

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135845/FO/2022

Date registered valid: 23 December 2022

Proposal: Erection of two temporary teaching and school accommodation buildings (Use Class F1) for a period of 3 years

Address: Newall Green High School, Greenbrow Road, Manchester, M23 2SX

Ward(s): Baguley Ward

Applicant: Samantha Judd, Department for Education

Agent (if any): Mr Adam Buxton, Lambert Smith Hampton

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: Temporary Approval

Date of recommendation: 19.04.2023

Application details

Type of application: Full Application Consent

Development type: Major Other

Date of site visit: 24.01.2023

Standard consultations:

Printed: 24 March 2023 Expired: 14 April 2023

Neighbour notifications

Printed: 24 March 2023 Expired: 14 April 2023

Site notice

Posted: 24 January 2023 Expired: 14 February 2023

Press advert

Published: 10 January 2023 Expired: 31 January 2023

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 3 years. It is understood these are required to house pupils from September 2023 and whilst refurbishment works take place on the main school buildings to facilitate it's full re-opening as a secondary school, these proposals would be subject to further planning applications. The proposals have been amended since they were first submitted to re-site the buildings and enlarge them following design development. These revised proposals were subject to a further period of notification of residents and statutory consultees.

Planning History

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 to two periods of notification following revisions to the submitted scheme, together with site notice and advertisement in the Manchester Evening News, one response has been received on behalf of a local resident, this was received in respect of the second period of notification. A summary of the comments made is set out below:

- The traffic is already bad on this road and opening another teaching accommodation will only increase the flow of traffic.

- This will not only cause more fumes but potentially dangerous as there is no crossing available for us. The noise pollution will increase as will the antisocial behaviour.

- I have lived here many years and seen the change of this road and it's unfortunate that there is already an increase in traffic, litter and noise pollution

United Utilities – Request further details relating to foul and surface water drainage strategy to enable further review of any risk of sewer surcharge.

MCC Highways – Have assessed the revised details and raise no highway safety or capacity issues. It is requested that conditions be attached to any approval relating to servicing and waste management.

MCC Environmental Health – Note that the proposed buildings are modular build and so will not break the ground, therefore, they a preliminary Risk Assessment or Site Investigation is not required. However they will need to consider any service pipe entries into the modular build, as it is presumed these will run below ground and so they should be sufficiently sealed to prevent any pathway for ground gas. In addition, if the intention is to import soils for landscaped areas they will need to demonstrate that it is suitable for use.

It is recommended that conditions relating to external plant and equipment, waste management and fumes and odours extraction is attached to any approval.

MCC Arboriculture – Requested confirmation that building and excavations would take place outside of the RPAs of the nearby street trees at the front of the site. Are satisfied that mitigation planting can be secured via an appropriately worded condition.

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 policies 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 July 2021.

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 predominantly hard standing some soft landscaping 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. It is noted in the supporting statement that a full cohort of students at the site is not anticipated until 2027.

MCC Environmental Health have recommended conditions be attached to any approval relating to external plant noise and fumes and odours extraction scheme from kitchen areas.

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.

The proposals would seek the replacement of the low level mild-steel railings at the front of the site with 2.4m high fencing. The details of the fencing have not been provided and an appropriately worded condition is proposed for these to be agreed prior to their installation.

Trees – The proposals would result in the loss of a soft landscaping strip including hedging and trees currently located centrally within the car parking area and where the temporary buildings are to be sited. All groups of trees and hedges identified for removal are of low quality (Cat C and U). The amendment to the siting of the buildings has moved them further away from the street trees on Greenbrow Road, whilst the loss of landscaping and is regretted the applicant has agreed to the inclusion of a condition attached to any approval for the submission and agreement of a tree mitigation scheme.

Contaminated Land – The applicant has confirmed that the proposals would be undertaken with a ‘no-dig’ solution that utilises a jack pad above ground foundation solution. This has been accepted by MCC Environmental Health. A condition is proposed to be attached to any decision relating to any piping required to be installed underground and the need for any imported materials to be appropriately tested to ensure they are suitable for the end use.

Highways- Concerns have been raised regards to highway issues that would arise from the proposals. 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.

Other matters – In responding to the comments of United Utilities the applicant has confirmed 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 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 application has been determined in a positive and proactive manner when issues have arisen during the consideration of the application these have been discussed with the applicants agent to resolve them. Appropriately worded conditions are proposed.

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 20th April 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 planting scheme, and timetable of implementation to be submitted to and approved in writing by the City Council local planning authority before this permission expires.

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:

FS0998TEMP-IBI-A-2-00-D-A-200-001 C7 GROUND FLOOR PLAN - TEMPORARY BUILDING; FS0998TEMP-IBI-A-2-01-D-A-200-002 C5 FIRST FLOOR PLAN - TEMPORARY

BUILDING; FS0998-IBI-A-TRL-D-A-0006 REV P01 ROOF PLAN - TEMPORARY BUILDING; FS0998-IBI-A-4-TXX-D-A-0005 REV P01 GA SECTIONS - TEMPORARY BUILDING; FS0998-IBI-TB-00-PL-L-700-002 P02 EXTERNAL WORKS TEMPORARY GENERAL ARRANGEMENT PLAN; FS0998-IBI-A-3-TXX-D-A-0004 REV P01 DINING HALL ELEVATIONS; FS0998-IBI-A-3-TXX-D-A-0003 REV P01 TEACHING BLOCK ELEVATIONS, all as received by the City Council as local planning authority on the 23rd March 2023.

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 buildings hereby approved a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with saved policy of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

4) Prior to the installation of the proposed fencing as identified on approved drawing reference FS0998-IBI-TB-00-PL-L-700-002 P02 EXTERNAL WORKS TEMPORARY GA SITE PLAN, full details of the fencing to be installed together with a method statement for its installation in the vicinity of retained trees and hedges on the site, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason – In the interests of visual amenity and to ensure that the installation avoids damage to trees and hedges identified as being retained pursuant to policy SP1,EN15 and DM1 of the Core Strategy.

5 a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non- conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policy DM1 of the Core Strategy and saved Unitary Development Plan policy DC26.

6) 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.

7) The following details, where applicable, shall be submitted to and agreed in writing by the City Council as local planning authority:

- a) Prior to the installation of any below ground service pipes that are to serve the hereby approved buildings, details of the piping and sealing of these to prevent any pathway for ground gas to enter into the buildings. The approved details shall be installed as part of the development.
- b) If any soils for landscaped areas are to be imported or reused on the site, details and confirmation of the suitability of the soils for their intended use shall be demonstrated prior to them being used as part 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 policy EN18 of the 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.

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This informative does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at plantprotection@cadentgas.com or on 0800 688 588

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Environmental Health
Highway Services
Neighbourhood Team Leader (Arboriculture)

25 Marwood Drive, Manchester, M23 2TD
21 Marwood Drive, Manchester, M23 2TD
17 Marwood Drive, Manchester, M23 2TD
204 Greenbrow Road, Manchester, M23 2SX
202 Greenbrow Road, Manchester, M23 2SX
11 Marwood Drive, Manchester, M23 2TD
169 Greenbrow Road, Manchester, M23 2TA
Green Acres Centre, Scout Drive, Manchester, M23 2SZ
Newall Green Sixth Form Centre, Greenbrow Road, Manchester, M23 2SX
Flat At, Newall Green Hotel, Greenbrow Road, Manchester, M23 2SX
4 Tuffley Road, Manchester, M23 2SR
13 Marwood Drive, Manchester, M23 2TD
19 Marwood Drive, Manchester, M23 2TD
7 Knob Hall Gardens, Manchester, M23 2SX
4 Knob Hall Gardens, Manchester, M23 2SX
1 Knob Hall Gardens, Manchester, M23 2SX
16 Barnacre Avenue, Manchester, M23 2TZ
10 Barnacre Avenue, Manchester, M23 2TZ
64 Rodborough Road, Manchester, M23 2TP
58 Rodborough Road, Manchester, M23 2TP
207 Greenbrow Road, Manchester, M23 2TA
201 Greenbrow Road, Manchester, M23 2TA
195 Greenbrow Road, Manchester, M23 2TA
189 Greenbrow Road, Manchester, M23 2TA
181 Greenbrow Road, Manchester, M23 2TA
175 Greenbrow Road, Manchester, M23 2TA
206 Greenbrow Road, Manchester, M23 2SX
171 Greenbrow Road, Manchester, M23 2TA
167 Greenbrow Road, Manchester, M23 2TA
2 Tuffley Road, Manchester, M23 2SR
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
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
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
14 Barnacre Avenue, Manchester, M23 2TZ
12 Barnacre Avenue, Manchester, M23 2TZ

66 Rodborough Road, Manchester, M23 2TP
62 Rodborough Road, Manchester, M23 2TP
60 Rodborough Road, Manchester, M23 2TP
56 Rodborough Road, Manchester, M23 2TP
209 Greenbrow Road, Manchester, M23 2TA
205 Greenbrow Road, Manchester, M23 2TA
203 Greenbrow Road, Manchester, M23 2TA
199 Greenbrow Road, Manchester, M23 2TA
197 Greenbrow Road, Manchester, M23 2TA
193 Greenbrow Road, Manchester, M23 2TA
191 Greenbrow Road, Manchester, M23 2TA
187 Greenbrow Road, Manchester, M23 2TA
185 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
208 Greenbrow Road, Manchester, M23 2SX

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