

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135153/NMC/2022

Date registered valid: 12 October 2022

Proposal: Non-material amendment to planning permission referenced 125493/FO/2019 to altering the line of the proposed boundary, changing route of path and altering the number of cricket creases

Address: Cheetham CofE Community Academy, Halliwell Lane, Manchester, M8 9FR

Ward(s): Cheetham Ward

Applicant: Mrs Allan Nuttall AHR Building Consultancy Cheetham C of E Community Academy, Halliwell Lane, Manchester, M2 4EW

Agent (if any): Mr Allan Nuttall AHR 5th Floor, 55 Princess Street, Manchester, M2 4EW

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 25 October 2022

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

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

The application site relates to Cheetham C of E Community Academy – a school site bounded by Highfield Street and Halliwell Lane to the north, Bent Lane to the east, Marland Road South to the south and Orient Street to the west.

Access to the Site is available off Halliwell Lane to the North of the Site. There are a separate vehicular and pedestrian access points.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The wider area is predominantly residential in character.

Description of development

Non-material amendment to planning permission referenced 125493/FO/2019 which allowed for the creation of a sports track, cricket wicket and associated nets and the installation of 2.5 metre high weld mesh fence on land forming the western side of Cheetham C of E Academy.

The amendments sought in this case relates to an alteration to the line of the proposed cricket pitch boundary and associated fence line, a change to the route of an associated path and increasing the number of cricket creases from 1 to 2.

At present the boundary follows the route of adjoining trees. In order to create a larger more usable area, the boundary is now proposed to run in a straight line across the site. No trees are affected.

Consultations & Notification Responses

None Required.

Planning History

125493/FO/2019

Creation of sports track, cricket wicket and associated nets and installation of 2.5 metre high weld mesh fence. *Approved 1 April 2020.*

111651/VO/2016/N1

CITY COUNCIL DEVELOPMENT Erection of two storey building to form additional school accommodation together with new boundary treatment and landscaping. *Approved 20 June 2016.*

106621/FO/2014/N1

Erection of a two-storey classroom building adjacent to the existing school, the construction of a new games court area, with associated boundary treatment and landscaping, on land bounded by Dorothy Street and Marsland Street North, and the creation of additional parking, with vehicle access from Marsland Street North, together with the erection boundary treatments, landscaping, and other associated works. *Approved 17 November 2014.*

076168/VO/2005/N1

CITY COUNCIL DEVELOPMENT Retrospective application for erection of an escape staircase to the southern elevation. *Approved 24 August 2005.*

073304/VO/2004/N1

CITY COUNCIL DEVELOPMENT Formation of multi-use games area upon existing playing field, to be enclosed with 3.46 metre high fencing. *Approved 19 November 2004.*

072331/VO/2004/N1

CITY COUNCIL DEVELOPMENT Erection of a two storey rear extension to school to form additional classrooms and creation of additional car parking. *Approved 18 August 2004.*

040009

CITY COUNCIL DEVELOPMENT Erection of a galvanised mild steel palisade fence with splayed tops, points returned. *Approved 14 October 1991.*

028440

CITY COUNCIL DEVELOPMENT Erection of a new primary school and nursery. *Approved 2 April 1987.*

F08340/LA

Application for Deemed Planning Permission Use of cleared site for local Public Park with footpaths and play facilities. *Approved 17 May 1978.*

Issues

Materiality

Given the nature of the changes, it is not considered that there would be any material impact to the original site layout which would create any undue impact to residential or visual amenity, or any on-site ecological features. As such, the proposed changes are considered non-material.

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

The proposed amendments relate to a change to line of the proposed boundary, alterations to the route of a path and the addition of a further cricket crease.

The proposed amendments relate to

Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will not result in any significant or material alterations to the host planning permission.

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

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings:

Drawing CA_PL_005 Rev A stamped as received by the City Council, as Local Planning Authority on the 1 April 2020;

Drawing CA_PL_006 Rev A stamped as received by the City Council, as Local Planning Authority on the 24 March 2020 ;

Drawing referenced CA_PL.001(C), CA_PL.002(A) and CA_PL.004(A) received by the City Council as Local Planning Authority on 12 October 2022.

Documents:

Design and access statement Rev A stamped as received by the City Council, as Local Planning Authority, on the 1 April 2020;

Arboricultural impact assessment with tree protection measures stamped as received by the City Council, as Local Planning Authority, on the 19 November 2019;

Bat assessment stamped as received by the City Council, as Local Planning Authority, on the 17 March 2020.

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.

Appendix 1 – List of consultees & neighbours notified

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

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH AREA