

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133026/LP/2022

Date registered valid: 23 February 2022

Proposal: Certificate of Lawful Development for extension of existing servery area to form a fully equipped school kitchen

Address: St Catherines RC Primary School, School Lane, Manchester, Manchester, M20 6HS

Ward(s): Didsbury East Ward

Applicant: The Board of Governors St Catherines RC Primary School, School Lane, Manchester, Manchester, M20 6HS

Agent (if any): Ms Lela Palin Bradbury Consulting 59 Wilmslow Road, Handforth, SK9 3EN

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 19.04.2022

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

Date of site visit: non required for this type of application

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

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

Description of site/building

The building that is the subject of this Certificate of Proposed Lawful Development is St Catherines RC Primary school. It is located to the rear of St Catherines church and St Catherines community centre on School Lane in the Didsbury East ward of the City. The site is bounded by residential properties on Atwood Road, Galbraith Road and School Lane. Both Pedestrian and vehicular access is taken off School Lane. The section of the building to which the works relate are the existing kitchen which is located to the north west of the site.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

Besides the complex of St Catherines Church, community centre and school, the remainder of the area is a mix of residential, retail and commercial uses.

Description of development

The proposal is for the erection of a small single storey extension of some 30 square metres to be added to the existing servery area to create a fully functioning kitchen. It would create an overall kitchen area of 52 square metres. The area comprising of the servery is part of the original school building.

Consultations & Notification Responses

No consultations are required for this type of application.

Issues

The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2021 ("the Amendment Order") amends the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the General Permitted Development Order"). This Order also amends Class M (extensions, etc for schools, colleges, universities and hospitals) of Part 7 (non-domestic extension, alterations etc) of Schedule 2 to the GPDO. It expands the existing permitted development right (PDR) in respect of schools, colleges, universities and hospitals to allow a wider range of development.

In addition, the existing height restriction on new buildings has also been increased from 5 metres to 6 metres plus (1.5m for mechanical plant). However, this only applies when the development is more than 10 metres from the boundary. If the development is within 10 metres, then the restriction of 5m in height still applies but with the addition of plus 1.5m for additional mechanical plant is now permitted above the roof line.

The proposed extension:

- Is less than 25% of the existing footprint and less than 250m²
- Is not within 5m of the site boundary
- Is not higher than 5m in height
- Is not higher than the existing structure
- Does not house a rooftop structure >1.5m high
- Is not within the curtilage of a listed building
- Do not include development on or loss of any playing field areas

The proposed works are a simple extension, matching the appearance, material and height of the existing school to provide suitable kitchen facilities, where such facilities are not currently present.

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

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

1) Approve on the basis that the proposed kitchen extension detailed on the submitted drawings PL05, PL06 and PL07 stamped as received by the City Council as Local Planning Authority, on the 23.02.2022 and supporting information stamped as received by the City Council as Local Planning Authority, on the 23.02.2022 constitutes permitted development in accordance with Part 7, Class M of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2021

Appendix 1 – List of consultees & neighbours notified

Non required

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH