

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138166/FO/2023
Date registered valid: 11 October 2023
Proposal: Installation of MUGA (multi-use games area) on field
Address: Gorton Education Village, 50 Wembley Road, Manchester, M18 7DT
Ward(s): Levenshulme Ward

Applicant: Mr Edward Vitalis, Bright Futures Education Trust
Agent (if any): Mr Richard Bayley, Black Cat Building Consultancy
Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 9 April 2025

Application details

Type of application: Full Application Consent

Development type: Minor Other

Standard consultations:

Printed: 23 October 2024 Expired: 13 November 2024

Neighbour notifications

Printed: 12 October 2023 Expired: 2 November 2023

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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

This application relates to part of the grounds of Gorton Educational Village, which comprises two secondary schools on a shared site. These are Melland High School and Cedar Mount Academy. Melland High School specialises in children with complex special educational needs (SEN), between the ages of 11 and 19, and is a support school for central and east Manchester high schools, as well as being a national support school.

The school site is irregular in shape, accessed from Wembley Road, close to the junction with Holmcroft Road. The site is bounded, on the north side, by Nico ditch, an ancient monument which has a public right of way running along it, and is otherwise adjoined by residential and industrial premises and a primary school, and the whole school site is enclosed by a secure 2.4 metre high mesh fence.

The main building is 4 storeys high, located to the west of the site, with 3 wings, along its eastern side, that link into the main building, and sit between the main building and an open/car parking area, centrally located in the site. Melland High School occupies the ground and first floor levels, of the north and central wings, and the first floor, of the south wing. The area, to the east of the site, largely consists of playing fields and an existing Multi Use Games Area (MUGA).

The original permission for the school was by way of outline (076845/OO/2005/N2) and Reserved Matters (079632/MO/2006/N2) approvals, which included the provision of a grass full size football pitch, to the east of the site, and a synthetic outdoor playing pitch (MUGA) to the west of the site. The outline permission was subject to conditions which included the following:

20. Prior to the occupation of the building hereby approved, a community access agreement shall be submitted to, and agreed in writing by, the City Council as local planning authority. The approved agreement shall be maintained during the operation of the educational facility on the site.

Reason

To ensure adequate access for the local community to the development, pursuant to policy I1.5 of the Unitary Development Plan for Manchester (adopted 1995)

The Reserved Matters application indicated that the school facilities would generally be available, to the local community during the following hours:

Monday to Friday - 4pm to 9pm

Saturdays - 9am to 9pm

Sundays - 10am to 8pm

There have been subsequent permission on the site, for various extensions, and most recently the following permission was granted;

132456/FO/2021 - Erection of two storey extension to existing school to provide 8 additional classrooms and associated support rooms, with associated amendments to existing car park, landscape works and an additional car parking area to increase car parking provision on site by 11 spaces - Approved 27 May 2022.

One of the main elements, of that permission, was to create additional capacity, at the school, to meet the needs of the growing number of students requiring specialist high school provision and to specifically cater for the growing number of students experiencing complex learning needs.

On part of the existing school playing field, it is proposed to install a new artificial Multi Use Games Area. The MUGA would cover an area measuring approximately 41 metres x 18 metres and would have 4 metre high weldmesh fencing, which would be colour coated dark green to match the existing fencing surrounding the adjacent MUGA. It is indicated that the proposed MUGA would be located directly to the north of the existing MUGA, and, in terms of floor area, it would be approximately one-third of the size, of the existing MUGA. It is indicated that the new MUGA would be capable of accommodating netball, football and tennis, with marked out pitch/court dimensions demonstrating this, although it would be predominantly used as a social and informal hard play area for the pupils with special educational needs. It is indicated that the MUGA would be available for use during the normal school day (9am to 3.30pm - Monday to Friday) and no reference is made, in the submission, to any proposed community use of the proposed site. The MUGA would have a Macadam grey finish, as would associated footpaths that are required to link into the existing footpaths on site.

Consultations & Notification Responses

Local residents/adjoining occupiers - No comments received.

Highway Services - Make the following comments:

The proposed MUGA and associated fencing extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

The proposals would not affect the existing car parking provision, vehicle operations or pedestrian access routes.

A new shared footpath will be installed between the new and existing MUGA, this will link in with existing pathways and entrance points, this is acceptable to Highways.

Strategic Area and Citywide Support Manager - Recommend a condition is attached, to any permission, requiring the submission of a noise management plan, prior to the commencement of any sporting activities on site. In addition, a contaminated land watching brief condition is proposed.

Flood Risk Management Unit - recommends that a condition is attached, to any permission, in relation to the implementation of a surface water sustainable drainage system.

Greater Manchester Police - No comments received.

Greater Manchester Ecology Unit - Make the following comments:

The only ecological issues is the level of mitigation required for the loss of around 0.1ha of low ecological value grassland.

It is very unlikely that there are any wildlife issues associated with this development, which is restricted to a small area of playing field. No further information or measures are required. No wildlife mitigation is necessary for this development.

Himalayan balsam has been recorded previously just off the site. Whilst it is very unlikely to be present within the mown grass that will be developed, it may be present on the route taken by contractors to access the site. It is therefore recommend that an appropriate informative is included with any permission.

Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment and now Places for Everyone (PfE) has been through Inquiry, thematic policies in the plan can now be given 'great weight' in planning decisions. This includes the BNG Policy.

The development will result in the loss of approximately 0.1ha of modified grassland a low ecological value habitat. No mitigation appears to be proposed. In BNG terms mitigation would be required for the loss of around 0.2 biodiversity units.

It is recommend that, as mitigation/enhancement, the planting of three native trees around the school boundary, capable of achieving 30cm diameter after 30 years eg silver birch. This would result in a biodiversity net gain in excess of 10%.

Biodiversity mitigation proposals can be conditioned.

The applicant has confirmed that they can look to include the planting of three native trees around the school boundary, capable of achieving 30cm diameter after 30 years, (e.g. silver birch).

Sport England - In their original response, Sport England indicated that they had no objection, in principle, to this application as they considered that the sporting benefits of the proposed sports facility outweigh the loss of the area of the playing field. They did, however, make the following additional comments:

Although the applicant has advised there is no community use of the grass pitch, they did indicate that the Artificial Grass Pitch (AGP) to the east of the site and forming part of the school ownership is in use by a number of teams. Sport England's policy is to encourage wider

community access to sports facilities where possible. It is understood that a Community Access Agreement was required by condition for the permission for the school building and associated facilities, which included the AGP (planning ref: 07685/00/2005/N2). As the wider site already has community access Sport England would request that the proposed MUGA is incorporated into this existing Community Access Agreement. It is therefore recommended that a new Community Use Agreement is required by condition, if this application were to be approved.

In response (1) the applicant commented as follows:

There is currently no proposal to include any community use for the new MUGA, this is an area dedicated to the special school for the Special Educational Needs (SEN) pupils of Melland High school only, with the use by SEN it is not a standard size pitch/area so wouldn't suit most private clubs that are looking to hire facilities.

From a community perspective on the same site there is a full size 3G FA sports pitch at Cedar Mount High school which could potentially be used for community use, however looking through your email this doesn't aid with the lack of tennis facilities with this type of MUGA not been suitable. Also, the surface required for tennis would be 2G, there is one of these at Rushbook Primary school (this is on the same site owned by Bright Futures Educational Trust).

This MUGA for Melland High school is really to replace the playground space which they lost when the classroom extension was built last year, funded by Manchester CC for additional SEN pupils.

Sport England, however, requested further justification from the applicant as to why community use is not considered appropriate. This is needed in order to justify that there is a wider benefit to sport as required to be considered as an exemption.

The applicant therefore provided a more detailed response (2), as follows:

- The MUGA is dedicated during the day to the school SEN pupils for social play and PE; additionally the school have a need for after school clubs being able to use the space, which would prevent and minimise any use by the community.
- The increase in community use would potentially affect the current safeguarding for the site.
- The school has no current staffing capabilities to manage the facility, resulting in the project potentially not being financially viable.
- There are no plans to include lighting. This would limit the potential for community use to weekends only, which again would require management by the school staff which is not an option financially.
- The size of the facility, including the proposed pitch markings, is not to a standard suitable for community use or for use by external sports clubs. The pitch has been designed specifically for the use by the pupils at the school, who have a wide range of disabilities and needs, and will use the pitch for social and PE use. However, there is no reason why the community could not use the pitch after school hours for a short time to play informal games or for general exercise.

Along with the above reasoning they have also reviewed the proposal under the 'Sport England - Playing Fields Policy and Guidance.' and they believe the new MUGA will fall under the listed exemption categories.

Exemption 2 - The proposed development is for ancillary facilities supporting the principal use of the site as a playing field and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

Response

The school already has access to existing playing pitches across the Bright Futures GEV site (shared with Cedar Mount High School and Rushbrook Primary Academy). The current area of land where the proposed new MUGA is to be located is not allocated for sport or playing pitches, it is only used for informal and recreational play. Loss of the area of land as informal play does not affect the current

quantity or quality of playing pitches across the site. The installation of the MUGA will improve the use of playing pitches for the school for a number of reasons:

- The land is susceptible to rainfall and is unable to be used all year round particularly during months with heavy rainfall.
- The pupils at the school have a range of SEN and the needs of these children differ from typical schools, some of which include wheelchair users who are unable to access the current fields. The installation of the MUGA would improve the use of the land, providing increase user ability.

Exemption 3 - 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 part of a playing field and any of its playing pitches.

Response

As such, the installation of the MUGA will not reduce the size of any playing pitch, will not result in the use of any playing pitch, will not result in the loss of the overall existing playing pitch accommodation, will not result in the loss of sporting provisions or ancillaries, and will not prejudice any of the current playing pitches.

Based on the above, we believe the MUGA will enhance the site's offering to the school by providing additional sporting and informal play facilities, which can be used all year round by the pupils at the school.

Exemption 5 - The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

Response

The development of the area of land into a MUGA will meet the local requirement of the school and help improve the delivery of sport, physical education, and general social play on the school site. The school require its own games area suitable for the users where the occupation of pupils at the school have a range of SEN, and the needs of the children differ from typical schools, some of which include

wheelchair users currently unable to access the current playing fields. The installation of the MUGA will improve the use of the land providing increased user ability all year round. Part of the existing field will remain for the use by able bodied users. There are no sports pitches in place on the current area of land. Therefore, the proposed MUGA will not have an impact on the existing grass sports pitches

across the site, and there are still ample areas of natural grass for informal play.

It is also worth noting again in this letter, Melland High School has recently lost a significant amount of its existing hard play area, due to the construction of a new LA-funded eight-classroom extension project. The extension provides additional SEN places for the local area, and was project managed through Manchester City Council. However, as a result, the amount of play area required for the revised number of additional pupils is severely lacking. The new MUGA will provide the pupils with their own dedicated accessible play area, offering a range sporting activities and physical education in line with the curriculum, which the current grass playing field cannot provide.

However, Sport England were still not satisfied why the existing Community Use Agreement could not be extended to the proposed MUGA, given the close proximity of this and the fact the existing and proposed facility are under the same ownership.

Manchester Active - Are supportive of the proposal for a new 40m x 18m, fenced, unlit Multi Use Games Area (MUGA) marked for Netball, Football and Tennis. There will be a small loss of natural turf playing field but it is considered the sporting benefits of the MUGA will outweigh the loss of playing field. The remaining area will be capable of accommodating a small sized football pitch, rounders pitch or other similar small sized pitches in the future if required.

The Manchester Playing Pitch and Outdoor Sport Strategy 2022 (PPOSS) identifies a deficiency of Multi Use Games Areas (MUGAs) across the city and within this Analysis Area. Recent Community Consultation has identified Basketball and Netball as the preferred sports for MUGAs but also a need for safe outdoor spaces to be used for physical activity and skills sessions. The proposal complies with both Manchester's PPOSS and Manchester Sport and Physical Activity Strategy (2019-2028).

Manchester Active would welcome an extension of the current community use agreement to this new MUGA but noting that the MUGA does not have sports lighting. This will limit the hours the community can use the MUGA to summer evenings and weekends. However, it is considered the MUGA could support out of hours coaching and activity programmes. Manchester Active would be pleased to support the school in identifying suitable community groups and sports clubs who could help deliver community sport and physical activity programmes that could benefit both the school and local community.

They also state that they have received the following comments from the Lawn Tennis Association in support of a community use agreement for the new MUGA:

There is currently limited organised tennis activity in the Gorton area, with Debdale Park tennis courts being recently upgraded and Wright Robinson offering part time usage of its outdoor courts. A community usage agreement, alongside a connected delivery model, could work effectively to help develop tennis in this area of Manchester. It would also provide a feeder opportunity to Manchester Tennis Centre.

The applicant provided response (1) as indicated above and Manchester Active confirmed that the Community Use Agreement isn't an essential requirement for this application from Manchester Active's perspective but it would be welcomed if the applicant had been willing. As previously advised Manchester Active are supportive of this proposal.

United Utilities - Recommends that a condition is attached, to any permission, in relation to the implementation of a surface water drainage system for the site.

Issues

National Planning Policy Framework (December 2024) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
- b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants. Communities, local planning authorities and other interests throughout the process (paragraph 131).

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City 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 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

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 EN 10 relates to 'Safeguarding Open Space, Sport and Recreation Facilities' and states that the Council will seek to retain and improve existing open spaces, sport and recreation facilities 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 City wide 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 DM 1 states that 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 and 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.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is unallocated in the plan.

Saved policy DC26.1 states that the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a. the effect of new development proposals which are likely to be generators of noise; and
- b. the implications of new development being exposed to existing noise sources, which are effectively outside planning control.

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance was formally adopted in April 2007, and is therefore relevant in this case. At that time, Planning Policy Statement 3 'Housing' stated that to facilitate efficient delivery of high quality development, Local Planning Authorities should draw on relevant guidance and standards and promote the use of appropriate tools and techniques, such as Design Coding alongside urban design guidelines, detailed masterplans, village design statements, site briefs and community participation techniques.

In the City of Manchester, the relevant design tool is the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance. This guidance aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places, that is character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability.

The guidance advises that high quality design is a vital attribute of successful neighbourhoods, the design of streets should promote neighbourliness and design should respect and be informed by location. The guidance also advises that buildings should relate well to each other and building heights should be carefully considered. In terms of ease of movement, cul-de-sacs are discouraged, the street network should contribute to the character of the area, safe routes for cyclists and pedestrians will be promoted, and public transport should be easy to use. Places with attractive and successful public areas are encouraged with open spaces reflecting and accommodating future uses with children and young people being considered in the design and location of open spaces. Neighbourhoods should contain a mix of housing, safety and security are vital elements of the urban area, the impact of parking areas should be minimised and new developments should maximise access for disabled people.

In December 2017, the City Council adopted Manchester Playing Pitch Strategy (2017-2021) which set out the framework for investment into playing pitch and outdoor facility improvements. An updated Playing Pitch and Outdoor Sport Strategy 2022-2031 (PPOSS) built upon the preceding strategy with updates to analysis to guide the strategic framework for improvement of existing playing pitch and accompanying ancillary facilities up to 2031.

The Strategy 2022 (PPOSS) identifies a deficiency of Multi Use Games Areas (MUGAs) across the city and within this Analysis Area. Recent Community Consultation has identified Basketball and Netball as the preferred sports for MUGAs but also a need for safe outdoor spaces to be used for physical activity and skills sessions. The proposal complies with both Manchester's PPOSS and Manchester Sport and Physical Activity Strategy (2019-2028) and also directly links with policy JP-P7: sports and recreation of the Places for Everyone Plan Joint Development Plan Document (referenced below). The PPOSS should be used to inform strategic priorities for sport playing fields and recreational facilities over the life course of the strategy.

Places for Everyone - The approved Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the ten boroughs which make up Greater Manchester.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs. Securing higher densities in the most accessible locations is identified as helping to maximise the ability of people to travel by walking, cycling and public transport and reduce the reliance on the car.

Relevant policies of PfE in this instance are:

JP-S1: Sustainable development

JP-C8: Transport Requirements of New Development

JP-P1: Sustainable Places

JP-P7: Sport and Recreation

In particular, policy JP-P7 states that a network of high quality and accessible sports and recreation facilities will be protected and enhanced, supporting greater levels of activity for all ages, including by:

6. Encouraging the incorporation of a sports facilities mix in all education settings, that meet both curriculum and local community sport needs as identified by an up to date Local Authority Sports Needs Assessment, and made available for community use where possible.

Principle of development - The site is located within an existing school complex, and would provide additional sports/recreational facilities for the school. In particular, it would provide a social and informal hard play area for the pupils with special educational needs. The site, on which the new MUGA is proposed, is currently used as part of a large area of informal playing fields. A recreational use, on this part of the site, is therefore unchanged, and the proposal is considered to be acceptable in principle.

Community agreement - Sport England are supportive, of the proposed MUGA, although they wished to see the existing community agreement extended to include the proposed MUGA. The applicants though have reaffirmed that the MUGA is dedicated during the day to the school SEN pupils for social play and PE and the school also have a need for after school clubs being able to use the space, which would prevent and minimise any use by the community, and they consider that allowing community use, of the site, could potentially affect the current safeguarding for the site. In addition, no lighting is proposed and they have no staffing capabilities, to manage the facility.

They state that the pitch has been designed specifically for the use by the pupils at the school, who have a wide range of disabilities and needs, and the size of the facility, including the proposed pitch markings, is not to a standard suitable for community use or for use by external sports clubs.

Whilst Sport England would still prefer the existing community use agreement to be extended, Manchester Active consider that the Community Use Agreement isn't an essential requirement for this application and they are supportive of this proposal.

Given that there is a much larger MUGA already on site, as well as a full sized football pitch, that are available for community use, it is considered that the school already offers significant facilities, for use by the community. Also, no lighting is proposed, so that would limit its availability during many months of the year. In addition it has been designed specifically to meet the needs of children with special educational needs, so it is not a standard sized facility, and is basically a new playground for those children.

On this occasion, for the above reasons, and including the fact that it would be a specially designed facility, for children with special educational needs, and the benefits it would offer those pupils, it is considered that the proposed development can be supported without an extension to the existing community use agreement on site.

Visual/residential Impact - The MUGA would be surrounded by 4 metre high weldmesh fencing, which is the same type as that which surrounds the existing, so it would be generally seen as an extension to the existing MUGA. It would also not be easily viewed, from outside the site, other than from the rear of nearby residential properties on Bratton Drive, who would largely see the MUGA against the backdrop of the large monolithic school building. There would be some noise, from the use of the MUGA but, given that it would not have an evening/weekend community use, this would largely be confined to the normal school day, and would represent a much less intensive activity than the adjoining larger MUGA. However, to ensure that there would be no adverse impact, upon local residents an acoustic survey is required before any activities take place on site. In addition, no lighting is proposed, which would prevent any late night use, and any potential lighting overspill into nearby residential properties. It is not therefore considered that there would be any adverse impacts upon visual or residential amenity.

Traffic/access/car parking - The proposed use will not add to visitors to the school and there are no changes to the existing arrangements. No concerns have been raised by Highway Services.

Ecology/biodiversity - The proposed development is restricted to a small area of playing field and the Ecology Unit do not consider that any wildlife mitigation is necessary for this development, but, in terms of Biodiversity Net Gain, mitigation would be required for the loss of around 0.2 biodiversity units. Accordingly the applicant has agreed to the planting of three native trees around the school boundary, capable of achieving 30cm diameter after 30 years eg silver birch. This would result in a biodiversity net gain in excess of 10%, which is considered acceptable.

Refuse/Air Quality/Security - The proposal is for existing children at the school with no changes proposed to the general school operation. It is not therefore anticipated that the proposal requires any additional measures to be introduced on site.

Other Legislative Requirements **Equality Act 2010**

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 planning application. Negotiations took place regarding various aspects of the scheme including community use. The proposal is considered to be acceptable and in accordance with City Council policy. The applicant has been advised of a pre-commencement condition.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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

Drawings numbered 01-90-002, 02-90-001, 02-90-002, 02-90-003 and J8295/D01 and the Black Cat Design and Access Statement, stamped as received by the City Council, as Local Planning Authority, on 22 September 2023

Drawings numbered 01-98-001 rev A, stamped as received by the City Council, as Local Planning Authority, on 9 October 2023

RGS Phase 1 Environmental Desk Study Report (ref: C3598/23/E/5458), stamped as received by the City Council, as Local Planning Authority, on 11 October 2023

Letter from Black Cat Building Consultancy dated 17 January 2024 (ref: BCBC/240117/AMLT/JAI)

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) No above ground works shall commence until details of the design and layout of the MUGA have been submitted to and approved in writing by the Local Planning Authority. The details shall include dimensions of the playable area and run off areas, cross sections of the sub layers, fencing type and height, any overhead ballstop fencing, and materials to be used in the construction of the MUGA. The MUGA, and associated works, shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Manchester Core Strategy.

4) No activity shall take place on the MUGA outside the hours of:

Monday to Friday, 09:00 to 15:30.

Reason -To safeguard the amenities of the occupiers of nearby residential accommodation once the development is completed, pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

5) Prior to the first use of the development hereby approved, full details of replacement tree/shrub planting shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy

6) Prior to the commencement of the development hereby approved, a surface water drainage scheme for the development site, based on sustainable drainage principles, shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include:

Progression through the drainage hierarchy must be evidence based and supported by site investigation including assessments of ground conditions and infiltration testing in accordance with BRE365. Proposals of attenuation should achieve half drain time within 24 hours.

For surface water connections, evidence of agreement in principle from the relevant authority/service provider is required to ensure there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed new connection will suffice.

Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment. Provide a greenfield runoff rate.

Finalised surface water drainage layout including all components, levels, connectivity and proposed overland flow routes for extreme events.

Hydraulic calculations of the proposed drainage system, including all design parameters. Results must demonstrate no surcharge for the 1 in 2, no flooding in the 1 in 30 and no flooding of buildings for the 1 in 100 + 45% Climate Change.

Where flows less than 5 l/s are proposed, a blockage risk assessment must be undertaken. If the risk cannot be adequately managed, a higher minimum discharge rate should be considered / agreed with relevant authority.

A plan indicating easements. SuDS features (including attenuation tanks) should be appropriately positioned, including a 2.5m easement from the existing highway and a 5m easement from any dwellings, guaranteeing accessibility for future maintenance and contingency for asset failure. This practice is in accordance with SuDS Manual (C753).

Construction details of flow control and SuDS components.

Details of how the scheme shall be maintained and managed after completion.

The development shall be constructed and completed in accordance with the approved details prior to the first occupation/use of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN08 and EN14 of the Manchester Core Strategy and guidance contained within the National Planning Policy Framework

7) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is completed, 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.

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 policies DM1 and EN18 of the Manchester Core Strategy

8) Prior to commencement of any sporting/play activities on the MUGA hereby approved, a Noise Management Plan (NMP) shall be submitted to and approved in writing by the City Council as local planning authority. The NMP shall include an assessment of noise from all activities associated with the use and shall not give rise to any significant adverse impacts on the occupants of nearby residential properties.

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

Informatives

1) Any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicences@manchester.gov.uk highwaynetworkmanagement@manchester.gov.uk

2) It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as Himalayan balsam are included within this schedule. If any such species will be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management
Highway Services
Environmental Health
Greater Manchester Police
Greater Manchester Ecology Unit
Sport England
MCR Active

Robert R Stockfis Manchester Ltd, Sandfold Lane, Manchester, M19 3HW

68 Bratton Drive, Manchester, M19 3GW

70 Bratton Drive, Manchester, M19 3GW

76 Bratton Drive, Manchester, M19 3GW

78 Bratton Drive, Manchester, M19 3GW

50 Bratton Drive, Manchester, M19 3GW

52 Bratton Drive, Manchester, M19 3GW

54 Bratton Drive, Manchester, M19 3GW

56 Bratton Drive, Manchester, M19 3GW

58 Bratton Drive, Manchester, M19 3GW

60 Bratton Drive, Manchester, M19 3GW

62 Bratton Drive, Manchester, M19 3GW

64 Bratton Drive, Manchester, M19 3GW

66 Bratton Drive, Manchester, M19 3GW

Cedar Mount Academy, Gorton Education Village, Wembley Road, Manchester, M18 7DT

Melland High School, Gorton Education Village, 50 Wembley Road, Manchester, M18 7DT

169 Rawsthorne Avenue, Manchester, M18 7GA

167 Rawsthorne Avenue, Manchester, M18 7GA

165 Rawsthorne Avenue, Manchester, M18 7GA

163 Rawsthorne Avenue, Manchester, M18 7GA

161 Rawsthorne Avenue, Manchester, M18 7GA

159 Rawsthorne Avenue, Manchester, M18 7GA

157 Rawsthorne Avenue, Manchester, M18 7GA

153 Rawsthorne Avenue, Manchester, M18 7GA

151 Rawsthorne Avenue, Manchester, M18 7GA

149 Rawsthorne Avenue, Manchester, M18 7GA

155 Rawsthorne Avenue, Manchester, M18 7GA

141 Rawsthorne Avenue, Manchester, M18 7GA

139 Rawsthorne Avenue, Manchester, M18 7GA

137 Rawsthorne Avenue, Manchester, M18 7GA

135 Rawsthorne Avenue, Manchester, M18 7GA

133 Rawsthorne Avenue, Manchester, M18 7GA

131 Rawsthorne Avenue, Manchester, M18 7GA

129 Rawsthorne Avenue, Manchester, M18 7GA

127 Rawsthorne Avenue, Manchester, M18 7GA

125 Rawsthorne Avenue, Manchester, M18 7GA

123 Rawsthorne Avenue, Manchester, M18 7GA

121 Rawsthorne Avenue, Manchester, M18 7GA

119 Rawsthorne Avenue, Manchester, M18 7GA

117 Rawsthorne Avenue, Manchester, M18 7GA

72 Bratton Drive, Manchester, M19 3GW

74 Bratton Drive, Manchester, M19 3GW

147 Rawsthorne Avenue, Manchester, M18 7GA

145 Rawsthorne Avenue, Manchester, M18 7GA

143 Rawsthorne Avenue, Manchester, M18 7GA
48 Bratton Drive, Manchester, M19 3GW

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: NORTH AREA