

REPORT FOR DECISION

MEETING: PLANNING CONTROL COMMITTEE

DATE: 15th DECEMBER 2009

SUBJECT: REVISED ARTICLE 10 CONSULTATION
APPLICATION BY GOALS SOCCER PLC AT HEATON
PARK IN MANCHESTER

REPORT FROM: DEVELOPMENT MANAGER

CONTACT OFFICER: JOHN CUMMINS, DEVELOPMENT MANAGER

TYPE OF DECISION: COUNCIL

**FREEDOM OF
INFORMATION/STATUS:** This paper is within the public domain

SUMMARY: The report lists:

- Report on consultation received from Manchester City Council
- Layout plan
- Visual

**OPTIONS &
RECOMMENDED OPTION** The Committee is recommended to note the report.

IMPLICATIONS:

Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? N/A
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Financial Implications and Risk Considerations:	Director of Finance and E-Government to advise regarding risk management N/A
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Statement by Director of Finance	N/A
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and E-Government:

Equality/Diversity implications: N/A

Considered by Monitoring Officer: N/A

Are there any legal implications? No

Staffing/ICT/Property: N/A

Wards Affected: All

Scrutiny Interest: N/A

TRACKING/PROCESS

EXECUTIVE DIRECTOR:

Chief Executive/ Management Board	Executive Member/Chair	Ward Members	Partners
Scrutiny Commission	Executive	Committee	Council

REPORT ON REVISED ARTICLE 10 CONSULTATION AT HEATON PARK FOR PLANNING APPLICATION BY GOALS SOCCER CENTRES PLC

DESCRIPTION

Following the Supplementary Item to the PCC at the July Committee and the subsequent comments passed to Manchester revised drawings have been accepted by Manchester which respond to the formal comments that Manchester had received.

The application will be reported to the Planning Committee of Manchester City on the 17th December 2009.

As with the previous notification, Bury Council has received a notice as a neighbouring authority by Manchester City Council under Article 10 of The Town and Country Planning Act 1990 (As Amended). This means that we are simply a Consultee and have no powers over the way that the application is processed or determined.

The application has been amended as follows:

- Skateboard park has been deleted from the scheme
- Car Parking has been amended and now 38 spaces are provided within the site and the informal car park to the north of the application site, but within the Park, is to be demarcated with 150 spaces. Peak period demand is estimated at 90 spaces.
- Proposed the tennis/netball courts on the western boundary (nearest to residential properties) are not illuminated and a 10pm restriction has been agreed for use.
- Amendment of position of pavilion near to the western boundary.

- Various amendments to the position of pitches, landscaping and layout inc. the removal of many of the fences proposed.
- Development now comprises:
 - Pavilion housing changing rooms, store, multi-use rooms and café bar.
 - 13 small sided football pitches
 - 6 tennis/netball courts
 - Climbing wall
 - Associated parking, landscaping and floodlighting.

INTERNAL CONSULTATION REPLIES.

Traffic Section - The Transport Assessment submitted in support of the planning application for the proposed Goals Soccer Centre at Heaton Park utilised experience gained on a similar existing site operated by the developer and identifies the traffic volumes and parking accumulations anticipated to be generated. The busiest peak hour has been identified as between 20.00 - 21.00 on a weekday with a steady increase in vehicular activity from 18.00 onwards. Whilst the estimated two-way trips of 154 vehicles during this peak hour should not present a problem in highway capacity terms as it is outside the normal busiest peak times on the surrounding highway network, members of the Planning Control Committee may be concerned with the impact this extra traffic may have in the evening on the residential amenity of neighbouring properties. However, this is not a technical reason for objecting to the proposal on highway capacity or safety grounds.

Highways officers do have a concern relating to the parking requirements of the proposed development predicted in the assessment. It identifies that up to 90 parking spaces could be required between 18.00-19.00, the busiest hour for parking demand. Only 38 new parking spaces are proposed and the Transport Assessment still indicates that it is only provisionally agreed with Manchester City Council that the existing car park opposite the site can be used to accommodate any overspill parking arising from the development. Whilst the submitted 'Proposed Site Plan' ref. 2006.1375.001 010 Rev P14 indicates that this car park is to be re-marked as part of the development proposals, if this existing car park that is located outside the planning application red-edge site is not available for this use, the development is likely to lead to vehicles parking on the surrounding highways in Bury. This would not be acceptable in highway safety terms and proposals to mitigate this should either be submitted as part of the current planning application or conditioned if planning permission is granted, in order to ensure appropriate measures are agreed prior to the commencement of the development and in place when it becomes operational.

Planning Policy - No objections and commented as follows:- The Open Space, Sport and Recreation Assessment, published in January 2009, identifies the Prestwich area as having a significant deficiency in outdoor sports provision. It was also found that playing pitch quality in the area was of average standard. Consequently, it is considered that the proposal will have significant benefits for Prestwich and will help to remedy identified shortfalls in provision.

Parks and Countryside - No comments received.

Environmental Health - Pollution Control - No objections subject to the following comments. Not convinced about the conclusions that 'with the mitigation measures recommended..... noise from use of the development will be reduced to acceptable levels such that there will be no demonstrable harm to residential amenity'.

The applicants Consultant states that he has based his calculations on noise measurements obtained at 'similar' multi-pitch five-a-side football centres. However, the degree of similarity to this proposal is not disclosed.

Mention is made of the noise from the tennis/netball courts or the extreme/cage football pitch which is situated in close proximity to the adjacent houses but it is unclear on what basis this noise has been factored into the noise levels given for the 'similar multi-pitch five a side football centres'. An assumption has been made that the source noise levels for the tennis courts will be 10 dB lower than the football noise levels' but the basis for this assumption is not provided and therefore is questionable and cannot be agreed upon.

The Consultant says in his report that activities that 'It is understood that the proposed 5-a-side and 7-a-side football pitches would be used during the day and until 23:00 hours in the evening on weekdays. and during the daytime only at weekends. Therefore, noise surveys were carried out on a weekday evening and on a Sunday afternoon.' [Para. 3.1 of the report]. However, the Application states that 'activity' is to take place until 23:00.

The noise mitigation to be provided by the acoustic screen is only relevant if there is no direct line of sight between the receiver and the noise source. The barrier will have no effect on shouts/screams/impact noise unless this occurs out of sight behind this barrier. Levels of noise reduction provided by any barrier for this type of noise from sporting activity cannot be provided.

Whilst the L AMAX values for the background/ambient are similar to the ones from the football activity, the psychological impact of both noises will be different - residents will not generally become excited by traffic noise because they know that this noise is generally beyond their control.

It is also recommended that should this application be consented by Manchester that suitable controls are imposed on the lighting system.

Other Comments – One email has been received from the residents asking for the application to be objected to by the Planning Control Committee. The writer has been asked to send his comments direct to Manchester City Council.

Recommendation – The Council have been consistent in applying a 10pm (22.00 hrs) restriction on the use of games pitches within the Prestwich and Whitefield areas. In particular, the case of the Manchester Maccabi CSC application (ref: 51051) located on Bury Old Road in Prestwich should be used as 'best practice' example regarding the operation of such facilities. In this case both the Planning Inspectorate and the Council have considered that 22.00 hrs was the latest that pitches should be illuminated in order to protect the amenities of residents. A recommendation should be made to Manchester City regarding a restriction on the hours of use of the outdoor pitches to 22.00, should they be minded to approve the application.

Consequently it is recommended that no objections be raised to the application and should the application be approved that recommended conditions should be included. In addition that's the comments of the various Teams from within the authority are passed onto Manchester City Council for their consideration.

Recommended Conditions:

- 1 Condition requiring the illumination of the pitches to be turned off after 22.00hrs each night in order to protect the residential amenities of the properties adjacent.
- 2 Condition required ensuring that a management scheme is in place to manage the peak period parking in order to protect the amenities of the residents on the access road to the development prior to the development commencing and that the scheme has to be implemented during the life of the centre.
- 3 Condition requiring full noise mitigation measures to be in place prior

to the bringing into of the use in order to protect the residential amenities of the nearby properties.

Advisory Notes:

1. That further publicity should be given to the application specifically for the residents of Prestwich. They called for a Public Meeting to be held so that the views and opinions of those most affected by the proposal could be heard first hand by either the City Council or the Developer prior to you making a recommendation of the application. To facilitate this, the Local Area Coordinator, Carran O'Grady could arrange such a meeting and she can be contacted on 0161 253 7245, 07733125441 or c.o'grady@bury.gov.uk.
2. That consideration be given to a condition, or planning obligation under Section 106, requiring the facilities to be made available to local community groups free of charge, at none peak periods.

List of Background Papers:- None

Contact Details:-

John Cummins
Development Manager
Environment and Development Services
Craig House
5 Bank Street
Bury BL9 0DN

Tel: 0161 253 6089

Email: j.cummins@bury.gov.uk