

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141781/FO/2024

Date registered valid: 6 March 2025

Proposal: Installation of SEN play equipment and sections of artificial grass to the rear of the school

Address: Prospect House School, 56 Bank House Road, Manchester, M9 8LT

Ward(s): Higher Blackley Ward

Applicant: Mr Mark Mainfold, Prospere learning Trust - Prospect House

Agent (if any): Miss India Rogers, Drees & Sommer UK Ltd

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **29 April 2025**

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 25 March 2025

Standard consultations:

Printed: 12 March 2025 Expired: 2 April 2025

Neighbour notifications

Printed: 12 March 2025 Expired: 2 April 2025

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

The application site relates to Prospect House School within the Higher Blackley ward of north Manchester. The school itself has just recently opened (see planning ref: 124767/FO/2019), is of a single storey and is white rendered. Car parking and drop off areas are sited to the front of the school, off Bank House Road.

The site subject to the current planning application relates to an area to the north east of the school, sitting between the school and the northern boundary of the site (see Figure 1). The area currently consists of grass with areas of paving allowing access across the grass. At the time of the site visit, children's scooters and tricycles could be seen across the site and the grass appeared to be boggy. The area to the east of the applicant site also contains play equipment as approved under planning reference: 136187/FO/2023.



Figure 1, Site subject to application demarked by red dotted outline

Description of area

Further north and east of the site sits public woodland, and as such the application site is only easily visible once inside the school grounds. To the south and west of the applicant site sits the school building itself.

Description of development

The submitted application seeks planning permission for installation of SEN play equipment and sections of artificial grass to the rear of the school.

No permitted development rights exist for the installation of play equipment within school grounds, hence the need for the application.

The SEN play equipment would be spread across the application site and would involve the installation of the following pieces of equipment:

1. 3m x3m sensory Cambridge entrance structure
2. Batpipes music panel
3. Xylophone music panel
4. Basic bench
5. Wheelchair accessible sensory play tower
6. Vertical rollers
7. Sensory seating are- zigzag
8. 14mm blue 1m wide pathway

To all but two sections, 36mm green artificial grass safety surfacing would be installed. In two locations furthest south the existing grass would remain. An artificial grass and sub base section drawing was provided for review.

Negotiations during the Course of the Application

During the course of the application, the agent was asked to provide clarity on the proposed equipment and artificial grass, as different options were provided for review.

Discussions took place with the agent in regard to bio-diversity enhancements, and the existing landscaping plan approved for the development of the school.

Planning History

136187/FO/2023- Relocation of existing habitat area (wildflower seeded area) and replacement with play area containing play equipment and the establishment of new habitat area.
Approved 18 April 2023.

As Prospect House School is newly built, there are numerous planning applications related to the site:

CDN/22/0293- Discharge of conditions 23 (Environmental Standards) associated with planning permission 124767/FO/2019.
Approved 22 June 2022.

CDN/21/0883- Discharge of planning condition 6b (Ground Conditions Verification) associated with planning permission 124767/FO/2019.
Approved 17 January 2022.

CDN/21/0836- Discharge of conditions 5 (Drainage), 11 (Fumes), 12 (Plant), 13 (Waste), 15 (Off Site Highways Works), 17 (Traffic Management), 19 (Cycle Storage), 20 (Opening Hours), 25 (Bird and Bat Boxes), 26 (Roller Shutters), 27 (Boundary Treatment) and 29 (Community Use Strategy) associated with planning permission 124767/FO/2019.
Approved 28 April 2022.

CDN/20/0142- Discharge of planning conditions 3 (materials), 6(a) (ground conditions), 7 (piling), 8 (construction management), 22 (landscaping) and 33 (tree replacement) associated with planning permission 124767/FO/2019.
Approved 5 October 2020.

124767/FO/2019- Erection of a new single storey primary school building, together with a multiuse games area (Use Class D1), access, landscaping, boundary treatment and other associated works, following demolition of existing building.
Approved 12 December 2019.

Further planning permission exists for the previous school at the site, all of which pre-date 2012.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Environmental Health

Environmental Health were consulted and requested a construction hours condition be attached to any approval granted.

Environmental Health requested a contaminated land CLAND01 condition be attached to any approval granted.

The Officer reviewed the information supplied as part of the application and confirmed: The recommendations made within the submitted AEC Land Assessment for Asbestos in Soils, ref. J180234, dated: March 2020, are adequate to satisfy part a) of the above recommended condition.

Greater Manchester Ecology Unit

Greater Manchester Ecology Unit were consulted on the application and reviewed the Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (Rachel Hacking Ecology, 2024) submitted to support the application. GMEU suggested the use of off-site mitigation to mitigate the loss of the grassed area to be developed on.

GMEU also made the following recommendations:

- Protected species can turn up in unexpected places and the granting of planning permission does not negate the need to abide by the laws which are in place to safeguard biodiversity. An informative should be used so that the applicant is aware that they must seek ecological advice should they find or suspect that the proposal will impact on protected species.
- Planning policy encourages enhancements and net gains for biodiversity to be delivered through the planning system. Wherever possible measures to enhance the site for biodiversity should be secured as part of this planning application; these could include integration of bat or bird boxes into the buildings on site.

Issues

POLICY

The National Planning Policy Framework (NPPF) (December 2024)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective
- b) a social objective
- c) an environmental objective

The following specific policies are considered to be particularly relevant to the proposed development:

- ii. Chapter 8. Promoting healthy and safe communities

v. Chapter 12. Achieving well-designed places

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. Updated March 2024 following the adoption of the Places for Everyone Joint Development Plan.

The Core Strategy is the key document in Manchester's Local Development Framework. It 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.

Of relevance are:

Policy SP1 (Spatial Principles) (last bullet point of the policy removed following the adoption of the Places for Everyone Joint Development Plan).

Policy EN1 (Design Principles and Strategic Character Areas)

Policy EN10 (Safeguarding Open Space, Sport and Recreation Facilities)

Policy EN15 (Biodiversity and Geological Conservation) (part of policy replaced by PfE policy JP-G8).

Policy EN 16 (Air Quality) (part of policy replaced by PfE policy JP-S5).

Policy EN18 (Contaminated Land and Ground Stability)

Policy DM1 (Development Management).

Unitary Development Plan

Saved Policies Large elements of the UDP have been superseded by the Core Strategy.

The following saved policies are of relevance in the consideration of this application:

DC26- Development and noise.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide 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. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

The document includes standards for internal space within new dwellings and is suitable for applications across all tenures.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance.

The policies of relevance are:

JP- S1- Sustainable development

JP- G9- A net enhancement of biodiversity and geodiversity

ISSUES

Principle of Development

The application seeks permission for the installation of SEN play equipment and sections of artificial grass to the rear of the school. This is considered acceptable in principle to provide the pupils with additional play equipment. During the site visit, the applicant explained the equipment proposed has been designed for pupils with access and special needs and so would allow the children at the school a chance to utilise the specialist equipment and improve their school experience. The location and particulars of the proposed play area are considered acceptable in terms of visual amenity and design and appearance. The proposal would not result in any additional pupils and so would have no implications in terms of capacity for the school or in terms of parking. However, consideration must be given in relation to previous development on the site, any adverse amenity implications, the design and appearance, biodiversity implications and environmental implications.

Previous Development on the Site and Implications to the Existing Consent

In 2023 an application was approved to the east of the site for the relocation of existing habitat area (wildflower seeded area) and replacement with play area containing play equipment and the establishment of new habitat area (see planning ref: 136187/FO/2023). This involved the insertion of play equipment to the east of the site. This resulted in the relocation of the proposed habitat location.

The current proposal seeks the installation of play equipment directly west to the previously approved site. This area was marked within the school's development and approval under planning application 124767/FO/2019 as a soft informal/ social play area. The landscaping scheme and tree replacement scheme for the school was approved under CDN/20/0142- Discharge of planning conditions 33 (tree planting) with the approved drawing of "Planting Plan - FS0831-DEP-00-XX-DR-L-0015 Rev E' received via email 17 July 2020'. On site, it appeared as though 4 no. trees had been planted as per the landscaping plan. However it is clear the 3no. trees to be retained have been removed. As such, the school is in breach of condition 33 (tree planting) attached to 124767/FO/2019. The client is still within the 5 years from the occupied use clause in the tree retention condition 10 attached to 124767/FO/2019. As such, the trees must be replaced.

Whilst it is acknowledged the trees cannot be replaced in the same position due to the proposed equipment application; the school must replace these trees elsewhere on site. A landscaping condition to this effect would be attached to any approval granted. Given the insertion of the landscaping condition to ensure the trees that were due to be retained are in fact re-planted within the school site, the proposed play equipment on the site can be considered acceptable. The condition ensures the current proposal and the existing works to the school provide a satisfactory landscaping scheme for the development, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

Visual /Residential Amenity

The proposal would not create any adverse impacts in relation to visual/ residential amenity. The proposed play area would be sited against the north eastern boundary of the site. The play area would be contained within the school's curtilage and would not be easily visible by surrounding neighbours due to the site's position close to public woodland/ green space. The area would be viewed from the school building itself in context with the other school facilities and the noise produced from the play area would be viewed in context with the school.

Design and Appearance

With the information provided as part of the application, examples of the elevations and types of play equipment were provided. These are considered acceptable in terms of design and appearance and are typical of other play equipment seen in similar settings. The maximum height of equipment would be 3 metres and relate to a sensory Cambridge canopy structure. The wheelchair accessible sensory play tower would have a height of 2.8 metres. The heights and scale of the play equipment are considered acceptable and are not excessively large to cause any adverse visual implications. The equipment would be made of timber and be considered to relate well to the existing equipment to the east of the site and is considered to result in a suitable appearance.

Artificial grass would be installed to the majority of the applicant site, except for two small areas to the south. 36mm green artificial grass safety surfacing would be installed. An artificial grass and sub base section drawing was provided for review. Given the existing grass on the site appeared to be boggy, the artificial grass would be more suitable for use by the pupils of the school. This element is therefore considered appropriate in design.

Overall, the proposal does not give rise to any concerns in relation to design and appearance, pursuant to Policy EN1 and DM1 of the Core Strategy.

Achieving Biodiversity Improvement

Greater Manchester Ecology Unit were consulted on the application and reviewed the Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (Rachel Hacking Ecology, 2024) submitted to support the application. GMEU suggested the use of off-site mitigation to mitigate the loss of the grassed area to be developed.

As existing, the grassed area is not fit for use as the land is boggy and not suitable for the pupil's use. The proposal would provide the school with additional specialist play equipment including wheelchair accessible facilities and would allow the pupils the opportunity to play on equipment suitable for their needs. In this instance, having considered the boggy ground conditions as existing, the limited biodiversity value that would be lost due to the existing grassed area, given the benefits of the scheme and the implications that a 30 year off site management BNG condition would have on the financial viability of the school, in this instance the LPA would not include the insertion of a BNG condition within the decision notice of any approval granted.

This decision has been made on the basis that the school would replace those trees that had been removed with the development of 124767/FO/2019. Further, the school would still retain the dedicated habitat area to the north west of the site, as approved under planning ref: 136187/FO/2023.

GMEU also requested an informative be placed on any approval granted in relation to protected species. Such informative would be attached to any approval granted.

GMEU also requested the securement of measures to enhance the site for biodiversity should be secured as part of this planning application; these could include integration of bat or bird boxes into the buildings on site. It is noted that bird and bat boxes have been provided at the site previously approved under condition 25, discharged under CDN/21/0836, linked to the development of the school.

On balance and given regard to the circumstances of the school, the proposal is considered to give due regard to Core Strategy policies SP1, DM1 and EN15.

Environmental Considerations

Environmental Health were consulted on the application and requested a construction hours condition be attached to any approval granted. Given the nature of the works proposed, this is considered onerous and an informative to this effect would be attached to any approval granted.

Environmental Health requested a contaminated land condition be attached to any approval granted and were happy with the information submitted to satisfy part A of the wording. A condition to this effect would be attached to any approval granted.

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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner, information has been supplied for the purpose of clarification, and appropriate conditions have been placed on the approval granted.

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:

-Supporting Information- Asbestos Management Plan, stamped as received by the City Council as Local Planning Authority on 19 December 2024.

-Supporting Information- AEC Assessment for Asbestos in Soils, ref. J180234, dated March 2020, stamped as received by the City Council as Local Planning Authority on 19 December 2024.

-Waste Management- Waste Transfer Note, stamped as received by the City Council as Local Planning Authority on 19 December 2024.

-Drawing- Proposed- Drawings, stamped as received by the City Council as Local Planning Authority on 20 January 2025.

-Application Form, stamped as received by the City Council as Local Planning Authority on 13 February 2025.

-Drawing- Visuals, Rev 1, stamped as received by the City Council as Local Planning Authority on 22 April 2025.

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) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in:

-Application Form, stamped as received by the City Council as Local Planning Authority on 13 February 2025.

-Drawing- Proposed- Drawings, stamped as received by the City Council as Local Planning Authority on 20 January 2025.
February 2025.

-Drawing- Visuals, Rev 1, stamped as received by the City Council as Local Planning Authority on 22 April 2025.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

4a) The development hereby approved shall be implemented in accordance with the approved 'Supporting Information- AEC Assessment for Asbestos in Soils, ref. J180234, dated March 2020', stamped as received by the City Council as Local Planning Authority on 19 December 2024, in relation to all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site.

b) Prior to the first use/occupation of the development, a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority, to validate that the development conforms with the approved Site Investigation Report and/or Remediation Strategy.

c) In the event of any non-conformity with the approved Site Investigation Report and/or Remediation Strategy, then any further measures that are required to remediate the land shall be carried out. Any required measures/remediation and validation shall continue until conformity has been achieved and agreed in writing by the City Council as local planning authority, prior to first use/occupation of the development.

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 Core Strategy.

5) Notwithstanding the details previously approved under condition 33 (tree replacement) attached to planning permission 124767/FO/2019, discharged under CDN/20/0142, prior to first use of the proposed SEN play equipment, a hard and soft landscaping treatment scheme shall be submitted to and approved in writing by the City Council as local planning authority. This shall include details of replacement tree planting to be provided for the 3no. trees removed from the applicant site that should have been retained as approved under CDN/20/0142. The trees must be replaced within the school site. The approved scheme shall be implemented prior to first use.

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 Core Strategy.

Informatives

1) Protected species can turn up in unexpected places and the granting of planning permission does not negate the need to abide by the laws which are in place to safeguard biodiversity. The developer must seek ecological advice should they find or suspect that the proposal will impact on protected species.

2) Construction works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Greater Manchester Ecology Unit

Flat 31, 58 Bank House Road, Manchester, M9 8LT
Flat 30, 58 Bank House Road, Manchester, M9 8LT
Flat 29, 58 Bank House Road, Manchester, M9 8LT
Flat 28, 58 Bank House Road, Manchester, M9 8LT
Flat 27, 58 Bank House Road, Manchester, M9 8LT
Flat 26, 58 Bank House Road, Manchester, M9 8LT
Flat 25, 58 Bank House Road, Manchester, M9 8LT
Flat 24, 58 Bank House Road, Manchester, M9 8LT
Flat 23, 58 Bank House Road, Manchester, M9 8LT
Flat 22, 58 Bank House Road, Manchester, M9 8LT
Flat 21, 58 Bank House Road, Manchester, M9 8LT
Flat 41, 58 Bank House Road, Manchester, M9 8LT
Flat 40, 58 Bank House Road, Manchester, M9 8LT
Flat 39, 58 Bank House Road, Manchester, M9 8LT
Flat 38, 58 Bank House Road, Manchester, M9 8LT
Flat 37, 58 Bank House Road, Manchester, M9 8LT
Flat 36, 58 Bank House Road, Manchester, M9 8LT
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Flat 10, 58 Bank House Road, Manchester, M9 8LT
Flat 9, 58 Bank House Road, Manchester, M9 8LT
Flat 8, 58 Bank House Road, Manchester, M9 8LT
Flat 7, 58 Bank House Road, Manchester, M9 8LT
Flat 6, 58 Bank House Road, Manchester, M9 8LT
Flat 5, 58 Bank House Road, Manchester, M9 8LT
Flat 4, 58 Bank House Road, Manchester, M9 8LT
Flat 3, 58 Bank House Road, Manchester, M9 8LT
Flat 2, 58 Bank House Road, Manchester, M9 8LT
Flat 1, 58 Bank House Road, Manchester, M9 8LT
58 Bank House Road, Manchester, M9 8LT
51 Bank House Road, Manchester, M9 8LY
120 Plant Hill Road, Manchester, M9 8LU
15 Castlemere Road, Manchester, M9 8LE
57 Bank House Road, Manchester, M9 8LY
55 Bank House Road, Manchester, M9 8LY
53 Bank House Road, Manchester, M9 8LY
49 Bank House Road, Manchester, M9 8LY
47 Bank House Road, Manchester, M9 8LY

31 Bank House Road, Manchester, M9 8LY
29 Bank House Road, Manchester, M9 8LY
16 Castlemere Road, Manchester, M9 8LE

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA