

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130610/JO/2021

Date registered valid: 2 June 2021

Proposal: Variation of condition numbers: 22 (Sports Facilities Use Times) to allow the use of the facilities Monday to Fridays 08.30 to 21.00hrs, Saturdays 09.00 to 21.00hrs, Sunday and Bank Holidays 09:00 to 17:00hrs; Condition 23 (Delivery Times) to allow Deliveries, servicing and collections, including waste collections from 06.30 to 20.00hrs, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays; and, condition 21 (school opening times) from 06.30 to 22.00hrs Mondays to Friday; 08.00 to 21.00hrs on Saturdays; and, 08.00 to 17.00hrs on Sundays and Bank Holidays - from planning approval reference 124685/FO/2019

Address: Chorlton High School South, 550 Mauldeth Road, Manchester, M21 7AA

Ward(s): Chorlton Park Ward

Applicant: Department for Education, 4th Floor, Sanctuary Building, 20 Great Smith Street, London, SW1P 3BT

Agent (if any): Mr Chris Bradshaw, Tetra Tech, Quay West @ MediaCity:UK, Trafford Wharf Road, Manchester, M17 1HH

Case officer: Jennifer Connor
Tel: 0161 234 4545
Email: jennifer.connor@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 10.08.2021

Application details

Type of application: Variation or Removal of Condition

Development type: Smallscale Major Other

Date of site visit: 17 June 2021

Standard consultations:

Printed: 10 June 2021 Expired: 1 July 2021

Neighbour notifications

Printed: 10 June 2021 Expired: 1 July 2021

Site notice

Posted: 17.06.2021 Expired: 08 July 2021

Press advert

Published: 15 June 2021 Expired: 6 July 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

The application site measuring 4.3 hectares comprises of a parcel of vacant land formerly used to accommodate a care home, since demolished and the southern part of the site was used by Greater Manchester Police, providing an outdoor police dog training area, horse paddocks and 2no. grass sports pitches.

The site is bounded to the north by Mauldeth Road West beyond which lies residential property on Mauldeth Road West, Chelsfield Grove and the junction of Withington Road and Mauldeth Road West. To the east lies the rest of the Greater Manchester Police compound known as The Hough End Centre, Broughton Park Rugby Club and Hough End Playing Fields. To the south west the site is bounded by the Metrolink Line with residential property beyond.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Variation of condition numbers: 22 (Sports Facilities Use Times) to allow the use of the facilities Monday to Fridays 08.30 to 21.00hrs, Saturdays 09.00 to 21.00hrs, Sunday and Bank Holidays 09:00 to 17:00hrs; Condition 23 (Delivery Times) to allow Deliveries, servicing and collections, including waste collections from 06.30 to 20.00hrs, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays; and, condition 21 (school opening times) from 06.30 to 22.00hrs Mondays to Friday; 08.00 to 21.00hrs on Saturdays; and, 08.00 to 17.00hrs on Sundays and Bank Holidays - from planning approval reference 124685/FO/2019

Consultations & Notification Responses

One comment has been received from a resident objecting on the basis that CHS South has significantly diminished quality of life, including noise from the site with reversing alarms from 7am some days, asking to extend the hours adds insult to injury.

Highways - The proposed changes are likely to spread some trips and so the impact on local highway operation and safety is likely to be minimal. Based on this MCC Highways have no objections to the proposed timing changes.

Environmental Health - Condition 22 (Sports Facilities Use Times) to allow the use of the facilities Monday to Fridays 08.30 to 21.00hrs Saturdays 09.00 to 21.00hrs, Sunday and Bank Holidays 09:00 to 17:00hrs – I have no objections to this, it makes sense that the use of the pitches should not be restricted during the school day.

Condition 23. Food deliveries shall not take place outside the hours of 06.30 to 20.00, Monday to Saturday. All other deliveries, servicing and collections, including waste collections, shall not take place outside the hours of 07.30 to 20.00, Monday to Saturday. No deliveries/waste collections shall take place on Sundays/Bank Holidays.”

Condition 21 (school opening times) from 06.30 to 22.00hrs Mondays to Friday; 08.00 to 21.00hrs on Saturdays; and 08.00 to 17.00hrs on Sundays and Bank Holidays – I have no objections to this.

Policy

The following local and national policies and documents are considered relevant in the determination of the application proposals.

Manchester Core Strategy

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 and is the key Development Plan Document in the Local Development Framework (LDF). The Core Strategy is to be used as the framework that planning applications will be assessed against.

There are a number of policies within the adopted Core Strategy relevant to the consideration of the current application in summary these are set out below.

Policy SP1 - sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including:

- o creating well designed places,
- o making a positive contribution to health, safety and well-being,
- o considering the needs of all members of the community, and
- o protecting and enhancing the built and natural environment.

This is an overarching policy which sets the context for this application.

Policy DM1 of the Core Strategy states:

All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

-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.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- 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.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-

(b) For new commercial developments to demonstrate best practice which will include the application of the BREEAM (Building Research Establishment Environmental Assessment Method) standards.

As set out within the issues section of this report below, the application proposals are considered to accord with policy DM1 of the Core Strategy.

The National Planning Policy Framework

National Planning Policy Framework came into effect on 27th March 2012 and was amended and updated in July 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'

Issues

Condition 22 - Variation of condition numbers: 22 (Sports Facilities Use Times) to allow the use of the facilities Monday to Fridays 08.30 to 21.00hrs, Saturdays 09.00 to 21.00hrs, Sunday and Bank Holidays 09:00 to 17:00hrs. Would see the increase in hours of use by half an hour Monday to Friday.

The amended hours have been accepted by Environmental Health and it is not considered that the hours of use would adversely impact on residential amenity, and that the scheme accords with policies SP1 and DM1 of the Core Strategy.

Condition 23 - (Delivery Times) to allow Deliveries, servicing and collections, including waste collections from 06.30 to 20.00hrs, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays. Would have seen the increase in delivery hours of one hour in the morning. The amended hours were only acceptable to Environmental Health subject to the specification that the hours were only altered for food deliveries and for no other purpose.

Condition 21 (school opening times) from 06.30 to 22.00hrs Mondays to Friday; 08.00 to 21.00hrs on Saturdays; and, 08.00 to 17.00hrs on Sundays and Bank Holidays. This condition which required hours to be agreed had previously not been discharged. These hours are acceptable to Environmental Health and it is not considered that the hours of use would adversely impact on residential amenity, and that the scheme accords with policies SP1 and DM1 of the Core Strategy.

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

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 application, and the application has been determined in accordance with the policies within the Development Plan.

Condition(s) to be attached to decision for approval

1. The development hereby approved shall be carried out in accordance with the following drawings and documents:

FENCE AND GENERAL ARRANGEMENT
SITE MASTER PLAN
SCHOOL / SITE OPERATING HOURS
COVERING LETTER BY TETRA TECH DATED 28.05.2021

ACOUSTIC DESIGN STRATEGY REPORT – STAGE 4 prepared by BDP

Received 02.06.2021

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

2. The premises shall not be open outside hours:

06.30 to 22.00hrs Mondays to Friday; 08.00 to 21.00hrs on Saturdays; and 08.00 to 17.00hrs on Sundays and Bank Holidays

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policies SP1 and DM1 of the Core Strategy and saved Policy DC26 of the City of Manchester Unitary Development Plan.

3. No activity on the pitch / field / court outside hours of:

Monday to Fridays 08.30 to 21.00hrs Saturdays 09.00 to 21.00hrs,
Sunday and Bank Holidays 09:00 to 17:00hrs

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policies SP1 and DM1 of the Core Strategy and saved Policy DC26 of the City of Manchester Unitary Development Plan.

4. Food deliveries shall not take place outside the hours of 06.30 to 20.00, Monday to Saturday. All other deliveries, servicing and collections, including waste collections, shall not take place outside the hours of 07.30 to 20.00, Monday to Saturday. No deliveries/waste collections shall take place on Sundays/Bank Holidays

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policies SP1 and DM1 of the Core Strategy and saved Policy DC26 of the City of Manchester Unitary Development Plan.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

List of properties notified on Uniform

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: SOUTH