

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140077/FO/2024

Date registered valid: 21 May 2024

Proposal: Erection of a canopy to the side of the building to form a covered play area and elevational alterations to existing covered play area to form store/covered play area.

Address: Old Moat Primary School, Old Moat Lane, Manchester, M20 3FN

Ward(s): Old Moat Ward

Applicant: The School Governors, Old Moat Primary School

Agent (if any): Mr Sam Nawaz, Studio OL3 Ltd

Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 11 July 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 7 June 2024

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 30 May 2024 Expired: 20 June 2024

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/area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to Old Moat Primary School, an educational facility for children aged 5 to 11.

Located within the Old Moat ward of Manchester and accessed via Old Moat Lane, the site consists of a roughly T-shaped part-single / part-two storey building which houses the majority of its teaching facilities, in addition to a modest carpark, playing field, and games court to the north, and various outdoor play areas and soft landscaping features to its north, south and west.

The site is located in a predominantly residential setting and is bounded to the north by Old Moat Lane, the east by Hough Road and the south and west by various residential properties including semi-detached and terraced dwellinghouses with Borchardt Medical Centre also located to the immediate south of the site.



Figure 1. Existing covered play area.



Figure 2. Proposed site of development.



Figure 3. Proposed site of development.

Description of development

The applicant is seeking permission for the erection of a canopy to the northeastern side of the existing SEN teaching facilities to form a covered play area, together with elevational alterations to the existing covered play area to form an enclosed storage room.

Planning history

094626/VO/2010/S1 - CITY COUNCIL DEVELOPMENT for the erection of a part two storey, part single storey building to form primary school and children's centre on playing field of existing school with associated Multi Use Games Area (MUGA), car parking, landscaping and boundary treatment – **APPROVED** (24.01.2011).

097042/FO/2011/S1 - Erection of two canopies with security shutters on west and east elevation of school – **APPROVED** (03.10.2011).

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

Cadent Gas made no objection to the application, requesting an informative note be attached to the decision notice.

Policies

The following policies are considered relevant in the consideration of this application.

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”)

was adopted by the City Council on the 11th of July 2012:

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles

The National Planning Policy Framework (NPPF, 2021)

- Chapter 12 – Achieving Well-Designed Places

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.

- Policy JP-P1 – Sustainable Places

Issues

Principle – the principle of the proposal, to erect a canopy to form a covered play area for the school's SEN students together with elevational alterations to the existing covered play area form an enclosed storage room, is acceptable. However, consideration must be given to the proposal's siting, scale, and massing, appearance and impact upon visual and residential amenity, waste management, and parking.

Siting, scale, and massing – the canopy and covered play area would be sited in association with the existing SEN teaching facilities located in the southern classroom block of the site, facing northeast.

It would project 2.865m northeastwards from the existing building, with an overall length of 9.3m, and pitched roof height of 3.5m, resulting in a total covered floor space of 41.6m². It would be sited a considerable distance away from the nearest shared boundary, maintaining a gap of approximately 19.482m to the residential properties situated along Farrington Avenue.

Overall, the siting, scale and massing of the proposal is considered acceptable as it would not result in an 'excessively large or bulky' addition to the application site, would not introduce an overbearing presence into the locale, and would incur considerable public benefits as a result of its implementation, including improved teaching facilities for SEN students at the school, pursuant to policies DM1 and SP1 of the Core Strategy.

Appearance and visual amenity – the canopy would be a simple construction consisting of metal SFS supporting posts and framework, powder coated in anthracite grey (RAL colour: 7016), with a mono pitch proprietary multi-walled polycarbonate roof sheet finish with white glazing bars. A new black uPVC drainage gutter would be securely fixed to the structure.

Given that the proposal would be sited away from the public highway and footpath, at a considerable distance away from the plot's shared boundaries, within the grounds of the application site, it is understood that the proposal would not feature within the street scene or public realm, nor would it be highly visible to surrounding residential properties due to the existing mature foliage present along the plot's shared boundaries.

The proposal is therefore considered to have a minimal impact upon the visual amenity of the area, pursuant to policies DM1 and SP1 of the Core Strategy as well as chapter 12 of the NPPF.

Residential amenity – the proposal is not believed to significantly harm the residential amenity of neighbouring occupiers as the proposed canopy would be sited at least 19.482m away from the nearest residential properties and would be relatively minor in terms of its scale and massing. As such, the canopy should not cause issues associated with overshadowing, loss of light, loss of outlook, or loss of privacy, nor should it introduce an overbearing presence into the area.

The proposal is therefore considered to accord with policies DM1 and SP1 of the Core Strategy as it would have a minimal impact upon the residential amenity of the area.

Waste – the current waste management and storage arrangements would be unaffected by the proposal.

Parking – the current parking arrangements would be unaffected by the proposal.

Use – the submitted Design & Access statement confirms that the use of the site would be unaltered, remaining as a primary school.

Other matters – the proposal also includes the following elevational alterations:

- The southeastern elevation of the existing covered play area/canopy projecting from the SEN building would be infilled with brickwork to match the existing.
- A portion of the northeastern elevation of the existing covered play area/canopy projecting from the SEN building would also be infilled with brickwork to match the existing.

These alterations seek to enable the creation of an enclosed storage area for the SEN building and are considered acceptable given their minimal impact upon the visual and residential amenity of the area.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, siting, scale, and massing, appearance, and impact upon visual and residential amenity, waste storage, and parking as it complies with policies DM1 and SP1 of the Core Strategy, and chapter 12 of the NPPF.

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. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

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 permission.

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

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

- 'Application for Planning Permission', numbered 'PP-13085571', stamped as received by the City Council as Local Planning Authority on the 21st May 2024.

- 'Details as Proposed', numbered 'P-01', stamped as received by the City Council as Local Planning Authority on the 21st May 2024.

-‘Design & Access Statement’, stamped as received by the City Council as Local Planning Authority on the 21st May 2024.

Reason - To ensure the development is carried out in accordance with the approved plans, pursuant to Policies SP1 and DM1 of the Core Strategy.

3) The materials to be used on the external surfaces of the development hereby permitted shall match those specified on the submitted application form and approved documents.

Reason - To ensure the appearance of the site to be developed is not adversely affected by the materials to be used in the construction of the development, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

Informatives

1) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

1)

Appendix 1 – List of consultees & neighbours notified

5 Farrington Avenue, Manchester, M20 1ER
73 Ashford Road, Manchester, M20 3FH
71 Ashford Road, Manchester, M20 3FH
69 Ashford Road, Manchester, M20 3FH
67 Ashford Road, Manchester, M20 3FH
9 Farrington Avenue, Manchester, M20 1ER
7 Farrington Avenue, Manchester, M20 1ER
3 Farrington Avenue, Manchester, M20 1ER
1 Farrington Avenue, Manchester, M20 1ER
101 Old Moat Lane, Manchester, M20 1DF

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
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA