

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136959/DEM/2023

Date registered valid:

Proposal: Prior approval for the demolition of a single storey classroom building

Address: St Bernards RC Primary School, Burnage Lane, Manchester, M19 1DR

Ward(s): Burnage Ward

Applicant: Mr Paul Boyle, SDA Consulting LLP

Agent (if any): Mr Paul Boyle, SDA Consulting LLP

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

Recommendation: Approve

Date of recommendation: 17 August 2023

Application details

Type of application: Proposed demolition

Development type: Notifications

Date of site visit: 04 August 2023

Standard consultations: Printed: 26 July 2023 Expired: 16 August 2023

Neighbour notifications: Printed: 26 July 2023 Expired: 16 August 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/area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a detached single storey building of traditional cavity wall construction with a flat roof, sited within the grounds of St Bernards RC Primary School in the Burnage ward of Manchester. The application site is set back from the highway, with access routes leading off Burnage Lane and is bounded to the north by undeveloped green space, to the east by St Bernards RC Church, to the south by Green End Primary School, and to the west by Burnage Sure Start Children's Centre.

The building in question is currently used as a nurturing facility and classroom base, however, following a reassessment of the school's development, has been identified as being surplus to the school's future needs as two nearby vacant classrooms are to be converted into an early years foundation unit. As such, the single storey building is no longer required as a classroom space and is proposed to be demolished to allow for the creation of a soft / hard play area for the early years unit.



Figure 1. Building to be demolished.



Figure 2. Building to be demolished.



Figure 3. Building to be demolished.

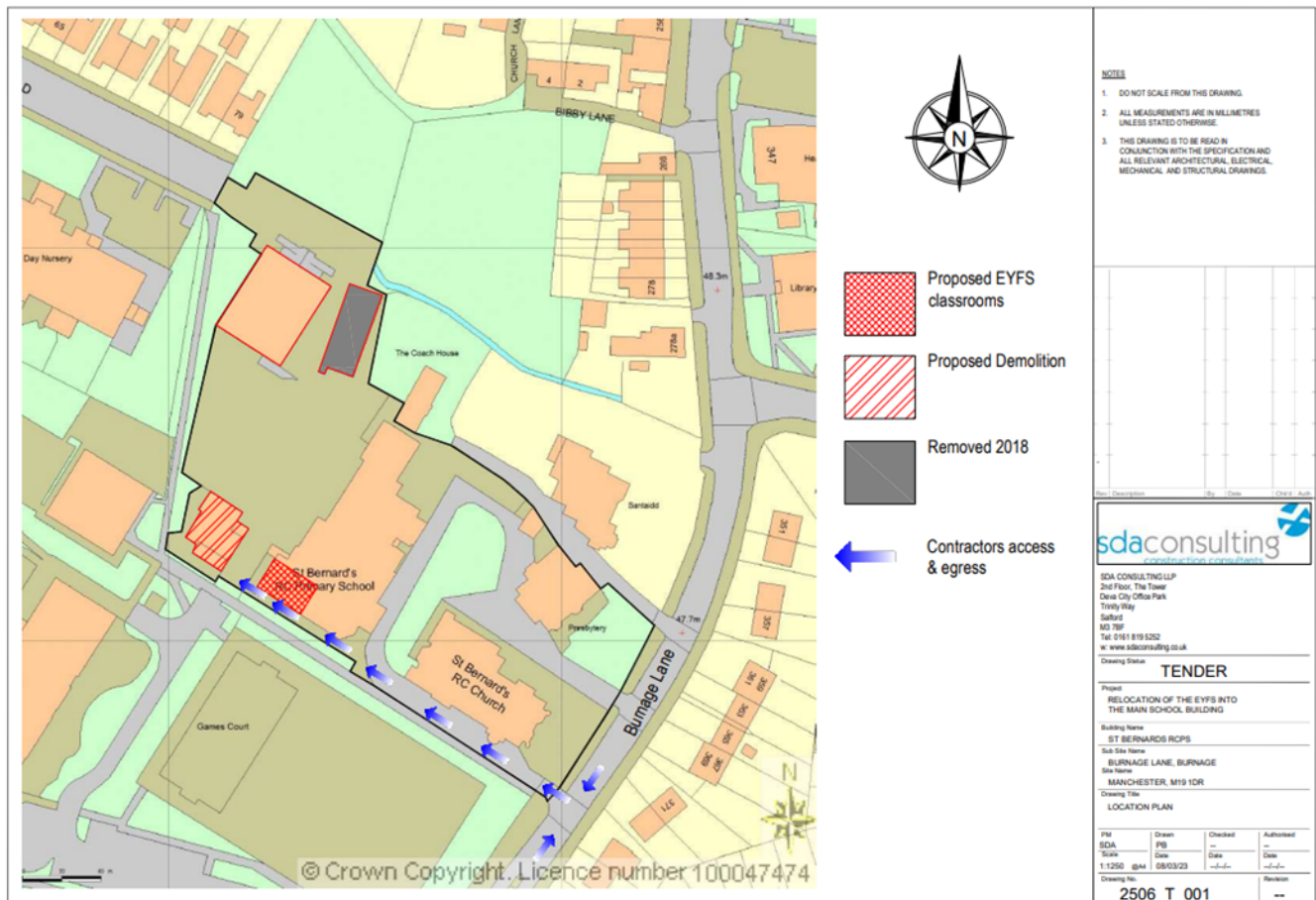


Figure 4. Submitted location plan.

Description of development

The applicant is seeking prior approval for the demolition of a single storey classroom building associated with St Bernards RC Primary School.

Consultations & Notification Responses

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

Highways had no objection to the proposal given that the applicant has indicated that the site is to be accessed via Burnage Lane and utilising the existing internal network. They highlighted that the demolition activities would be contained within the site and would not overspill onto the adopted highway network. They also drew attention to the site's permeable boundary treatment and suitable visibility splays which would minimise conflict with pedestrians and other road users. As such, no conditions were requested.

Environmental Health had no objection to the proposal, indicating that the details submitted in the demolition / construction management plan are acceptable / satisfactory. A condition relating to the control and regulation of demolition / construction hours was also requested to be attached to the decision notice.

Greater Manchester Ecology had no objection to the proposal, indicating their agreement with the findings of the submitted bat survey report. An informative condition relating to the protection of bats was requested to be attached to the decision notice as well as a condition relating to the protection of nesting birds in nearby trees / shrubs.

Policies

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

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:

- Policy DC26 – Development and Noise

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

For reasons to be outlined below, it is considered that the proposal accords with the principles of these policy documents.

Issues

Principle – the principle of the proposal, to demolish a single storey classroom building to allow for the creation of a new soft / hard play area for the early years foundation unit of St Bernards RC Primary School, is generally considered acceptable, however consideration must be given to the environmental impact of the demolition work.

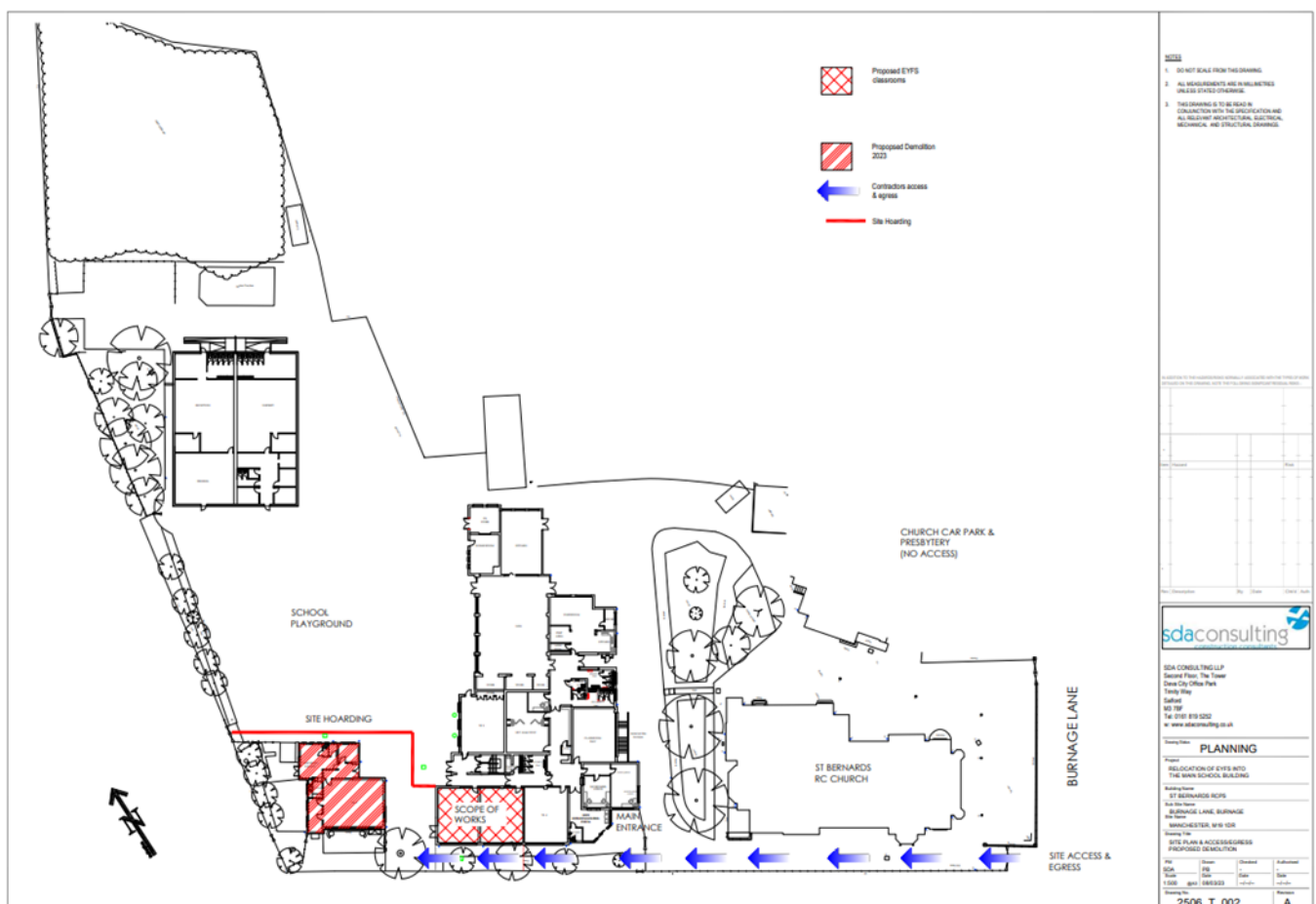
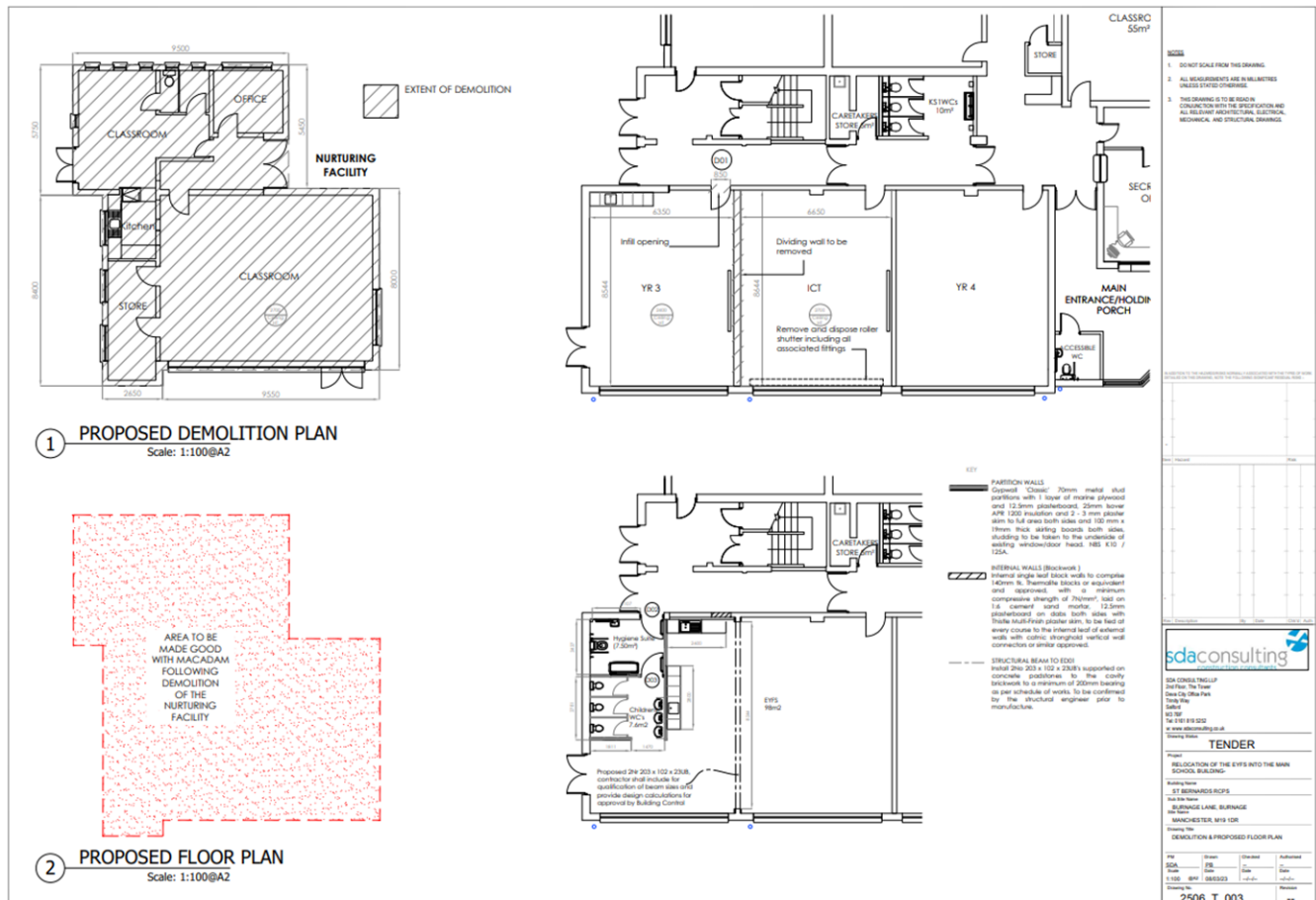


Figure 5. Submitted site plan & access / egress of proposed demolition works.



Pedestrian and highway safety – it is understood that the demolition site would be accessed via the existing site access from Burnage Lane with contractors utilising the internal network to navigate to and from the demolition site. The demolition activities will be contained within the site and would not overspill onto the adopted highway. The existing site access and egress benefit from a permeable boundary treatment and suitable visibility splays to minimise conflict with pedestrians and other road users.

Based on the above, Highways were satisfied with the information provided and therefore made no objection to the proposed demolition. The proposed demolition works would therefore avoid causing any detrimental impact to the current levels of pedestrian and highway safety enjoyed within the vicinity of the site.

Residential amenity – the nearest residential accommodation is located a considerable distance away from the site and, as such, it is not believed that the proposed demolition works would have an unduly detrimental impact upon existing amenity levels, especially given the contents of the 'TFM Demolition – Dynamic Method Statement (DMS01)', which would ensure that any disturbance is kept to a minimum.

Environmental Health made no objection to the proposal, indicating that the details submitted in the demolition / construction management plan are acceptable / satisfactory. A condition relating to the control and regulation of demolition / construction hours was also requested to be attached to the decision notice, to further safeguard the amenity of local residents.

In addition, no objections were received in response to this application.

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

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

1) The City Council is satisfied that the demolition works in this case are satisfactory and will not have a significant impact on the environment. This decision is based on the following documents:

- 'Application to determine if prior approval is required for a proposed: Demolition of Buildings', stamped as received by the City Council as Local Planning Authority on the 2nd June 2023.
- 'DEMOLITION & PROPOSED FLOOR PLAN', numbered '2506_T_003', stamped as received by the City Council as Local Planning Authority on the 12th May 2023.
- 'LOCATION PLAN', numbered '2506_T_001', stamped as received by the City Council as Local Planning Authority on the 12th May 2023.
- 'TFM Demolition - Dynamic Method Statement (DMS01)', stamped as received by the City Council as Local Planning Authority on the 2nd June 2023.
- 'RISK ASSESSMENT', stamped as received by the City Council as Local Planning Authority on the 2nd June 2023.
- 'SITE PLAN & ACCESS/EGRESS PROPOSED DEMOLITION', numbered '2506_T_002 REV A', stamped as received by the City Council as Local Planning Authority on the 2nd June 2023.
- 'Preliminary bat roost assessment', stamped as received by the City Council as Local Planning Authority on the 14th July 2023.

2) Construction / demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as Local Planning Authority:

- Monday - Friday: 7.30am - 6pm
- Saturday: 8.30am - 2pm
- Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

3) No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the City Council as 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 in order to comply with policy EN15 of the Manchester Core Strategy.

Informatives

1) Whilst the building to be demolished and the surrounding buildings have been assessed as negligible risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat/s are found or suspected all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Ecology Unit

Community Centre, Broadhill Road, Manchester, M19 1AG
280D Burnage Lane, Manchester, M19 1DR
280C Burnage Lane, Manchester, M19 1DR
280B Burnage Lane, Manchester, M19 1DR
280A Burnage Lane, Manchester, M19 1DR
Flat 9, 280 Burnage Lane, Manchester, M19 1DR
Flat 8, 280 Burnage Lane, Manchester, M19 1DR
Flat 7, 280 Burnage Lane, Manchester, M19 1DR
Flat 6, 280 Burnage Lane, Manchester, M19 1DR
Flat 5, 280 Burnage Lane, Manchester, M19 1DR
Flat 4, 280 Burnage Lane, Manchester, M19 1DR
Flat 3, 280 Burnage Lane, Manchester, M19 1DR
Flat 2, 280 Burnage Lane, Manchester, M19 1DR
Flat 1, 280 Burnage Lane, Manchester, M19 1DR
Burnage Childrens Centre, Community Centre, Broadhill Road, Manchester, M19 1AG
Green End Primary School, Burnage Lane, Manchester, M19 1DR
South Learning Centre, 60 Broadhill Road, Manchester, M19 1AG
The Old Coach House, Burnage Lane, Manchester, M19 1DR
St Bernards Presbytery, Burnage Lane, Manchester, M19 1DR

Appendix 2 – Planning constraints

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