

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132371/FO/2021
Date registered valid: 14 December 2021
Proposal: Erection of a single storey prefabricated building to form childcare facilities
Address: Chorlton Sports and Social Club, Hardy Lane, Manchester, M21 7BL
Ward(s): Chorlton Park Ward
Applicant: Jones, 33 Hardy Lane, Manchester
Agent (if any): Mr Jitesh Bhatt, Bhatt Architects Ltd, 5 Platt Court, Wilmslow Road, Manchester, M14 5LT
Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 28 February 2022



Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 13 January 2022

Standard consultations: Printed: 17 December 2021

Expired: 7 January 2022

Neighbour notifications Printed: 17 December 2021

Expired: 7 January 2022

Printed: 04 February 2022

Expired: 25 February 2022

Site notice No site notice has been produced

Press advert No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of site/building

The application site relates to a level and roughly triangular parcel of grassed land that is ancillary to a sports pitch associated with an active sports and social club. It is located on the south-eastern side of Hardy Lane in the Chorlton Park ward and is accessed via a gated vehicular / pedestrian single track road on Hardy Lane that extends past the site to the clubhouse. The grassed land is separated from the road by low level barrier fencing.

The land abuts a concrete panel boundary fence to the north beyond which is part of the communal gardens within the curtilage of The Cricket Grove, a 2-storey residential development of over-55's flats which are set back 14-metres from the site.

The main playing field is to the east and provides 2no. grassed football pitches. To the west is the tarmac access road whilst to the south is the clubhouse, parking and bin storage area.

There are residential houses to the west of the access road situated on Burleigh Mews and around the northern perimeter fronting onto Darley Avenue and to the east (Fitton Avenue). The land to the south shares a boundary with the Mersey Valley Green Belt and is outside of Flood Risk Zones 2 and 3.

Description of area

The site is located within an area characterised by urban residential fringe on the edge of the Mersey Valley Green Belt. It comprises mainly inter-war semi and quasi-semi-detached housing with some new infill which is mainly found to the south of the site.

The Metrolink Airport line tram runs the length of Hardy Lane with a stop 430-metres north at Mauldeth Road (Barlow Moor Road stop). There are also segregated cycle lanes and dedicated lay-by parking zones the length of Hardy Lane.

Further south, there is access to the Mersey Valley which offers recreational opportunities whilst at the northern end of Hardy Lane at its junction with Barlow Moor Road are retail amenities. Chorlton Park Primary School is located north-west of this junction 378-metres from the site.

Description of development

Erection of a single storey prefabricated building to form childcare facilities.

The proposal is to erect a prefabricated building to provide before and after school childcare facilities for a maximum of 40no. children aged between 3 and 11 years. Until now, the children, who come from local families in the area, have received high quality (OFSTEAD 'Outstanding' – 2019) childcare through the same facility located within Chorlton Park Primary School. The

provider / applicant known as COSH (Chorlton Outside School Hours), was established in 1996 but due to the schools' circumstances, the contract will be terminated on the 31st of March 2022 and COSH now require a local base to continue providing before and after school childcare facilities or must close.

COSH have familial links with the Chorlton Sports and Social Club, managing both services and thereby seek to utilise part of the land within their management which is not used for sporting activities.

The site is located parallel to the access road and parking area from which it is presently separated by crowd control barrier fencing.

The proposed days and hours of operation are:

Monday to Friday 07.50am to 08.50am then 15.00pm to 18.00pm

Parking will utilise existing arrangements with 3no. dedicated spaces outside the site and 6no. cycle spaces.

Staff numbers will be in line with OFSTED recommended ratios which comprise 6no. FTE staff.

The building has an L-shaped footprint giving 114sqm of floorspace that is subdivided into 5no. activity areas for a mix of independent, group and quiet play. Activities on site include craftwork, free play, home corner, dressing up, teddy bears, cars, train tracks and quiet space for children with special educational where there are books, soft toys, fidget spinners and play putty. Other activities include junk model making, clay, painting and colouring.

There are 4no. WC's proposed including 1no. disabled and a kitchenette area which is mainly for staff use. Children will not be served hot meals at the facility, but packed lunches can be catered for.

The application was delayed whilst a second notification was carried out to capture additional residents who may be affected by the proposal.

Consultations & Notification Responses

Neighbours

A total of 34no. neighbouring occupiers were notified of the application in two consultations to capture all residents likely affected by the proposal. No comments were received.

Highways

Whilst no traffic impact details have been provided, given the small scale of the development coupled with operational times being limited to before and after school, we consider that the associated comings and goings can be accommodated on the highway network.

The plans indicatively indicate three additional on-site car parking/drop-off spaces and we would recommend that these be a minimum of 2 x 6m for standard bays and 2.7 x 6.6m for accessible bays. External cycle storage is provided for 6 bikes. We understand that additional social club car parking is available given that the operational times for each use are different.

In the absence of any specific details relating to pedestrian walkways, we would require that these are clearly marked to separate the pedestrian area from that used for vehicle drop-off and parking ideally with some form of kerb delineation or physical separation between the two. In this regard further details are sought from the applicant. It would appear from the drawing that waste is being stored alongside that for the social club, and in the absence of any further detail we assume that existing collection arrangements remain. Vehicle access arrangements are acceptable to Highways.

SUGGESTED PLANNING CONDITION(S):

None.

Environmental Health

Fume/odours

a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Prior to commencement of the use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In the interests of the amenities of occupiers of nearby properties.

*It looks like there will only be a basic kitchen in the development, so this may not be necessary. If they are planning on cooking meals for the children in the daycare then the applicant will need to consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval. The strategy should include risk assessments for odour and noise and be based on appropriate guidance such as that published by EMAQ titled 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' dated September 2018. Details should also be provided in relation to replacement air.

DEMOLITION/CONSTRUCTION HOURS

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

*The applicant should refer to our noise from building sites webpage for further information / guidance and also IAQM/EPUK Construction Guidance

NOISE

a) The premises shall be acoustically insulated and treated to limit the breakout of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties.

The applicant will need to assess the impact of noise from outdoor activities and their potential impact on nearby residents.

NOISE - External plant/equipment/servicing

a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive

location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site.

* This condition is only necessary if there is any external plant. There are no details of how the development is going to be heated so there may be some form of external plant that has not been mentioned.

REF*

a) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health.

*There are no details of the internal bin stores and there is no provision for disposal of food waste.

AIR QUALITY

a) Prior to commencement of the development, mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

It is recommended a scheme for electric vehicle charging and any other considerations, for example boiler emissions, shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

For this development it is recommended that a minimum of 1 7KW charge point be installed with cable routes to be installed for all other places.

CLAND01 (1) New applications, no previous contaminated land conditions

a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development within each phase commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in

each phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to [INSERT] of the Unitary Development Plan for the City of Manchester.

Information for Developers guidance documents can be downloaded using the following link:
http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

Sport England

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 97) and against its own playing fields policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

all or any part of a playing field, or
land which has been used as a playing field and remains undeveloped, or
land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy

Having assessed the application, Sport England is satisfied that the proposed childcare facility meets Exception 3 of our Playing Fields Policy, in that:

'The proposed development affects only land incapable of forming part of a playing pitch and does not:

reduce the size of any playing pitch
result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
result in the loss of other sporting provision or ancillary facilities on the site; or
prejudice the use of any remaining areas of playing field on the site.'

However, it is not clear whether there may be a temporary impact on the playing field during the construction period. Any damage done to the playing field will need to be repaired and the following condition is suggested if the applicant confirms part of the playing field will be required to accommodate a construction compound, spoil storage etc or if vehicles cause damage during that time:

Condition

Prior to first use of the development a scheme for the removal of the works/contractors' compound or any other works associated with the development, and the reinstatement of the affected playing field has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme must be in accordance with [Sport England guidance "Natural Turf for Sport" (2011)].

The works/contractors' compound and any other works associated with the development must be removed from the site before first use of the development in accordance with the approved scheme.

Within three months of the removal of the works/contractors' compound and any other works associated with the development the affected playing field land must be reinstated in accordance with the approved scheme.

Reason: To ensure the site is restored to a condition fit for purpose and to accord with Development Plan Policy [insert relevant local plan policy] and paragraph 99 of the NPPF.

Informative: It is recommended that a restoration scheme for playing field land is undertaken by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled "Natural Turf for Sport" (2011).

If you wish to amend the wording of the required condition, or use another mechanism in lieu of the condition, please discuss the details with the undersigned. Sport England does not object to amendments to conditions, provided they achieve the same outcome and we are involved in any amendments.

This being the case, Sport England does not wish to raise an objection to this application.

Sport England would also like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

Greater Manchester Police

No comments received.

Policy

NPPF (2021)

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced.

The following specific policies are material to the application:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 9: Promoting sustainable transport - States that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.
- iii. Chapter 12: Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.'

Policy SP1 Spatial Principles - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy EN10 - Safeguarding Open Space, Sport and Recreation Facilities – This policy provides the justification for the development on land which is ancillary to the playing pitch. It states that the Council will seek to retain and improve existing open spaces, sport and recreation facilities to the standards set out above and provide a network of diverse, multi-functional open spaces.

Proposals will be supported that:

improve the quality and quantity of accessible open space, sport and recreation in the local area

provide innovative solutions to improving the network of existing open spaces, increase accessibility to green corridors, and enhance biodiversity

improve access to open space for disabled people

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 and the Citywide standards set out above are maintained, and it could not fulfil other unsatisfied open space, sport or recreation needs, and a proposed replacement will remedy a deficiency in another type of open space,

sport or recreation facility in the local area;

or

The development will be ancillary to the open space, sport or recreation facility and complement the use or character.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
 - ii. The sustainable waste management needs of the end user will be met.
- sense of place and character in the neighbourhoods within which they are located. This requirement will be built into the development briefs for public facilities within the City".

Policy T1 Sustainable Transport - Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport. The policy states that the Council will support proposals that, amongst other things:

- i. Improve choice by developing alternatives to the car;
- ii. Promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services, particularly for those most in need and for those without a car;
- iii. Improve pedestrian routes and the pedestrian environment;
- iv. Reduce the negative impacts of road traffic, for example, congestion, air pollution and road accident casualties.

Policy DM1 Development Management - States that all development should have regard to the following specific issues, which are material to this application:

- a. Appropriate siting, layout, scale, form, massing, materials and detail;
- b. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- c. Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- d. Accessibility: buildings and neighbourhoods should be fully accessible to disabled people with new development providing access to all via sustainable transport modes;
- e. Community safety and crime prevention;
- f. Design for health;
- g. Adequacy of internal accommodation and external amenity space;
- h. Refuse storage and collection.

Saved Unitary Development Plan (UDP) Policies -The following saved UDP policy is material to the application:

Policy DC26 - seeks to reduce the impact of noise generating development. The Council will consider the effect of new development proposals and the implications of new development being exposed to existing noise sources. Developments likely to result in unacceptably high noise levels will not be permitted.

Issues

Principle

The site relates to ancillary land in a corner of an established Sports and Social Club (SSC) playing field where there are regular comings and goings from sporting participants, spectators and visitors to the social club. The principle of having a maximum of 40no. children and the required number of support staff on site for 1 hour in the morning and 3 hours between 3 and 6pm in the evening is acceptable. The main issues that are material to this application are the impacts on residential and visual amenity including the effects of noise, highway and pedestrian safety and any loss of playing pitch facilities.

Residential Amenity

The proposed development is considered to have an acceptable impact on neighbouring residential occupiers in accordance with saved UDP policy DC26 and Core Strategy policies SP1 and DM1.

The modular building will be sited south of the boundary fence of the 2-storey flats which are on The Cricket Grove immediately north. This is a housing development for the over-55's with communal gardens which extend to the north, south and eastern boundaries.



Location of modular building (edged red) south of The Cricket Grove flats development

The proposed building has a height to a flat roof of 2.6-metres which means it will only be marginally over the height of the boundary fence to the flats which are sited 14-metres away from the boundary. The siting and height are unlikely to give rise to any undue overshadowing or loss of amenity due to being perceived as overbearing.

As the proposal is for a new use in this location, the fact of a maximum of 40no children on the site twice a day requires assessment of the impacts due to noise and disturbance from children's activities and vehicular movements. As the development will be solely occupied by COSH, there are no concerns with regards to noise transfer between other users.

In terms of neighbouring occupiers, the nature of the proposed use within an established playing field where there can be a sizeable number of comings and goings and elevated levels of noise from players and spectators together with social activities and cars entering and leaving

the site during evening and weekends, establishes a precedent for elevated noise levels on the site.

Children playing inside is unlikely to be a noise generator whilst the limited hours of operation in the morning and afternoon, will not subject residents to nuisance noise levels at times they are most likely to be disturbed.

Although children's external play activities will likely be heard, they are proposed to be staggered across the evening so that not all children will play outside at the same time. This will help mitigate any cumulative noise effects. Conditions are also recommended that no external music shall be played and that the site shall only be used for a purpose falling within the E(f) Use Class.

Furthermore, the building proposes a staggered footprint which creates an enclosed external play area with the building itself acting as a sound barrier to residential properties at The Cricket Grove and the rears of nos.1,3 and 5 Burleigh Mews whose gardens back onto the road west of the site.

Visual Amenity

The proposal is for a utilitarian building arrangement comprising of an L-shaped modular building that has a maximum length of 18-metres and width of 2.5-metres at each end.

It is sited in the most obvious location at the widest part of the land which allows the building to benefit from the south-facing elevation where most windows and the external play area are located.

The prefabricated buildings are designed as a light solid construction consisting of floor and roof frames and corner profiles. All electrics, WC's and waste pipes are built in and the buildings are pre-insulated and heated. This removes the need to provide additional acoustic insulation as specified in the EHO's comments and would be difficult to retrofit in this type of prefabricated building.

The single storey structure has a height and footprint that interprets the existing brick clubhouse which is sited a few metres away to the south.

As the building is a new development on the edge of the playing field and the long-term impacts in residential and visual amenity terms are as yet unknown, a temporary 5-year consent is recommended to enable the Council to re-assess the proposal prior to issuing any further consents on the site. The condition is so worded that the land be reinstated following the cessation of any approval of the proposed development.

The children's external play area is proposed to be secured by a new metal fence along the eastern elevation and gated towards the south alongside the access road. Details of the fencing is required to be submitted for approval to ensure it is appropriate for the scheme and the visual impacts are acceptable.

Waste Management

The children's day care facility is considered to be a low generator of waste. Waste provision and collection is proposed to be catered for through the existing waste containers at the clubhouse which is managed by the same team as COSH. Details are required to be submitted as per the condition below of any internal waste provision including that which is associated with the kitchenette.

Pedestrian and Highway Safety

It is considered that the proposal is acceptable in highways terms, and in terms of policies T2 and DM1 of Manchester's Core Strategy.

The site is within a sustainable location and caters for existing families on the day care facility roll. The majority of families live on the periphery of the playing field and walk to the COSH facility in its present location at Chorlton Park Primary School a short distance away. For some families, the new location is closer, and the applicant expects the majority of parents to continue walking their children to and from the site as at present. The facility would be located 47-metres off the main Hardy Lane entrance. Pedestrians and traffic would share the same space along the existing access road. There are unlikely to be pedestrian-vehicular conflicts given the one-car width of the access road which would slow driver speeds.

The days and hours at which the COSH facility would be open, 1 hour in the morning (between 7.50am and 8.50am) and 3 hours between 3-6pm in the evening, Monday to Friday, means that there will not likely be any conflict with car park users of the social club. As the car park can accommodate approximately 40no. cars, there is adequate provision should some parents drive to the site to drop off or pick up.

There is also a local bus service and Metrolink tram stop on Mauldeth Road 430-metres away and dedicated lay-by parking outside and opposite the site.

The scheme is acceptable to the Highway Authority who request the details are provided to show how spaces are demarcated within the site and for a segregated pedestrian route to from the car park into the site to avoid conflict between cars and pedestrians. A condition is appended to this effect. The existing 3no. spaces alongside the fenced off land are proposed to be retained as dedicated parking for the facility. These will be separated from the childcare centre by the fencing that is in situ.

Finally, 6no. cycle spaces are to be provided on site which increases the sustainable modes of accessing the COSH facility. These are required to be made available prior to first occupation of the development.

The EHO has requested 1no. electric vehicle charging point to be installed. This would be problematic in this location as there is no electricity supply in the location of the car parking spaces and all electrics are embedded within the prefabricated building.

On the basis of the above, the proposal is unlikely to have any adverse impact on pedestrian and highway safety, parking demand on local streets and provides an essential service for a local population where car ownership levels are relatively low. The pedestrian and highway considerations are in accordance with policies T2, SP1 and DM1 of the Manchester Core Strategy.

Loss of Playing Field

Provisions at the Sports and Social Club (SSC) includes 2no. grassed football pitches which are in use at weekends; spectator areas, 40no. parking spaces and a club house which also caters for private social events.

The days and hours of operation proposed for the COSH present no conflict with the activities of the SSC and meets the Exception 3 of Sport England's Playing Fields Policy exemption test. As such, Sport England have no objection to the application.

Sport England have raised a point with regards to reinstatement of any pitch area that is disturbed due to construction activities such as the siting of any construction compound, spoil storage or vehicle damage. The agent confirmed that plant and machinery would use the service road and would not be stored on any playing field space. An Informative is therefore appended with regards to remediation of playing fields as a result of any construction activity. In policy terms, and as the land has not been identified by Sport England as essential apron to the formal playing pitches, the land is classed as ancillary. Provision is made for new development on ancillary land in Core Strategy policy EN10. Accordingly, the proposal is acceptable in this regard.

Fumes / External Acoustics

The agent has confirmed that no hot food would be served on the site though children could eat cold packed lunches. Should this change in future, conditions are appended that details be submitted of any kitchen extraction system including its siting in relation to residential dwellings and any externally mounted acoustic insulation, in the interests of residential and visual amenity. Conditions are appended at the end of this report.

Servicing and Deliveries

Servicing and deliveries to the site are considered to be relatively minimal. The main servicing requirement is for waste disposal which is set out above and the hours for these are as established in the existing arrangements. A condition is nonetheless appended to ensure service and delivery vehicles enter and leave the site at reasonable hours in the interests of residential amenity in accordance with saved UDP policy DC26 and Core Strategy policies DM1 and SP1.

Neighbourhoods of Choice

The proposal meets the broad aspirations of Core Strategy policy SP1 in creating neighbourhoods of choice and in promoting healthy communities. The facility supports a local population of around 80no. families which enables their children to receive essential and highly rated (OFSTED 'Outstanding' – 2019) quality childcare within their community. This supports parents in the pursuit of employment and means that existing families who use the facility at Chorlton Park Primary School, do not have to travel a much greater distance to find the same quality of childcare.

Conditions

Additional conditions are appended for a contaminated land watching brief, no external music and to specify that the site shall only be used for a purpose falling within the D1 Use Class, in the interests of the users of the site and residential amenity.

Conclusion

The proposal is for a popular and long-established pre and after school club for primary aged school children in a residential / leisure setting. It is a highly rated OFSTED facility that supports working parents or those whose children have special needs which gives parents respite from care giving. This supports the Council's objective of creating neighbourhoods of choice and promoting healthy communities as set out in Core Strategy policies SP1 and DM1.

Parking and waste management can be adequately accommodated within the site and noise from external play activities will largely be buffered / shielded from the nearest residential properties by the modular building itself. The site is already used for activities which are noise

generators into evenings and weekends which are more likely to be a source of noise nuisance. The EHO has not raised a concern in this regard with no known complaints of noise from existing playing pitch activities. The recommended temporary consent will enable the Council to review this position and consider any additional measures which may be required to mitigate the effects of the proposal towards the end of the recommended temporary consent period.

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 a right to a fair hearing and to this end the local planning authority 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 recommendation given is proportionate to the wider benefits of 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

The local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in this delegated report. A total of 34no. neighbours were notified of the application; no comments were received. The scheme is considered to be in accordance with the guidance contained within saved policies of the Unitary Development Plan for the City of Manchester 1995 and the Core Strategy Development Plan Document 2012.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The permission hereby granted is for a limited period only, expiring on the 31.01.2027 and the buildings and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued. The land shall be reinstated within one month; in accordance with a scheme previously approved in writing by the City Council local planning authority before this permission expires.

Reason - To enable the City Council to reconsider the suitability, consequences and acceptability of development on the site in relation to residential and visual amenity which are not foreseeable beyond the expiry of this temporary permission, pursuant to the Manchester Core Strategy policies SP1 and DM1 and saved UDP policy DC26.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents received on the 1st of December 2021 or as stated:

Application Form

Amended Page 1 of Application Form received on the 14th of December 2021

Location Plan received on the 9th of December 2021 P125/P/01 REV C
Proposed Site Plan received on the 9th of December 2021 P125/P/02 REV C
Proposed GF Plan P125/P/03 REV A
Proposed Elevations P125/P/04 REV A
Design and Access Statement prepared by Bhatt Architects Ltd P0125/ P1 - Version 1 dated the 22nd November 2021
Waste Proforma
Environment Agency Flood Risk map
TF Jackson - Portable Accommodation Technical Specification
Photos
Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any purpose within Class E(f) other than as a day nursery for the care of children between the ages of 3 and 11 (inclusive).

Reason - In the interests of residential amenity, to safeguard the character of the area pursuant to policies SP1, DM1 and T1 of the Core Strategy for Manchester, saved UDP policy DC26 and the guidance contained within the National Planning Policy Framework.

4) The premises shall not be open outside of the following hours:

Monday to Friday 07.30 - 18.00

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

5) a) Within three months of the commencement of development, a scheme for the storage and disposal of refuse, including segregated waste and food disposal, shall be submitted to and approved in writing by the City Council as local planning authority. New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

6) The car parking layout indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the buildings hereby approved being occupied. The car parks shall remain in use at all times thereafter.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

7) a) Any fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues

terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Prior to commencement of the use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In the interests of the amenities of occupiers of nearby residential properties, pursuant to saved UDP policy DM1 and policies SP1 and DM1 of the Core Strategy for Manchester.

8) a) Any externally mounted ancillary plant, equipment and servicing required to serve the development, shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to saved UDP policy DC26 and policies SP1 and DM1 of the Core Strategy for Manchester.

9) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy.

10) Music and amplified sound is not permitted to be played within the external areas of the childcare facility at any time.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy DM1 of Manchester's Core Strategy, and saved policy DC26 of the Unitary Development Plan.

11) The cycle parking indicated on the Proposed Site Plan drawing: P125/P/02 Rev C, shall be implemented prior to first use of the development hereby approved and shall be retained in situ and available whilst the development is in use.

Reason - To secure an increase in the modes of sustainable travel options available to the site and to improve local air quality pursuant to Core Strategy policies T1, T2 and EN16.

12) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching

brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to EN17 of the Unitary Development Plan for the City of Manchester.

13) Prior to first occupation of the development hereby approved, details, including elevations and materials of the proposed metal fencing to secure the external play area, together with details of the new metal gates alongside the access road, are required to be submitted and approved in writing to the City Council as Local Planning Authority. The approved fencing and gates shall be retained and maintained at all times thereafter whilst the childcare facility is in use or operation.

Reason – In the interests of highway and pedestrian safety pursuant to Core Strategy policies SP1, DM1, T1 and T2.

14) Prior to first use of the development, a scheme for the removal of the works/contractors' compound or any other works associated with the development, and the reinstatement of the affected playing field has been submitted to and approved in writing by the City Council as Local Planning Authority.

The works/contractors' compound and any other works associated with the development must be removed from the site before first use of the development in accordance with the approved scheme.

Within three months of the removal of the works/contractors' compound and any other works associated with the development the affected playing field land must be reinstated in accordance with the approved scheme.

Reason: To ensure the site is restored to a condition fit for purpose and to accord with Core Strategy policy EN10 and paragraph 99 of the NPPF.

Informatives

1) If hot meals are being prepared and cooked on site for children, the applicant will need to consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval. The strategy should include risk assessments for odour and noise and be based on appropriate guidance such as that published by EMAQ titled 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' dated September 2018. Details should also be provided in relation to replacement air.

2) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy. *The applicant should refer to our noise from building sites webpage for further information/guidance and also IAQM/EPUK Construction Guidance

3) Information for Developers guidance documents can be downloaded using the following link:
http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

4) It is recommended that a restoration scheme for playing field land is undertaken by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled "Natural Turf for Sport" (2011).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Sport England

30 The Cricket Grove, Manchester, M21 7LZ
24 The Cricket Grove, Manchester, M21 7LZ
18 The Cricket Grove, Manchester, M21 7LZ
11 The Cricket Grove, Manchester, M21 7LZ
5 The Cricket Grove, Manchester, M21 7LZ
28 The Cricket Grove, Manchester, M21 7LZ
26 The Cricket Grove, Manchester, M21 7LZ
22 The Cricket Grove, Manchester, M21 7LZ
20 The Cricket Grove, Manchester, M21 7LZ
16 The Cricket Grove, Manchester, M21 7LZ
17 The Cricket Grove, Manchester, M21 7LZ
15 The Cricket Grove, Manchester, M21 7LZ
9 The Cricket Grove, Manchester, M21 7LZ
7 The Cricket Grove, Manchester, M21 7LZ
3 The Cricket Grove, Manchester, M21 7LZ
1 The Cricket Grove, Manchester, M21 7LZ
12 The Cricket Grove, Manchester, M21 7LZ
6 The Cricket Grove, Manchester, M21 7LZ
14 The Cricket Grove, Manchester, M21 7LZ
10 The Cricket Grove, Manchester, M21 7LZ
8 The Cricket Grove, Manchester, M21 7LZ
4 The Cricket Grove, Manchester, M21 7LZ
2 The Cricket Grove, Manchester, M21 7LZ
57 Hardy Lane, Manchester, M21 7LG
1 Burleigh Mews, Manchester, M21 7LB
3 Burleigh Mews, Manchester, M21 7LB
5 Burleigh Mews, Manchester, M21 7LB
69 Hardy Lane, Manchester, M21 7LG
63 Hardy Lane, Manchester, M21 7LG
61 Hardy Lane, Manchester, M21 7LG
67 Hardy Lane, Manchester, M21 7LG
65 Hardy Lane, Manchester, M21 7LG
59 Hardy Lane, Manchester, M21 7LG
16 Burleigh Mews, Manchester, M21 7LB

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: SOUTH