It is that case that planning permission granted in respect of the National Speedway Stadium (106133/VO/2014/N2) has delivered highways improvement to Kirkmanshulme Lane, including suitably designed access and egress arrangements (to the new stadium), the provision of Traffic Regulation Orders (TROs) and the provision of lay-by coach parking. It is considered that these improvements to highways arrangements would also aid the management of parking along Kirkmanshulme Lane when stock car racing events take place.

As advised earlier in this report, on the basis of the re-imposition the previously approved hours on Sundays (Sunday 1:30 pm to 5:00 pm), and those proposed on Bank Holiday Mondays, and on Tuesdays, it is unlikely that stock car racing and speedway meetings would take place at the same time in their respective stadia. It is the case that flat track racing would be undertaken in November through to the end of February at the National Speedway Stadium, which would coincide with the end of the stock car racing season on Sundays. Whilst there is a potential for flat track and stock car racing to take place at the same time, i.e., November through to the end of February, this would be for 3 hours only.

It is considered that traffic generation and car parking can be accommodated within the local highways network, given the retained measures for the management of car parking associated with the undertaking of stock car racing and improvements to highways arrangements related to the neighbouring development of the National Speedway Stadium. On this basis, it is considered that the development would be satisfactorily related to Core Strategy policies SP1, T2 and DM1 and the NPPF.

Air quality and dust emissions

The application site is partially located within Manchester's Air Quality Management Area (AQMA). The area has been designated on the basis of known areas where air quality conditions are poor as a result of vehicular emissions. The proposed use is for a temporary period and for a limited number of events and therefore the impacts on air quality are not considered to be significant.

The applicant has indicated that hard core has been laid to reduce the dispersal of dust. The applicant has also confirmed the retention of existing arrangements relating to the watering of the pit areas and race track with bowsers during meetings and on preceding days in periods of hot and dry weather.

It is acknowledged that there will be some impacts in terms of the creation of dust, but that this is predictable and would be localised. It is considered that the existing

measures which are employed on event days in relation to dust are acceptable, but should be conditioned to ensure that appropriate measures are used to ensure dust suppression in accordance with policy EN16

Waste Management

The applicant has confirmed that competitors are not permitted to leave tyres, vehicle parts or oil within the site and are removed from the site at the end of each meeting. Any scrap metal generated as a consequence of the meeting is collected and removed via a licensed recycling contractor. The applicant maintains that the bulk of waste generated at race meeting is associated with catering (food and drink), which is managed by the site landlords who use a commercial operative to remove all waste and recyclable material from the site. It is considered that there is scope to secure comprehensive arrangements for waste management, which satisfy the requirements for Core Strategy policies SP1, EN19 and SP1, and that this aspect of the scheme should be conditioned

Employment

The inclusion of Stock car racing at the Belle Vue stadium has contributed in the creation of seasonal and event employment at the stadium and the protection of permanent positions at the Stadium, as well as event day staff and staff in associated businesses who indirectly benefit from race day event activities. Event days also provide opportunity in attracting significant numbers of visitors from outside the City indirectly contributing to the local economy. It is considered that the contribution of the development in regeneration terms would be consistent with the requirements of Core Strategy policies SP1, C10, EC1 and EC5 and the NPPF.

Conclusion

The proposal relates to an on-going use, which has been assessed in relation to the Core Strategy, saved UDP and the NPPF. It is considered that 11 stock car events would broadly accord with the aim of supporting the evening economy as set out in Core Strategy policy C10. The continued safeguarding of the amenity of local residents is capable of being delivered by the inclusion of conditions to restrict hours of operation, ensuring all competing cars are fitted with effective silencers. The race meetings, on this basis, would be undertaken in accordance with appropriate operational arrangements to secure compliance with Core Strategy policies SP1, EN19 and DM1, saved UDP policy DC26 and the relevant sections of the NPPF. It is considered that the arrangements for appropriate waste disposal can be achieved to secure compliance the Core Strategy policies SP1, EN19 and DM1. It is also considered that, through a condition, measures can be put in place to secure satisfactory dust suppression and maintenance of air quality pursuant to Core Strategy policies SP1, EN16 and DM1, Saved UDP policy DC26 and the NPPF. It is also considered that the combined retention of existing car parking arrangements supplemented with a condition requiring the submission and implementation of a travel plan with policies SP1, T2 and DM1 and the NPPF. For the reasons given below and within this report, it is considered that the proposal is consistent with the policies contained within the Core Strategy, saved UDP and the NPPF. On this basis of the above and given the applicant's commitment addressing issues relating the proposed continued use, it is considered that the development is capable of being undertaken without unduly affecting residential amenity and as such the granting of temporary planning permission is recommended.

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 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 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 based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this development where early discussions took place regarding the principle of extending the temporary use for a further period of time. It is considered that such an approach has ensured that the development accords with the previously established operating arrangements, which have established a satisfactory relationship to neighbouring housing. It is considered that all other issues related to the development are capable of being addressed by condition to secure compliance with the Core Strategy for the City of Manchester, Saved Unitary Development Plan and the National Planning Policy Framework.

Reason for recommendation

Conditions to be attached to the decision

1) The permission hereby granted is for a limited period expiring on 16 January 2024, at which time the use comprising the development shall be discontinued.

Reason - To enable the local planning authority to review the situation in the interest of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester, Saved Unitary Development Plan policy DC26 and the National Planning Policy Framework.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents stamped as received by the City Council as local planning authority on the specified dates: Site location plan with a red edge received 02 December 2019; Supplementary Information to support the Planning Application

for continuance of Stock Car racing at Belle Vue Greyhound Stadium (dated 28 November 2019); Screening Appraisal: Noise Exposure of Employed Persons at Oval Racing Circuits (dated October 2010), and site edged red (received on 28th November 2011) and Appendix :Acoustic Update dated 3rd December 2011 (received on 7th December 2011 as amended by e-mail from the applicant dated 1st February 2012).

Reason - To ensure that the development is carried out in accordance with the approved plans and operational details, pursuant to policies SP1 and DM1 of Core Strategy for the City of Manchester and the National Planning Policy Framework.

3) No more than eleven stock car racing events shall take place between 1st March and 31st December in a calendar year and no more than two stock car events being undertaken per calendar month.

Reason - To safeguard the amenities of nearby residential accommodation pursuant to policies SP1 and DM1 of Core Strategy for the City of Manchester, Saved Unitary Development Plan policy DC26 and the National Planning Policy Framework.

4) The stock car racing events hereby approved shall take place between the following hours: Sunday 1:30 pm to 5.00pm, Bank Holiday Mondays, 4.30 pm to 7.30 pm and Tuesday 7 pm and 9:30 pm. No grounds maintenance, including litter removal in external areas, shall take place after a stock car racing events beyond 11.00 pm on that same night or before 10.00 am on the following day.

Reason - To safeguard the amenities of nearby residential accommodation pursuant to policies SP1 and DM1 of Core Strategy for the City of Manchester, Saved Unitary Development Plan policy DC26 and the National Planning Policy Framework.

5) The meeting shall operate without engine noise from competing cars until 30 minutes before the first race and 15 minutes after the conclusion of the final race, including vehicle exhaust and silencer checks.

Reason - To safeguard the amenities of nearby residential accommodation pursuant to policies SP1 and DM1 of Core Strategy for the City of Manchester, Saved Unitary Development Plan policy DC26 and the National Planning Policy Framework.

6) Within one month of the date of this planning permission, a scheme shall be submitted to and approved in writing by the City Council, as the local Planning Authority, relating the provision of measures to secure satisfactory dust suppression and maintenance of air quality. The development shall be fully implemented in accordance with the approved details upon commencement of the use and throughout the 4 year period of the temporary planning permission hereby granted.

Reason - To prevent dust nuisance to adjoining streets, to safeguard air quality and in the interests of residential amenity, pursuant to policies SP1, EN16 and DM1 of Core Strategy for the City of Manchester, Saved Unitary Development Plan policy DC26 and the National Planning Policy Framework.

7) All car parking spaces within the stadium shall be made available for the stock car racing events upon commencement of the use and throughout the 4 year period of

the temporary planning permission hereby granted as set out in documents referenced: planning application forms and Supplementary notes to support the planning application for the continuance of stock car racing at Belle Vue Greyhound Stadium for a period of 4 years (by Startrax Oval Motorsport Ltd dated 28 November 2019).

Reason - To provide adequate car parking for the event and reduce on street car parking pursuant to policies SP1, T2 and DM1 of Core Strategy for the City of Manchester and the National Planning Policy Framework.

8) Car parking shall be marshalled in accordance with the details set out in the submitted document referenced: 'Supplementary notes to support the planning application for the continuance of stock car racing at Belle Vue Greyhound Stadium for a period of 4 years (by Startrax Oval Motorsport Ltd dated 28 November 2019' with stewards in attendance and operational two hours prior to the commencement of racing and one hour after the end of each stock car race meeting to be undertaken as part of the temporary planning permission hereby approved.

Reason: To protect the amenity of local residents and in the interest of highway safety and in accordance with the submitted car parking stewarding information and pursuant to policies SP1, T2 and DM1 of Core Strategy for the City of Manchester and the National Planning Policy Framework.

9) Within one month of the date of this planning permission, a scheme for the storage and disposal of refuse, including, litter, car parts and engine oil within the stadium and the collection and disposal of litter from an identified area around the external perimeter (of the stadium) shall be submitted to and approved in writing by the City Council as Local Planning Authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the temporary use hereby approved is in operation.

Reason - In the interests of residential amenity and public health pursuant to policy policies SP1, EN19 and DM1 of Core Strategy for the City of Manchester and the National Planning Policy Framework.

10) All competing cars shall be fitted with effective silencers and exhaust systems, which shall accord with MSA and RAC guidelines or equivalent and be subject to visual and sound pressure level checks prior to the meeting in accordance with the 'Code of practice for the control of noise from Oval Racing Council' as specified in the submitted document referenced: 'Supplementary notes to support the planning application for the continuance of stock car racing at Belle Vue Greyhound Stadium for a period of 4 years (by Startrax Oval Motorsport Ltd dated. dated 28 November 2019'. Any cars with an unsatisfactory exhaust system shall not be allowed to race or practice within the application track. Full written records and details of noise inspections shall be submitted to the Local Planning Authority no later than 31 January following the conclusion of the preceding year of the temporary planning permission hereby granted.

Reason - To safeguard the amenities of nearby residential accommodation pursuant to policies SP1 and DM1 of Core Strategy for the City of Manchester, Saved Unitary Development Plan policy DC26 and the National Planning Policy Framework.

11) A Travel Plan Strategy, with the objective of reducing car borne journeys and including particulars of its implementation and monitoring of effectiveness shall be submitted to the City Council as local planning authority within 3 months of the commencement of the temporary use hereby authorised. The strategy shall outline procedures and policies that the occupants of the site will adopt to secure the objectives of the Travel Plan Strategy. Additionally, the Travel Plan Strategy shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the Travel Plan Strategy and its implementation remain effective. The results of the monitoring and review processes shall be submitted in writing to the local planning authority and any measures that are identified to improve the effectiveness of the Travel Plan Strategy shall be adopted and implemented.

Reason - To assist promoting the use of sustainable forms of travel pursuant to policies SP1, T2 and DM1 of the Core Strategy for the City of Manchester.

12) The undertaking of stock car racing shall not take place at the same time as motor cycle or motorised vehicle racing at the National Speedway Stadium.

Reason - To safeguard the amenities of nearby residential accommodation pursuant to policies SP1 and DM1 of Core Strategy for the City of Manchester, Saved Unitary Development Plan policy DC26 and the National Planning Policy Framework.

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: 125615/FO/2019 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.

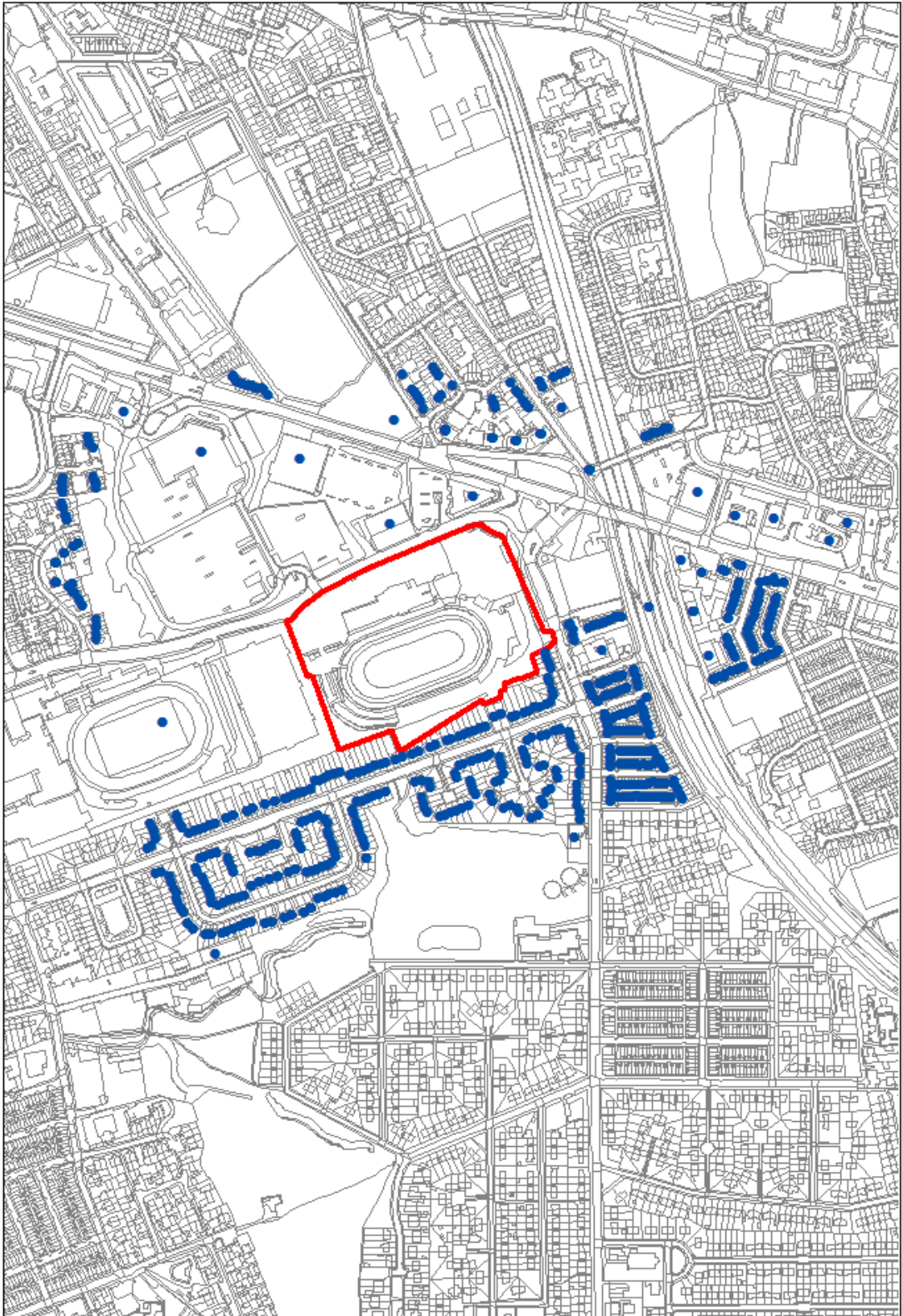
The following residents, businesses and other third parties in the area were consulted/notified on the application:

**Highway Services
Environmental Health
Greater Manchester Police**

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 : Sue Wills
Telephone number : 0161 234 4524
Email : s.wills@manchester.gov.uk



□ Application site boundary ● Neighbour notification
© Crown copyright and database rights 2020. Ordnance Survey 100019568