MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/25/0762
Date registered valid:	7 August 2025
Proposal:	Discharge of Conditions 10 (Drop off and Parking), 24 (Hours of Operation - Sports Facilities), 25 (Servicing Hours) and 34 (Acoustic Barrier) attached to planning permission 136645/VO/2023
Address:	Site To The South / South-East Of Sawley Road, East Of Nelson Street, North / North-East Of James Street, Manchester,
Ward(s):	Miles Platting & Newton Heath Ward
Applicant:	Mr Paul Waite, Manchester City Council
Agent (if any):	Mrs Anastasia Kapagerof, jmarchitects
Case officer:	Sue Wills Tel: 0161 234 4524 Email: sue.wills@manchester.gov.uk
Recommendation:	Split decision
Date of recommendation:	22 September 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:
Printed: 15 August 2025 Expired: 6 September 2025

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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Highways Services - In regard to Condition 10 (Drop Off and Parking) a Traffic Management Plan has been produced. The submitted information is sufficient to allow us to recommend the discharge of the condition from a Highways perspective.
In regard to Condition 25 (Servicing Hours) the Traffic Management Plan confirms No deliveries, servicing and collections, including waste collections, shall be carried out before 07:30 a.m. and after 8.00p.m. on Mondays to Saturdays no deliveries/waste collections on Sundays/Bank Holidays. The submitted information is sufficient to allow us to recommend the discharge of the condition from a Highways perspective.

Environmental Health –
Condition no.24 -This is acceptable providing the acoustic assessment has been discharged.
Condition 25 - No information has been submitted.

Condition 34 - This information is not sufficient. All acoustic information supplied needs to be analysed to ensure they meet MCC criteria.

Manchester Active - Given this will be a SEND school the hours of community use submitted to discharge condition 24 are acceptable.

Please note the document titled Community Use Agreement has not been finalised and Manchester Active are working with the applicant prior to submission to discharge condition 35.

Issues

The comments received from Environmental Health are noted, however, the servicing hours are set out in the Traffic Management Plan. In relation to matters relating to condition no. 34, condition no.34 required that 'Finalised *details of the height and design of acoustic barrier shown in Figure 2 ((paragraph 3.10) of the Environmental Noise Assessment on the southern boundary of the site shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details, prior to the occupation of the building and shall thereafter be retained*' and is related to the height and design of the acoustic fencing.

Paragraph 3.10 of the Environmental Noise Assessment relating to fencing on the southern boundary of the site is related to the installation of a 2.4m acoustic fence for the extent shown on the landscaping plans accompanying this application. The proposed acoustic fencing forming this application would be 2.4m in height.

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 polices 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: Split decision

Article 35 Declaration

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

Condition no. 10 (Drop off and Parking)
10) The content of the Traffic Management Plan is considered to be satisfactory. On the basis that the development is implemented in accordance with the approved management plan, condition no.10 is discharged.

Condition no. 24 (Hours of Operation - Sports Facilities)
24) The content of the Traffic Management Plan, has been considered in association with the hours of use of the sports facilities set out in the Community Use Agreement which state that the hours of operation of the sports facilities (main hall and MUGA) are:
-Term time -weekdays Mondays to Thursdays 18:00 -19:30hrs.
- Term time weekends Saturdays 09:00 – 15:00hrs
- School holidays – weekdays 09:30 – 15:00 hrs

On the basis that the sports facilities are not be used outside the hours set out above condition no.24 is discharged.

Condition no. 25 (Servicing Hours)
25) The contents of the Traffic Management Plan (July 2025) have been reviewed, in particular on page 5, the school's commitment that 'No deliveries, servicing and collections, including waste collections, shall be carried out before 07:30 a.m. and after 8.00p.m. on Mondays to Saturdays and no deliveries/waste collections on Sundays/Bank Holidays' has been noted and is welcomed . However, as this is a compliance condition with an on-going requirement, condition no.25 cannot be formally discharged.

Condition no. 34 (Acoustic Barrier)
34) The height and design details of the proposed acoustic fence show on the Typical fence details plan ref: VAR-EBL-XX-XX-DR-L-00018 rev. C03, in the location shown on Landscape Layout plan ref: VAR-EBL-XX-XX-DR-L-00001 rev.C04 (part of rear boundary of the site), and on the Landscape Detail - Fences & Furniture Plan 2/3 ref: VAR-EBL-XX-XX-DR-L-00011 rev.C03, together with the Interlock Acoustic fencing specification sheet have been reviewed in conjunction with the email received from the applicant dated 22nd September 2025.

On the basis that the acoustic fencing is implemented in accordance with the details on the plans referenced above, condition no.34 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCR Active

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA