

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126303/JO/2020

Date registered valid: 21 February 2020

Proposal: Variation of specified plans condition 2 (to allow for alterations to the elevations, access, landscaping, boundary treatment) attached to planning permission 121104/FO/2018

Address: Chorlton Park Primary School, Mauldeth Road West, Manchester, M21 7HH

Ward(s): Chorlton Park Ward

Applicant: Chorlton Park Primary School, Chorlton Park Primary School, Mauldeth Road West, Manchester, M21 7HH

Agent (if any): Mr Andrew Kelly, Union Architecture, 23 Meridian Business Village, Hunts Cross, Liverpool, L24 9LG

Case officer: Jennifer Connor
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Email: jennifer.connor@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 14.10.2022

Application details

Type of application: Variation or Removal of Condition

Development type: Smallscale Major Other

Standard consultations:

Printed: 26 August 2020 Expired: 16 September 2020

Neighbour notifications

Printed: 26 August 2020 Expired: 16 September 2020

Site notice

Posted: 27 February 2020 Expired: 19 March 2020

Press advert

Published: 3 March 2020 Expired: 24 March 2020

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

Description of development

Variation of specified plans condition 2 (to allow for alterations to the elevations, access, landscaping, boundary treatment) attached to planning permission 121104/FO/2018

External works amendments as follows;

- Raised planters proposed in front of existing building removed
- Internal railings and gates around the proposed parking area have been removed
- Pedestrian gate from Mauldeth Road West increased from single to double access gate. Pedestrian footpath from gate to school widened.
- External hard landscaped teaching space removed from plans and provided as turf only.
- Additional maintenance path provided around the proposed building with graded landscape provided to address level changes.
- Layout amended internally, several new doors added, however window positions remain the same.
- Elevations updated to show additional door positions reflecting updated plans. Masonry detail removed with elevations simplified.
- Additional coloured box frames and signage around windows close to entrance.
- Facing materials colours amended; glazed green brick and light grey brick replaced with buff brick and red/brown mixture.

Consultations & Notification Responses

Highways had no objections following amendments to the scheme that were negotiated over a protracted period.

TFGM has no objections.

Greater Manchester Police raised no concerns.

Greater Manchester Ecological Unit raised no concerns.

Flood Risk Management requested the reimposition of conditions relating to drainage, the scheme is now however occupied.

Policies

The following local and national policies and documents are considered relevant in the determination of the application proposals.

Manchester Core Strategy

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 and is the key Development Plan Document in the Local Development Framework (LDF). The Core Strategy is to be used as the framework that planning applications will be assessed against.

There are a number of policies within the adopted Core Strategy relevant to the consideration of the current application in summary these are set out below.

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:

- o creating well designed places,
- o making a positive contribution to health, safety and well-being,
- o considering the needs of all members of the community, and
- o protecting and enhancing the built and natural environment.

Policy EN14 relates to Flood Risk and states all new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of Green Infrastructure. Developers should have regard to the surface water run-off rates in the SFRA User Guide. In CDAs, evidence to justify the surface water run-off approach / rates will be required.

Policy EN 15 relates to Biodiversity and Geological Conservation. The policy indicates that the Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City.

Policy EN16 states the Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport. Developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself, including from Combined Heat and Power and biomass plant.

When assessing the appropriateness of locations for new development the Council will consider the impacts on air quality, alongside other plan objectives. This includes cumulative impacts, particularly in Air Quality Management Areas.

Policy EN 18 relates to Contaminated Land and Ground Stability. This policy identifies the priority to develop on previously developed land and that this may include developing sites with historic industrial or other land uses that may have left a legacy of contamination.

Policy T1 seeks to support proposals that deliver a sustainable, high quality, integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking, to support the needs of residents and businesses and to prepare for carbon free modes of transport, in particular the Council will support proposals that: -

- Improve choice by developing alternatives to the car.
- Promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services, particularly for those most in need and for those without a car.
- Improve access to transport services and facilities in order to enable disabled people and people with mobility impairments to participate fully in public life.
- Improve pedestrian routes and the pedestrian environment.

Policy T2 relates to Accessible areas of opportunity and need and that the Council will actively manage the pattern of development to ensure that new development is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport and to ensure good national and international connections; is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities.

The report sets out compliance with the aforementioned policies.

Policy DM1 of the Core Strategy states:

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, odours, litter, vermin, birds, 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.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target

will apply):-

(b) For new commercial developments to demonstrate best practice which will include the application of the BREEAM (Building Research Establishment Environmental Assessment Method) standards.

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

Issues

Principle

The principal of improving existing school facilities is in accordance with national planning policy and has been established by the previous consent.

Design and Appearance

The proposed development continues to have an acceptable appearance in the street scene and to provide appropriate landscaping, subject to a condition requiring further tree planting.



Access, Traffic and Parking

Concerns were expressed by Highways, however, these concerns have now been addressed.

Residential Amenity

The proposal is a significant distance away from any sensitive receptor and the residential amenities of the area will be unaffected by the development proposal.

Conclusion

This proposal continues to offer the opportunity to improve existing primary school facilities in response to an identified need, which is an essential facility to serve the local community.

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The proposal is considered to be acceptable.

Condition(s) to be attached to decision for approval

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

17-138-SP03 - Proposed Site Plan - REV I
17-138-SP03-1 - Proposed Site Plan - REV B
17-138-SP04 - Proposed Landscape and External Works Plan - REV J
17-138-SP04-1 - Proposed Landscape and External Works Plan - REV A
17-138-PL01 - Proposed Ground Floor Plan - REV J
17-138-PL02 - Proposed Ground Floor Plan - REV J
17-138-PL03 - Proposed Roof Plan - REV D
17-138-EL02 - Proposed Elevations - REV M
17-138-EL03 - Proposed Elevations - REV D
Proposed Materials Palette Document

Vehicle Routing Arrangements 17-138-SP06
Vehicle Tracking P08
Chorlton Park Primary School – Traffic Management Plan
Attached to email received 28th September 2022

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.

2. The development hereby approved shall only be carried out in accordance with the recommendations of the Crime Impact Statement prepared by Greater Manchester Police. Written confirmation of a secure by design accreditation shall be provided in writing to the local planning authority within 6 months of this consent.

Reason - To reduce the risk of crime pursuant to Policy DM1 of the Adopted Core Strategy for the City of Manchester.

3. Within six months of this consent a post construction review of Environmental Standards shall be submitted to and approved in writing by the City Council as local planning authority before any of the building hereby approved is first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policies EN4, EN5, EN6 and EN7 of the City of Manchester Core Strategy, and the principles contained within The Guide to Development in Manchester 2 SPD.

4. The development shall be in accordance with drainage information supplied with condition discharge application reference CDN/19/1039 with regards to Condition 6 attached to planning permission 121104/FO/2018.

Within 6 months of this consent details of the implementation, maintenance and management of the sustainable drainage scheme shall be submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- a. Verification report providing photographic evidence of construction as per design drawings;
- b. As built construction drawings if different from design construction drawings;
- c. Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

5. In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.
 - (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority

(c) The erection of fencing for the protection of any retained tree 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 Core Strategy.

6. Notwithstanding the details included on the plans submitted further details increasing the amount of bicycle parking available shall be submitted in writing to the local planning authority for approval. These details shall be implemented in full and made available for use prior to first occupation of the development hereby approved. The approved scheme shall remain available for use whilst the development is occupied.

Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

7. Within 6 months of this consent a scheme for the acoustic insulation of any externally mounted ancillary equipment to ensure that it achieves a background noise level of 5dB below the existing background (La90) in each octave band at the nearest noise sensitive location 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 equipment. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

8. The storage and disposal of waste shall be undertaken in accordance with the Waste Management Strategy and drawings submitted in relation to planning permission 121104/FO/2018 and shall remain in situ whilst the development is in operation.

Reason - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

9. The development shall be in accordance with contaminated land information supplied with condition discharge application reference CDN/19/1039 with regards to Condition 15 attached to planning permission 121104/FO/2018. The details provided in the combined Phase 1 and Phase 2 Environmental and Geotechnical Site Assessment Report by Shape Consulting Engineers ref CL10, dated Aug 18.

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 policies DM1 and EN18 of the Core Strategy.

10. The development shall be in accordance with air quality information supplied with condition discharge application reference CDN/19/1039 with regards to Condition 17 attached to planning permission 121104/FO/2018.

Within 6 months of this consent, a Travel Plan including details of how the plan will be funded, implemented and monitored for effectiveness, shall be submitted to and approved in writing by the City Council as local planning authority. The strategy shall outline procedures and policies that the developer and occupants of the site will adopt to secure the objectives of the overall site's Travel Plan Strategy. Additionally, the strategy shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the strategy and its implementation remain effective. The results of the monitoring and review processes shall be submitted in writing to the local planning authority and any measures that are identified that can improve the effectiveness of the Travel Plan Strategy shall be adopted and implemented. The Travel Plan shall be fully implemented, prior to first occupation of the building, and shall be kept in operation at all times thereafter.

Reason - In accordance with the provisions contained within planning policy guidance and in order to promote a choice of means of transport, pursuant to policies T2 and EN16 of the Core Strategy.

11. The development shall be in accordance with car parking information supplied with condition discharge reference CDN/18/0938 with regards to Condition 20 attached to planning permission 121104/FO/2018. The details provided on drawing 17-138-SP04 Rev E.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with policy DM1 of the Core strategy.

12. Notwithstanding the details of the hard and soft landscaping treatment scheme as set out within the approved drawings, a further plan indicating further tree planting shall be submitted within one month of the grant of consent. Landscaping shall be implemented not later than 12 months from the date of this consent. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
Transport For Greater Manchester
Greater Manchester Ecology Unit
Parks & Events

List of properties notified on Uniform

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

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH