

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129571/NMC/2021

Date registered valid: 2 March 2021

Proposal: Non Material Change to application 127851/FO/2020 to replace doors with window

Address: Trinity C Of E High School, Higher Cambridge Street, Manchester, M15 6HP

Ward(s): Hulme Ward

Applicant: Mr Julian Nicholls, Trinity C Of E High School, Higher Cambridge Street, Manchester, M15 6HP

Agent (if any): Mr Richard Farley, DAY Architectural, 77 Lancaster Buildings, Manchester, M3 2BW

Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 10 March 2021

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: Not Required

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 application site is Trinity Church of England School, the school provides education for 11 - 18 year olds and is located in the Hulme ward, the school is approximately a mile from the City Centre.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: None

Description of area

The school is located in Hulme with the site being located between Higher Cambridge Street to the east and Boundary Lane to the west. To the north is a multi-storey residential block. To the west of the site is low rise residential accommodation off Boundary Lane whilst to the east is the University complex.

The site is well served by public transport and is in walking distance of the City Centre.

Description of development

The applicant is seeking a Non Material Change to application 127851/FO/2020 to replace doors with window

Consultations & Notification Responses

None Required

Issues

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Core Strategy** policies for this application are as follows:

SP1 – Spatial Principles
DM1 – Development Management 1
EN 1 - Design Principles and Strategic Character Areas
EN 7 - Energy Infrastructure opportunities
EN8 - Adaptation to Climate Change
EN14 - Flood Risk
EN16 - Air Quality
EN17 – Water Quality
EN18 - Contaminated Land and Ground Stability

There are no relevant **UDP** policies for this application.

National Planning Policy Framework (NPPF)

Materiality

Section 96A of the 1990 Act (as inserted on 1st October 2009 by sec.190 of the Planning Act 2008) allows a local planning authority in England to make a change to any planning permission relating to land in its area if it is satisfied that the change is not material. In deciding whether a change is material, the authority must have regard to the effect of the change, together with any previous non-material changes, on the planning permission as originally granted.

Planning permission was approved in 2020 under planning reference 127851/FO/2020 that allowed a three storey extension to a part three storey, part single storey teaching building that was originally approved under planning reference: 091960/VO/2009/S1 in 2010.

The principle for this proposal was established by the previous approvals, the applicant is now seeking to make amendments to the proposal to remove a door and replace with a window, however consideration needs to be given to appearance of the building.

Appearance – As shown in the images below of the north east elevation, due to changes to internal space the door that was previously shown is now to be removed and replaced with a window as the room will be used a staff office. The proposed revisions are of a minor nature and would have no more impact upon the visual amenity than the original approved drawings.

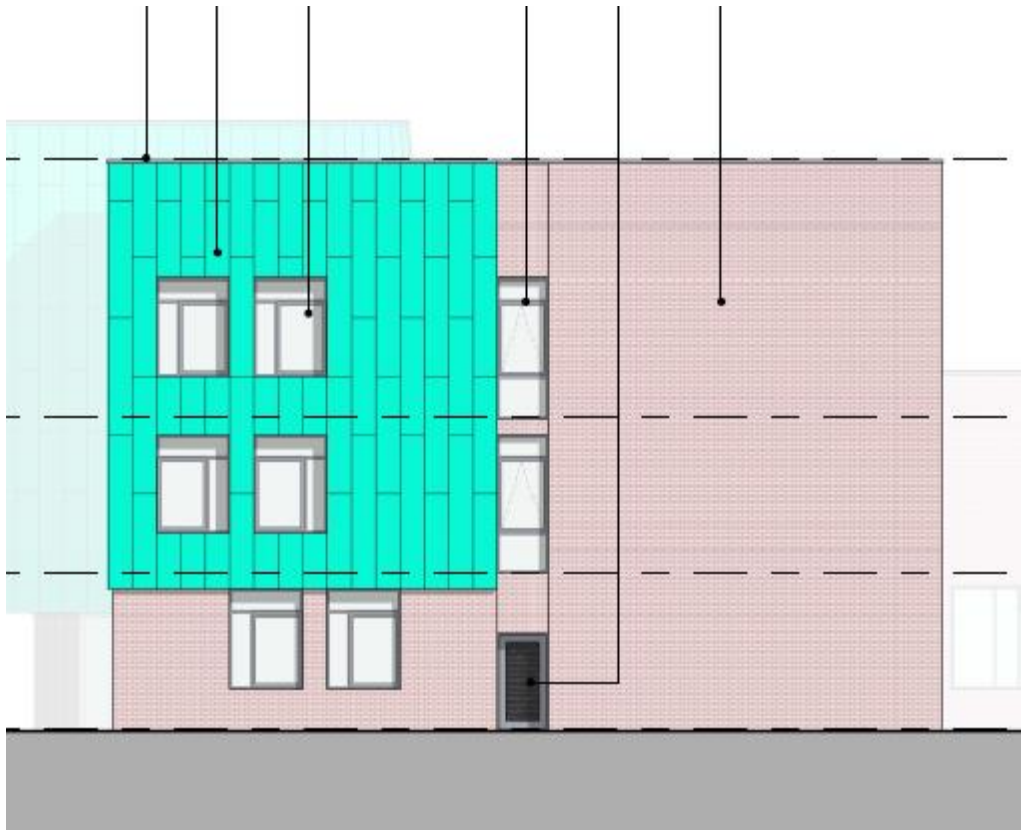


Image 1 Approved Elevation

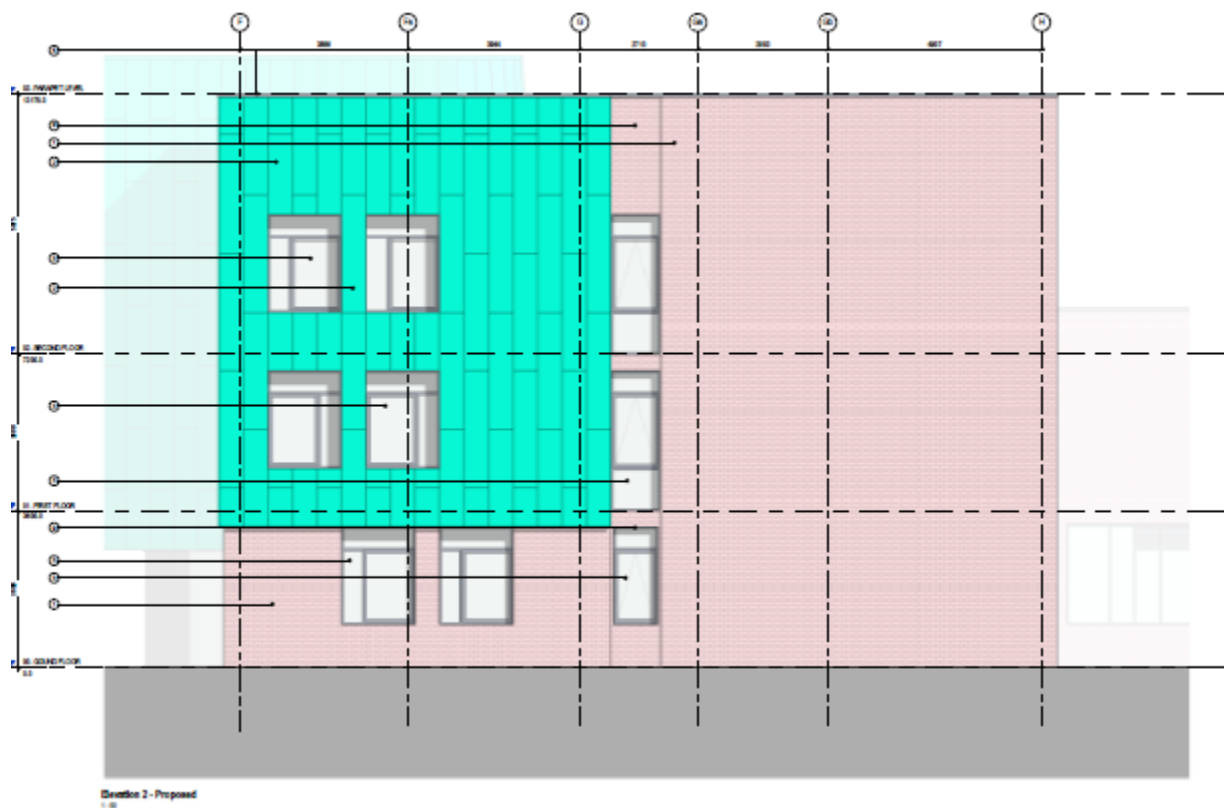


Image 2 Proposed Elevation

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 proposed amendments relates to alterations to the external appearance of the extension and replacement of doors with windows.

Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will have no significant material impact upon both the character and appearance of the school or upon visual amenity.

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

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

04-0002 Revision A Proposed First Floor Plan stamped as received by the City Council as Local Planning Authority, on the 26 August 2020

04-0003 Revision A Proposed Second Floor Plan stamped as received by the City Council as Local Planning Authority, on the 26 August 2020

04-1001 Revision A Proposed Elevations 1 and 2 stamped as received by the City Council as Local Planning Authority, on the 26 August 2020

04-1002 Revision A Proposed Elevations 3 and 4 stamped as received by the City Council as Local Planning Authority, on the 26 August 2020

04-1101 Revision A Proposed Elevations 1 and 2 stamped as received by the City Council as Local Planning Authority, on the 2nd March 2021

04-2001 Revision A Sections stamped as received by the City Council as Local Planning Authority, on the 26 August 2020

04-0010 Revision A - Proposed External Works stamped as received by the City Council as Local Planning Authority, on the 14th October 2020

20-0001 Revision B - stamped as received by the City Council as Local Planning Authority, on the 2nd March 2021

20-1102 Revision A - stamped as received by the City Council as Local Planning Authority, on the 2nd March 2021

Phase 1 Preliminary Risk Assessment Ref: 076665-CUR-00-XX-RP-GE-001 ,Revision: V01, Issue Date: 11 September 2020 stamped as received by the City Council as Local Planning Authority, on the 23 September 2020

Trinity High School Energy Statement Document ref: P6945/17.0/Reports stamped as received by the City Council as Local Planning Authority, on the 26 August 2020

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.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH