

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138442/FO/2023

Date registered valid: 31 October 2023

Proposal: Erection of freestanding canopy to hard play area

Address: Abraham Moss Community School, Crescent Road, Manchester, M8 5UF

Ward(s): Crumpsall Ward

Applicant: Mr Andrew Shakos, Abraham Moss Community School

Agent (if any): Mr Paul Howitt, Halliday Meecham Architects Limited

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

Recommendation: Approve

Date of recommendation: 18 December 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 13 November 2023

Standard consultations:

Printed: 7 November 2023 Expired: 28 November 2023

Neighbour notifications

Printed: 7 November 2023 Expired: 28 November 2023

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

The application site relates to Abraham Moss Community School within the Crumpsall ward of north Manchester. The application site is accessible off Crescent Road and forms part of the Abraham Moss complex. The Abraham Moss opened in 1973 as a multipurpose integrated centre with lower school, and upper school seamlessly joining to a FE college, a library and a leisure centre. The School is a modular, maximum 3 storey, red brick and clad facility with various additions and extensions to the school over the years. The school has recently changed to a private trust having previously been ran by the local authority.

The development site for the application sits to the south of the school boundary and relates to a hardstanding playground and is sited at the closest point 4.5 metres from a three storey, red brick building associated with the school. The playground is used at break and lunches and the site is sited relatively close to the school canteen. The site looks onto the Metrolink line to the south of the Abraham Moss complex.

Description of development

The submitted application seeks planning permission for the erection of freestanding canopy to hard play area. The canopy would be constructed on the hardstanding as part of the playground and be sited at the closest point 4.5 metres from a three storey, red brick building associated with the school. The canopy, at the largest point, would have approximate dimensions of Height:

4 x Length: 20 x Width: 9 metres. The canopy would be a curved structure and open at all sides. The structure would be made of a PPC galvanised mild steel, colour RAL 7016 anthracite grey to match windows and rainwater goods on the adjacent building, a 600 wide glazing panel to enclosure the canopy.

The proposal is required as the temporary sports hall located on the hardstanding playground was removed following the lapse of the temporary consent under planning reference: 124187/VO/2019- CITY COUNCIL DEVELOPMENT Erection of temporary sports hall with associated changing and store facilities for a period of 36 months. In addition to the temporary sports hall being used for PE lessons, it also provided much needed additional breakout space for teaching and dining, and shelter for pupils during adverse weather. As such, the school now experiences a loss of covered space for breaks and lunch times, following the removal of the sports hall and thus the need for a canopy structure under the current application.

Planning History

CDN/20/0062- Discharge of Condition 14 (Construction Management Plan) attached to planning reference number 124187/VO/2019.
Approved 14 August 2020.

CDN/20/0381- Discharge of conditions 5 (external plant), 6 (noise), 9 (servicing) and 10 (lighting) attached to planning permission referenced 124187/FO/2019.
Approved 14 July 2020.

CDN/20/0014- Discharge of planning condition 6 (Noise Outbreak) associated with planning permission referenced 124187/VO/2019.
Approved 4 March 2020.

124187/VO/2019- CITY COUNCIL DEVELOPMENT Erection of temporary sports hall with associated changing and store facilities for a period of 36 months.
Approved 27 September 2019.

CDN/17/0162- Application to Discharge Conditions 3(a) (Contaminated Land), 4 (Security) and 6 (Construction Traffic Management) of planning approval 113897/VO/2016.
Approved 25 May 2017.

113897/VO/2016- CITY COUNCIL DEVELOPMENT Erection of a single-storey extension to dining hall, together with the relocation of existing canopies.
Approved 27 February 2017.

098799/JO/2012/N1- Variation of condition no. 3 of previous approval 094966/FO/2010/N1 to allow elevational alterations.
Approved 9 May 2012.

Further planning history exists prior to the current plan period of 2012.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Environmental Health

Environmental Health were consulted on the application and responded with no objection to the application.

MCC Flood Risk Management Team

The MCC Flood Risk Management Team were consulted on the application and provided the following response:

The information uploaded to the Planning Portal from 31st October 2023 has been considered. Based on the provided evidence, we recommend no drainage condition for this application. The application can be approved and we suggest the following informative to be included within the Decision Notice:

The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN14 & EN17 of the Core Strategy.

Issues

POLICY

The National Planning Policy Framework (NPPF) (September 2023)

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, and c) an environmental objective.

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

- i. Chapter 8. Promoting healthy and communities
- ii. 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.

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 DM1 (Development Management);
- Policy SP1 (Spatial Principles);
- Policy EN1 (Design Principles and Strategic Character Areas);
- Policy EN10 (Safeguarding Open Space, Sport and Recreation Facilities);

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.

Of relevance are paragraphs 2.3, 2.7, 2.14 and 2.16.

Places for Everyone

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, 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 significant weight in the planning balance.

The following policies are relevant:

- i.JP- S1- Sustainable development
- ii.JP- S2 – Carbon and energy
- iii.JP- S5 – Flood risk and the water environment

ISSUES

Principle of Development

The submitted development application is for the erection of freestanding canopy to hard play area. This is considered acceptable given the school now experiences a loss of covered external space following the lapse of the temporary consent for the sports hall at the site (see planning ref: 124187/VO/2019) and the proposal would provide a covered space for pupils to stand and play during break and lunch times. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity.

Visual /Residential Amenity

The structure would be sited within the playground to the south of the site. The structure would be sited at the closest point 4.5 metres from a three storey, red brick building associated with the school to the north, and 5.7 metres from the same building to the east due to the building's outrigger. Windows within the elevations would look onto the structure. Although the structure at the largest point would have a height of 4 metres, as the structure is open in nature due to its design, the proposal would not give rise to any loss of light to the windows. Although the structure would be visible from within the classroom, the structure due to the nature of the school's use, it is not considered to create a visually harmful feature to the detriment of the pupils. No privacy implications would arise.

Although the structure would be visible from the publicly accessible path from the Metrolink stop and further car parking and Leisure centre to the west, the proposal is not considered to give rise to any visual harm given the proposal would be of a structure commensurate to the school's use. No residential properties would be impacted by the proposal due to the structure's setting within the school complex and distance to the nearest residential properties.

Whilst the canopy would be used as a covered space for breaks and lunchtimes, this area is already used for this purpose. Therefore, it is not considered that there would be a significant increase in disturbance from noise from the use of the area below the canopy.

Design and Appearance

The canopy would be a curved structure and open at all sides. The structure would be made of a PPC galvanised mild steel, colour RAL 7016 anthracite grey to match windows and rainwater goods on the adjacent building, a 600 wide glazing panel to enclose the canopy. The structure is considered acceptable in appearance and the colouration of the structure to match the existing fenestration at the school in close proximity would offer a sense of cohesion across the site. The materials listed are considered acceptable and would be conditioned within any approval granted.

The proposal with a height of 4 metres and a length of 20 metres would be considered to relate appropriately to the surrounding structures including the existing picnic canopies and school buildings in close proximity. As the structure is open in nature, this reduces the bulk of the proposal. Adequate external space would still be retained as a result of the proposal for uncovered external play.

In short, the proposal is appropriate in design and would ensure an appropriate addition to the character of the school grounds, pursuant with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policy DC1 of the Unitary Development Plan.

Consultee Comments

Environmental Health were consulted on the application and responded with no objection to the application. As such, no conditions relating to environmental protection would be placed on any approval granted. The MCC Flood Risk Management Team were also consulted on the application and requested an informative be placed on any approval granted- this would be replicated accordingly.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is considered acceptable- commensurate with the use of the school and the design positively relates to the existing school properties. The proposal is considered acceptable and complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policy DC1 of the Unitary Development Plan.

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 and appropriate conditions have been attached to any 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:

-Application for Planning Permission, stamped as received by the City Council as Local Planning Authority on 31 October 2023.

-Drawing- Proposed- Plans and Elevations, stamped as received by the City Council as Local Planning Authority on 31 October 2023.

-Drawing-Site Plan- Block Plan of the Site, stamped as received by the City Council as Local Planning Authority on 31 October 2023.

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 on external surfaces hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form and 'Drawing- Proposed- Plans and Elevations' specified in Condition 2.

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.

Informatives

- 1) The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN14 & EN17 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
MCC Flood Risk Management

Units 1 To 4, Abraham Moss Centre, 140 Crescent Road, Manchester, M8 5UF

North Ridge Sixth Form Hub, 142 Crescent Road, Manchester, M8 5UF

North Manchester Community Link, Abraham Moss Centre, 140 Crescent Road, Manchester, M8 5UF

135 Woodlands Road, Cheetham, Manchester, M8 0NG

Abraham Moss Centre, 140 Crescent Road, Manchester, M8 5UF

Abbey Hotel, 139 - 141 Woodlands Road, Cheetham, Manchester, M8 0NG

149 Woodlands Road, Cheetham, Manchester, M8 0NG

Flat 5, 135 Woodlands Road, Cheetham, Manchester, M8 0NG

Flat 3, 135 Woodlands Road, Cheetham, Manchester, M8 0NG

Abraham Moss Adult Learning Centre, Crescent Road, Manchester, M8 5UF

Abraham Moss Leisure Centre, Crescent Road, Manchester, M8 6UF

157 Woodlands Road, Cheetham, Manchester, M8 0NG

153 Woodlands Road, Cheetham, Manchester, M8 0NG

151 Woodlands Road, Cheetham, Manchester, M8 0NG
145 Woodlands Road, Cheetham, Manchester, M8 0NG
137 Woodlands Road, Cheetham, Manchester, M8 0NG
Flat 6, 135 Woodlands Road, Cheetham, Manchester, M8 0NG
Flat 4, 135 Woodlands Road, Cheetham, Manchester, M8 0NG
Flat 2, 135 Woodlands Road, Cheetham, Manchester, M8 0NG
Flat 1, 135 Woodlands Road, Cheetham, Manchester, M8 0NG
155 Woodlands Road, Cheetham, Manchester, M8 0NG
147 Woodlands Road, Cheetham, Manchester, M8 0NG
143 Woodlands Road, Cheetham, Manchester, M8 0NG

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA