MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138832/FO/2023
Date registered valid:	19 December 2023
Proposal:	Erection of a two storey teaching and school accommodation building (Use Class F1) for a temporary period of two years.
Address:	Newall Green High School, Greenbrow Road, Manchester, M23 2SX
Ward(s):	Baguley Ward
Applicant:	Morgan Sindall Construction (on behalf of the Department of Education)
Agent (if any):	Lee Fulcher, DPP
Case officer:	Robert Griffin Tel: 0161 234 4527 Email: robert.griffin@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**12.02.2024**

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 24.01.2023 and 18.05.2023 as part of consideration of previous recent applications on the site

Standard consultations:
Printed: 21 December 2023 Expired: 14 January 2024

Neighbour notifications
Printed: 21 December 2023 Expired: 14 January 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area
The application site relates to the site of the former Newall Green High School which has recently closed. The site comprises hardstanding (car parking area) and soft landscaping to the front with a series of two storey educational buildings located centrally within the site and further outdoor place space and formal pitches to the rear (north-west). Surrounding the site are further educational establishments, public house with the predominant surround use being residential areas in the form of 2 storey inter and post war housing developments, albeit Wythenshawe Hospital is located further to the north and west of the site. The Greater Manchester Green Belt Boundary is located to the south-west on the opposite side of Clay Lane.

Description of development
The application proposals are for the temporary siting of teaching and school buildings for up to 2 years. It is understood these are required to house pupils whilst refurbishment works take place on the main school buildings to facilitate it's full re-opening as a secondary school, these proposals have been recently approved under separate planning consent as set out in the planning history section below.

The linear two storey building is to be sited on an area of current green space adjacent to an area of hardstanding to the south-west of the existing school. The applicant has confirmed that this area is not a playing field forming part of the soft landscaped setting to the school buildings, the proposals would therefore not impact on playing fields on the wider site.

Two entrances to the building are proposed to the north-western and south-eastern facades. The building will comprise two storeys and will have neutral facades to match the existing temporary accommodation blocks on the site. Internally, the building incorporates a series of classrooms, meeting rooms, toilets, offices, plantrooms and other essential functions required for the operation of the academy.



School site with location of temporary buildings highlighted in red

The application submission indicates that separate agreements are being put in place by the Department for Education for car parking spaces for the additional staff in close proximity to the site. No additional parking spaces are proposed within the site boundary itself.

Due to the need for existing hardstanding to be used as external play space for the school whilst the temporary buildings are in use the temporary buildings have been sited on the soft landscaping at the front of the school site.

Planning History
136933/FO/2023 - Erection of part single/part two storey extensions following the partial demolition of existing buildings and refurbishment and elevational alterations to the existing school building, together with associated hardstanding, car parking, roof top solar PV array and landscaping works. Approved 19.12.2023

135845/FO/2022 - Erection of two temporary teaching and school accommodation buildings (Use Class F1) for a period of 3 years. Approved 19th April 2023

091879/FO/2009/S2 - Erection of canopy to front of school house with 3 metre fence and gate to canopy and 3 metre high fence to football pitch area

080454/FO/2006/S2 - Retrospective application for a 12 metre ball stop netting fence and associated poles adjacent to boundary to the rear of 2 to 20 Capenhurst Close

079637/VO/2006/S2 - CITY COUNCIL DEVELOPMENT provision of two storey temporary teaching accommodation for a period of two years during construction of new school building

079624/VO/2006/S2 - CITY COUNCIL DEVELOPMENT redevelopment of school involving erection of two storey building following partial demolition of existing school, refurbishment of existing accommodation, car parking facilities, landscaping and sports facilities
070206/FO/2003/S2 - Erection of first floor extension to form additional classrooms and changing facilities

045232/VO/SOUTH3/94 -CITY COUNCIL DEVELOPMENT Erection of part single/part two storey extensions to existing school to form science block,sports hall,teaching block,escape stairs & store,and dining room

Consultations & Notification Responses

The application was subject of neighbour notification, no responses were received.

MCC Environmental Health - Recommend conditions relating to waste management.

MCC Highways - Requested further details relating to the identification of staff car parking areas, and clarification on bin store located.

GMEU - Recommend: retained trees and hedgerows on site are adequately protected and compensatory planting is provided; any new lighting should be designed to best practice to avoid impacts on nocturnal bats; tree and vegetation clearance should avoid the main bird nesting season; an informative reminding the applicant of the legal protection of certain species.

MCC Arborists - Have no objection to the proposals subject to adequate mitigation being carried out and any work carried out on this site must be carried out in accordance with BS:5837 to ensure there is no unauthorised RPA encroachment.

United Utilities - Recommend the submission of a surface water drainage scheme.

Policies

The relevant planning policies to this proposal are set out below:

The Development Plan
Manchester's Core Strategy Development Plan Document was adopted on 11 July 2012. It now forms part of the development plan for Manchester and its policies will provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

Core Strategy Development Plan Document
Policy SP1 - sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including: creating well designed places, making a positive contribution to health, safety and well-being, considering the needs of all members of the community, and protecting and enhancing the built and natural environment.

Policy DM1 - seeks to ensure that new development contributes to the overall aim of the Core Strategy, and seeks to protect the amenity of an area from the adverse impacts of development. The saved UDP contains the following relevant polices in this case : DC26 Noise and Developments.

The NPPF was originally published in March 2012 and has been subject to amendments since that date, the most recent being in December 2023.

The NPPF constitutes guidance for local planning authorities and decision-makers both in drawing up plans and as a material consideration in determining planning applications. Development that accords with an up-to-date local plan, such as the Core Strategy, should be approved unless other material considerations indicate otherwise.
The NPPF states that the planning system must contribute to the achievement of sustainable development. These are encapsulated into three categories: economic, social and environmental.

The NPPF, identifies core land use planning principles the most relevant principles to this proposal are:
o Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
o Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Issues

Siting and layout - The proposals would be located within an existing school site for a temporary period, whilst the land where the units is to be sited is soft landscaping and the submitted drawings indicate 4 trees within a group together with sections of hedging would need to be removed to facilitate the development. This is considered further below. The cabins are considered to be logically sited given the availability of land on the site in which to locate them.

Residential Amenity - The closest residential properties are located to the east across Greenbrow Road. Whilst the temporary cabins would be located in closer proximity to these properties given the separation distances across a road and intervening street trees it is not considered that the proposals would give rise to unacceptable impacts in terms of overlooking, loss of privacy or overshadowing/loss of sunlight. This distance separation would also assist in ensuring that the proposals would not give rise to excessive noise and disturbance associated with the use of the temporary buildings. Given the historic use of the site as a secondary school it is considered that the temporary buildings would not give rise to unacceptable levels of comings and goings that would be of greater magnitude than the lawful use of the site.

MCC Environmental Health have recommended conditions be attached to any approval relating to waste storage as the submitted plans indicate an existing area of waste storage is to be removed.

Visual amenity - The proposals are for the siting of a temporary buildings. The siting would make these buildings visible from the streetscene, however, given they are of temporary nature this is considered acceptable in this instance.

Trees - The proposals would result in the loss of an area of soft landscaping including hedging and 4 trees currently located on the site where the temporary buildings and access ramps are to be sited. All the trees and hedges identified for removal are of low quality. Whilst the loss of landscaping is regretted it is proposed to include a condition within the approval for the submission and agreement of a tree mitigation scheme as part of the reinstatement works following the removal of the temporary buildings.

Highways - Comments have been raised regarding the provision of staff car parking. The proposed buildings are temporary in nature and are proposed to facilitate the refurbishment of the existing school. MCC Highway Services raise no objections on highway and pedestrian

safety. It is acknowledged that schools do generate peak time traffic associated with school opening and closing hours, however, this is a long-established site for a secondary school. The proposals are not considered to give rise to unacceptable harm or impacts in relation to highway matters. A condition is proposed so that a scheme for staff parking is agreed prior to the use of the buildings.

Other matters - It has been confirmed in the approval of other temporary buildings on site that the proposals would connect into the existing school drainage system. Given the proposals are for a temporary period and would not be used in combination with the existing school buildings this response is accepted in this instance for the application proposals.

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: Approve

Article 35 Declaration
The application has been determined in a positive and proactive manner. In this instance comments received on the application have been forwarded to the applicant's agent and conditions are proposed. The application has been determined in a timely manner.

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

1) The permission hereby granted is for a limited period only, expiring on 9th February 2026 and the buildings, works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued. The land shall be reinstated in accordance with a scheme previously agreed, which shall include a tree and hedgerow

planting scheme, and a timetable of implementation of the scheme to be submitted to and approved in writing by the City Council local planning authority before this permission expires and the removal of the buildings.

Reason - In the interests of visual amenity as the approved buildings are of a temporary nature and to mitigate the loss of trees as a result of the development pursuant to Core Strategy policies SP1, EN15 and DM1.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:
-External Works Location Plan - Second Year Temp Works(ref: FS0998-IBI-A-14-XX-D-L-7027-P01)
-Ground Floor GA Plan - Temporary Building (ref: XXXXX-IBI-A-2-T00-D-A-0001)
-First Floor GA Plan - Temporary Building (ref: XXXXX-IBI-A-2-T01-D-A-0002)
All as received by the City Council as local planning authority on the 14th December 2023.

FS0998-IBI-A-14-XX-D-L-7025 P04 TEMP EXTERNAL WORKS GENERAL ARRANGEMENT PLAN - SECOND YEAR TEMP BUILDING As received on the 24th January 2024

Arboricultural Implications Assessment January 2024 Rev C ref 23-10490 and Arboricultural Method Statement February 2024 Rev C both as received by the City Council as local planning authority on the 12th February 2024

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) Prior to the first use of the development, a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The submitted details shall also include details of the access and egress from the site by waste collection vehicles. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health pursuant to policy DM1 of the Core Strategy.

4) No works to trees or shrubs shall occur or demolition commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the City Council as the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended and to comply with policy EN15 of the Core Strategy.

5) Prior to the first use of the temporary building hereby approved, details for the provision of staff car parking shall be submitted to and approved in writing by the City Council as local planning authority. The submitted details shall identify the location of the car parking together with a timescale for their provision. The staff car parking shall be in place for use in accordance with the agreed details.

Reason - To ensure adequate facilities are in place whilst the building is in use, pursuant to policies DM1 and T1 of the Core Strategy.

6) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)
(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

7) All tree work should be carried out by a competent contractor in accordance with British Standard BS 5837 'Trees in Relation to Design, Demolition and Construction'.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Greater Manchester Ecology Unit

169 Greenbrow Road, Manchester, M23 2TA
11 Marwood Drive, Manchester, M23 2TD
Newall Green Sixth Form Centre, Greenbrow Road, Manchester, M23 2SX
Flat At, Newall Green Hotel, Greenbrow Road, Manchester, M23 2SX
7 Knob Hall Gardens, Manchester, M23 2SX
4 Knob Hall Gardens, Manchester, M23 2SX
1 Knob Hall Gardens, Manchester, M23 2SX
13 Marwood Drive, Manchester, M23 2TD
19 Marwood Drive, Manchester, M23 2TD
16 Barnacre Avenue, Manchester, M23 2TZ
10 Barnacre Avenue, Manchester, M23 2TZ
207 Greenbrow Road, Manchester, M23 2TA
181 Greenbrow Road, Manchester, M23 2TA
175 Greenbrow Road, Manchester, M23 2TA
204 Greenbrow Road, Manchester, M23 2SX
202 Greenbrow Road, Manchester, M23 2SX
25 Marwood Drive, Manchester, M23 2TD
21 Marwood Drive, Manchester, M23 2TD
17 Marwood Drive, Manchester, M23 2TD
9 Marwood Drive, Manchester, M23 2TD
7 Marwood Drive, Manchester, M23 2TD
5 Marwood Drive, Manchester, M23 2TD
3 Marwood Drive, Manchester, M23 2TD
1 Marwood Drive, Manchester, M23 2TD
14 Barnacre Avenue, Manchester, M23 2TZ
12 Barnacre Avenue, Manchester, M23 2TZ
Newall Green Hotel, Greenbrow Road, Manchester, M23 2SX
27 Marwood Drive, Manchester, M23 2TD
23 Marwood Drive, Manchester, M23 2TD
15 Marwood Drive, Manchester, M23 2TD
171 Greenbrow Road, Manchester, M23 2TA
167 Greenbrow Road, Manchester, M23 2TA
6 Knob Hall Gardens, Manchester, M23 2SX
5 Knob Hall Gardens, Manchester, M23 2SX
3 Knob Hall Gardens, Manchester, M23 2SX
2 Knob Hall Gardens, Manchester, M23 2SX
2 Tuffley Road, Manchester, M23 2SR
209 Greenbrow Road, Manchester, M23 2TA
205 Greenbrow Road, Manchester, M23 2TA
183 Greenbrow Road, Manchester, M23 2TA
179 Greenbrow Road, Manchester, M23 2TA
177 Greenbrow Road, Manchester, M23 2TA
173 Greenbrow Road, Manchester, M23 2TA

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 45M
Area Team Boundary - Name: SOUTH AREA