

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/0897

Date registered valid: 18 September 2024

Proposal: Discharge of conditions 4 (Drainage), 5 (Construction Management Plan), 6 (Method statement for trees), 9 (RAMs Network Rail) and 10 (Drainage Network Rail) from planning approval reference 139084/FO/2024

Address: Alma Park Primary School, 13 Errwood Road, Manchester, M19 2PF

Ward(s): Levenshulme Ward

Applicant: Anne Smyth Alma Park Primary School

Agent (if any): Mr Daniel Markwart Studio OL3 Ltd

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

Recommendation: Split- Approved and Refused

Date of recommendation: **5 December 2024**

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:

Printed: 1 October 2024 Expired: 22 October 2024

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: No

Tree Preservation Order: No

Description of area

Description of development

Consultations & Notification Responses

Issues

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: Split- Approved and Refused

Article 35 Declaration

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

4) The following information has been submitted in respect of planning condition 4 (drainage):
-Application Form, stamped and received by the City Council as Local Planning Authority on 18 September 2024.
-Drainage Strategy- WaterCo (rev 1, 03/04/2024), stamped and received by the City Council as Local Planning Authority on 4 October 2024.
-Flood Risk Assessment or Drainage- Below Ground Works and Drainage Details as Proposed, numbered 320-01-P-04C, stamped and received by the City Council as Local Planning Authority on 5 December 2024.

The information submitted to discharge condition 4 is not sufficient.

The outstanding evidence is required:

- Finalised drainage layout taking account of surveyed invert level of proposed outfall, to ensure the proposal is feasible.
- A blockage risk assessment and details of appropriate maintenance arrangements to manage blockage risk at the proposed flow rate of 1 l/s.
- United Utilities require discussions directly with the developer regarding the proximity of the proposed drainage proposals to an existing large water main that crosses the site. Further discussions are required in relation to United Utilities land (title number MAN114206) which has been included within the development red line boundary. This land is in the northern part of the site red edge. As a result, the incorrect Certificate of Ownership has been submitted with the original planning application.

Until such details are received and agreed, condition 4 cannot be discharged.

5) The following information has been submitted in respect of planning condition 5 (Construction Management Plan):

- Application Form, stamped and received by the City Council as Local Planning Authority on 18 September 2024.
- Supporting Information- Construction Environmental Management Plan, stamped and received by the City Council as Local Planning Authority on 18 September 2024.
- Supporting Information- Health & Safety Plan, stamped and received by the City Council as Local Planning Authority on 18 September 2024.
- Supporting Information- RAL-HSF-102 Construction Phase Plan REV CO1 Alma Park Primary School, stamped and received by the City Council as Local Planning Authority on 4 October 2024.
- Supporting Information- Alma Park Primary School Rams Rev A, stamped and received by the City Council as Local Planning Authority on 4 October 2024.
- Supporting Information- Site Rules & Visitor Briefing, stamped and received by the City Council as Local Planning Authority on 5 December 2024.

The information submitted to discharge condition 5 is not sufficient.

The outstanding evidence is required:

- Site working hours should be included and be in accordance with MCC's recommended hours.
- Section 3.8 DUST, NOISE AND ODOURS - includes no proposals to address potential noise issues. Elsewhere in the CEMP (Section 2.5 TRAINING, AWARENESS AND COMPETENCE) there is a reference to Toolbox Talks including noise prevention, but again no details. Further details on this matter need to be supplied.
- The CEMP should include the display of site contact details on perimeter fencing for use by members of the public.
- Construction access to the site will be via the existing school gates at Errwood Road. A swept-path assessment needs to be provided. Highways request that access by the largest/worst-case construction vehicle is assessed to ensure the existing access geometry can cater for such vehicles.
- The contractor must ensure that on site access/deliveries are managed outside of the school drop-off/pick-up periods in order to reduce potential conflict with pedestrians.
- Highways request additional details on contractor/construction vehicle parking.
- Highways require confirmation that no such works are required for external traffic/pedestrian management.

Until such details are received and agreed, condition 5 cannot be discharged.

6) The following information has been submitted in respect of planning condition 6 (Method statement for trees):

- Application Form, stamped and received by the City Council as Local Planning Authority on 18 September 2024.
- Supporting Information- Alma Park Primary School Rams Rev A, stamped and received by the City Council as Local Planning Authority on 4 October 2024.
- Flood Risk Assessment or Drainage- Below Ground Works and Drainage Details as Proposed, numbered 320-01-P-04C, stamped and received by the City Council as Local Planning Authority on 5 December 2024.

The above details are considered to be acceptable to discharge the condition 6 attached to planning permission referenced 139084/FO/2024 on the basis the development is fully implemented in accordance with the approved details.

The work shall be undertaken in accordance with BS:5837 being strictly adhered to. Contractors developing the site should be fully aware of the importance in using hand tools where specified in the submitted report.

9) The following information has been submitted in respect of planning condition 9 (RAMs Network Rail):

- Application Form, stamped and received by the City Council as Local Planning Authority on 18 September 2024.

- Drawing- Proposed- Elevations, numbered 320-01-202B, stamped and received by the City Council as Local Planning Authority on 5 December 2024.

- Supporting Information- Alma Park Primary School Rams Rev A, stamped and received by the City Council as Local Planning Authority on 4 October 2024.

- Supporting Information- RAL-HSF-102 Construction Phase Plan REV CO1 Alma Park Primary School, stamped and received by the City Council as Local Planning Authority on 4 October 2024.

- Supporting Information- Site Rules & Visitor Briefing, stamped and received by the City Council as Local Planning Authority on 5 December 2024.

The above details are considered to be acceptable to discharge the condition 9 attached to planning permission referenced 139084/FO/2024 on the basis the development is fully implemented in accordance with the approved details.

10) The following information has been submitted in respect of planning condition 10 (Drainage Network Rail):

- Application Form, stamped and received by the City Council as Local Planning Authority on 18 September 2024.

- Drainage Strategy- WaterCo (rev 1, 03/04/2024), stamped and received by the City Council as Local Planning Authority on 4 October 2024.

- Flood Risk Assessment or Drainage- Below Ground Works and Drainage Details as Proposed, numbered 320-01-P-04C, stamped and received by the City Council as Local Planning Authority on 5 December 2024.

The above details are considered to be acceptable to discharge the condition 10 attached to planning permission referenced 139084/FO/2024 on the basis the development is fully implemented in accordance with the approved details.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Network Rail

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Area Team Boundary - Name: NORTH AREA