

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135187/FO/2022
Date registered valid: 7 November 2022
Proposal: Installation of free standing canopy
Address: Grange School , Matthews Lane, Manchester, M12 4GR
Ward(s): Longsight Ward

Applicant: Mrs Racheal Clifford Prospere Learning Trust Grange School Grange School, Matthews Lane, Manchester, M12 4GR
Agent (if any): Mr Mark Manifold Prospere Learning Trust Greenacre Building, Firbank Road, Wythenshawe, Manchester, M23 2YS
Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 16 December 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 6 December 2022 Expired: 27 December 2022

Neighbour notifications

Printed: 1 December 2022 Expired: 15 December 2022

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

The application relates to the site of the Grange School located at the junction of Matthews Lane and Mount Road within the Longsight ward of Manchester. The wider school site is approximately 2.4 hectares in area. To the immediate north of the application site is the Gorton Primary School, to the east are Melland playing fields, to the west the Nutsford Vale NNR and to the south are residential properties along Matthews Lane.

The site currently forms a part of a wider outdoor educational space within the school site, part of which is currently used to accommodate the school's pigs. The site is currently enclosed by a mix of high close boarded fencing, and green powder coated weldmesh fencing. There are three existing trees on the northern boundary of the school with Gorton Primary school.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Consent is sought for the installation of a large free standing canopy in the north western area of the school site, situated adjacent to the two storey building which accommodates the upper school and 6th form teaching areas, and the retained outdoor accommodation for the school's pigs.

The proposed canopy would be located in a north south orientation, and be 16.1m in length, 10.1m in width and 3.1m in height. The proposed canopy would be off set from the northern boundary by 2.1m. The canopy roof would be multi coloured being made up of pink, white,

green and yellow coloured acrylic panels, with the canopy supports and north and south elevations being comprised of wood, with window openings at a high level . Submitted visual images accompanying the application show the installation of green roller shutters to the west and eastern elevations to enable the structure to be secured when it is not in use. The canopy is proposed to be used to provide an outdoor teaching space for sand and water based activities .

Consultations & Notification Responses

Local residents – No comments received .

Highways Services - The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

It is understood that the proposals will provide a sheltered educational facility for pupils already attending the school and would not give rise to an increase in trip generation. The proposed development will therefore not affect external highway operations and will not affect existing internal parking or servicing provisions.

It is understood that the existing internal pedestrian link from the school will be retained as part of the proposals.

Given the minimal scale of construction works involved, the level of construction vehicles are unlikely to generate any significant on-street parking demands.

Highways has no objections to the proposed development.

Environmental Health - recommend the following informative for the above application if the works involve breaking ground:

In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and contact Environment On Call on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

Design for Security - having looked the proposals they recommend the following:

Coverage for any CCTV systems will need to be reviewed to check all areas of the development are covered and that the development of the canopy does not hinder any existing CCTV coverage.

In summary, the application is supported subject to further consideration of the above matters.

Corporate Property – Have no comments.

Policy Context

National Planning Policy Framework (NPPF)

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through which local people and their accountable

councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 10 states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted.

The Framework has been related to the proposed development, with particular emphasis given to the following:

Chapter 8: Promoting healthy and safe communities

Paragraph 92 states that planning decisions should aim to achieve healthy, inclusive and safe places which:

- a) Promote social interaction;
- b) Are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion;

Paragraph 93 discusses the importance of providing social, recreational and cultural facilities and services that communities need.

Paragraph 95 specifically relates to the provision for school places and states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- Give great weight to the need to create, expand or alter school through the preparation of plans and decisions on applications; and
- Work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

It is considered that the proposal would contribute to the facilities offered by the school to meet the needs of the pupils. The proposal would provide a safe and accessible outdoor teaching space for use by the school. It is not considered that the development would harm residential amenity. Chapter 8 would therefore be positively responded to.

ii. Chapter 12: Achieving well-designed places

Paragraph 126 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 states that planning and decisions should ensure that developments:

- o Function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- o Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- o Are sympathetic to local character;
- o Maintain a strong sense of place;
- o Create places that are safe, inclusive and accessible and which promote health and well-being and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

In this case, the development would involve the erection of free standing canopy which has been designed to be contemporary in nature and is considered to be acceptable in terms of its form and siting.

On this basis, it is considered that chapter 12 would be appropriately responded to.

iii. Chapter 15 - Conservation and enhancement of the natural environment

Paragraph 174 sets out that planning decisions should enhance the local environment through means including:

- Minimising impacts on and providing net gains for biodiversity;
- Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water, noise pollution or land instability.

Paragraph 183 sets out that planning decisions should ensure that a site is suitable for its proposed use, taking into account of ground conditions and any risks arising from land instability and contamination.

Paragraph 185 states that planning decisions should also ensure that development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment. In doing so they should:

- Mitigate and reduce to a minimum the potential adverse impacts resulting from noise from new development;
- Limit the impact of light pollution from artificial light on local amenity.

The proposed development would enable the retention of the trees on the periphery of the site .

National Planning Policy Guidance (NPPG)

The relevant sections of the NPPG are as follows:

Noise : states that 'Local planning authorities' should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design states that where appropriate the following should be considered:

- layout - the way in which buildings and spaces relate to each other
- form - the shape of buildings
- scale - the size of buildings
- detailing - the important smaller elements of building and spaces
- materials - what a building is made from.

These largely relate to detailed aspects of a planning submission which are addressed in the following section of the report; the conclusions of the necessary assessments is that the proposal accords with the general principles of the NPPG.

Core Strategy

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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.

Appendix C of the Core Strategy has a list of superseded policies and their replacements. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

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

Policy SP1 - Spatial Principles

The proposal in Longsight ward will make a positive contribution to the neighbourhood by improving the facilities available at the school.

Policy EN 1- Design Principles and Strategic Character Areas

Policy EN1 outlines that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

Policy EN18 - Contaminated Land and Ground Stability

Nutsfold Vale to the west of school is known to have contamination on the site due to the previous use of the land. Due to the open nature of the proposed structure, and limited disturbance of the ground it is not expected that ground conditions would have a significant adverse impact in regard to the proposed development. This aspect of the scheme is addressed in detail elsewhere in the report.

Policy DM1 Development Management

Policy DM1 Follows the principles advocated in the aforementioned policies and informs that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Developers will be required to demonstrate that new development incorporates sustainable construction techniques.

As set out within the issues section of this report below, the application proposals are considered to accord with policy DM1 of the Core Strategy.

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007)

In the City of Manchester, the relevant design tool is the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance. The Guide states the importance of creating a sense of place, high quality designs, and respecting the character and context of an area. The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance provides a framework for all development in the City and requires that the design of new development incorporates a cohesive relationship with the street scene, aids natural surveillance through the demarcation of public and private spaces and the retention of strong building lines. The importance of considering the needs of children and young people in the proposed design of open space areas is also recognised, with particular reference given to the requirement for safe routes to schools needing to be an integral feature of new development schemes.

Guidance within Chapter 3 requires developments to be fully inclusive and accessible for all and take into consideration the requirements of disabled people. Chapter 4 seeks the adoption of energy efficient design. In respect to non-residential developments the guidance identifies that the City Council will encourage developers to use the BREEAM standards to assess the environmental performance of buildings and that development should achieve a post construction rating of 'very good'. However, the guidance indicates that alternative modelling tools that enable the developer to exceed the requirements of BREEAM are also encouraged. Chapter 8 promotes consultation with Greater Manchester Police, to incorporate measures to help crime prevention through design

The proposed development is considered to have been designed to reflect the sites context and relationships with the surrounding area and therefore accords with the general principles of the Guide to Development SPD.

Issues

Principle of use

The principle of installing canopy within the outdoor teaching space to the north west of the school site is considered to be acceptable. However, the potential impact of the proposal on the neighbouring properties must be assessed.

Visual Amenity

It is inevitable that the proposed free standing canopy on this site will result in a visual change in the locality. The design of the proposed structure has been formulated to assimilate appropriately to its surroundings and the host site, and is considered to be in-keeping with the scale of neighbouring buildings in the surrounding locality. Furthermore ,the site is currently enclosed by a mix of high close boarded fencing , and green powder coated weldmesh fencing. There are three existing trees on the northern boundary of the school with Gorton Primary school. The combination of boundary treatment and trees would enable the partial screening of the proposed structure .

The proposed canopy is simple in design comprising a pitched multi coloured 'rainbow ' roof, supported on wooden columns, with the north and southern elevations comprising wooden panelling with high level openings to allow natural light into the space. Submitted visual images show the incorporation of green roller shutters to the west and eastern elevations to enable the structure to be secured when it is not in use.

It is considered that the proposed canopy would not adversely impact on visual amenity of the locality, and would accord with policy DM1 of the Core Strategy.

Residential Amenity

The installation of the canopy to the north west of the school buildings would be located 102.5 metres from the nearest residential dwellings on Fellbrigg Close. Furthermore views of the canopy from Fellbrigg Close would be very limited due to the location of the Grange School upper school accommodation building to the east of the canopy, and Gorton Primary school to the north providing elements of screening.

It is considered that the existing houses are located far enough away from the proposed canopy, so as not to cause any significant impact on amenity.

Whilst the canopy will be used as an outdoor teaching space, this area is already used for this purpose. Therefore, it is not considered that there will be a significant increase in disturbance from noise from the use of the area below the canopy.

Ground Conditions

The proposed development would be located within the site of a school which has been built in recent years and which was subject to a contaminated land condition. As such it is expected any matters relating to ground conditions have been resolved. Furthermore, given the open nature of the proposed structure, and limited disturbance of the ground it is not expected that ground conditions would have a significant adverse impact in regard to the proposed development. However, given the observations by Environmental Health officers a watching brief condition in relation to ground conditions is proposed to be attached to any planning approval.

Trees

The siting of the proposed canopy would not necessitate the removal of the existing flowering cherry trees along the boundary with Gorton Primary School to the north. However, to ensure no damage occurs during the installation of the proposed canopy, a condition is recommended to require protective fencing to be installed to safeguard the existing trees.

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 local planning authority in making its decision has had due regard to the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and recommends approval the application for the reasons outlined in this report. Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to the orientation of the proposed canopy . The scheme is considered to be in accordance with the guidance contained within policies SP1 and DM1 of the Core Strategy.

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 documents and plans :

Rainbow canopy visual images received 12th October 2022;

Location Plan ref: 22010 01 rev.P0 received 7th November 2022;

Agent email dated 28th November 2022

Site Plan ref: 22010 02 rev.P1 received 30th November 2022;

Floor Plan and Elevations plan ref: 22010 03 rev.P1 received 16th December 2022.

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(2012) .

3.Prior to the commencement of above ground works, samples and specifications of all materials to be used on all external elevations of the development 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 - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Manchester Core Strategy (2012).

4.The roller shutters to be installed to the west and east elevations of the canopy hereby approved, shall be coloured green and housed in green coloured recessed boxes.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Manchester Core Strategy (2012).

5. Prior to the commencement of above ground works, plans of the type and location of fencing for the protection of the retained trees to the northern boundary of the school with Gorton Primary school shall be submitted to and approved in writing by the City Council as local planning authority. The development 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 Manchester Core Strategy (2012).

Informatives.

1. In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and contact Environment On Call on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.
2. Coverage for any CCTV systems will need to be reviewed to check all areas of the development are covered and that the development of the canopy does not hinder any existing CCTV coverage.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Corporate Property
Greater Manchester Police
Corporate Property
Environmental Health
Greater Manchester Police

Prospect House Primary Specialist Support School, Grange School, Matthews Lane, Manchester, M12 4GR

19 Fellbrigg Close, Manchester, M18 7QU

39 Fellbrigg Close, Manchester, M18 7QU

37 Fellbrigg Close, Manchester, M18 7QU

31 Fellbrigg Close, Manchester, M18 7QU

29 Fellbrigg Close, Manchester, M18 7QU

27 Fellbrigg Close, Manchester, M18 7QU

25 Fellbrigg Close, Manchester, M18 7QU

Gorton Primary School, Mount Road, Manchester, M18 7GR

250 Mount Road, Manchester, M18 7GR

Mellands Fields, Mount Road, Manchester, M18 7QR

33 Fellbrigg Close, Manchester, M18 7QU

23 Fellbrigg Close, Manchester, M18 7QU

41 Fellbrigg Close, Manchester, M18 7QU

35 Fellbrigg Close, Manchester, M18 7QU

21 Fellbrigg Close, Manchester, M18 7QU

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

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH AREA