

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133480/LP/2022

Date registered valid: 26 April 2022

Proposal: Certificate of Lawful Development - Erection of enclosed canopy to create external teaching space

Address: Co-Op Academy North Manchester, Charlestown Road, Manchester, M9 7SS

Ward(s): Charlestown Ward

Applicant: Co Op Academy North Manchester, Charlestown Road, Manchester, M9 7SS

Agent (if any): Hltarth Parmar Ahr Building Consultancy Ltd Princess Street, Manchester, M2 4EW

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 14 June 2022

Application details

Type of application: Certificate Lawful Developmnt Proposed

Development type: Certificates of lawfulness

Standard consultations:

Printed: 28 April 2022 Expired: 19 May 2022

Neighbour notifications

Printed: 28 April 2022 Expired: 19 May 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The application seeks a Certificate of Lawful Development to erect an enclosed canopy to create an external teaching space. The space created sits within the curtilage of the school measure 3.810 mm height x 16 length x 10 width.

Description of area

Coop Academy is in the Blackley area of North Manchester. The building is situated adjacent to Victoria Avenue East. The school resides in a residential area with its boundary stretching from Victoria Avenue East to Hinchley and Booth Hall Close. The boundary around the entire site approximately measures - 161760m2.

Consultations & Notification Responses

None required, due to the nature of the application.

Issues

The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2021 ("the Amendment Order") amends the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the General Permitted Development Order") This Order also amends Class M (extensions, etc for schools, colleges, universities and hospitals) of Part 7 (non-domestic extension, alterations etc) of Schedule 2 to the GPDO. It expands the existing permitted development right (PDR) in respect of schools, colleges, universities and hospitals to allow a wider range of development.

The proposed extension:

- Is less than 25% of the existing footprint and less than 250m²
- Is not within 5m of the site boundary
- Is not higher than 5m in height
- Is not higher than the existing structure
- Does not house a rooftop structure >1.5m high
- Is not within the curtilage of a listed building
- Do not include development on or loss of any playing field areas

The proposed works are a simple extension, provided an enclosed teaching facility within the curtilage of the extension school and the proposal is in accordance within the parameters setup out in the legislation above and is considered to be lawful on that basis.

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) Approve on the basis that the proposed erection of enclosed canopy to create external teaching space detailed on the submitted drawings CANM-00-001, stamped as received on the 26 April 2022, and the Location Plan, stamped as received by the City Council as Local Planning Authority, on the 8 April 2022, constitutes permitted development in accordance with Part 7, Class M of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2021

Appendix 1 – List of consultees & neighbours notified

18 Northland Road, Manchester, M9 7AG
28 Northland Road, Manchester, M9 7AG
56 Northland Road, Manchester, M9 7AG
Co-op Academy North Manchester, 300 Victoria Avenue East, Manchester, M9 7SS
Charlestown Community Primary School, Pilkington Road, Manchester, M9 7BX
30 Northland Road, Manchester, M9 7AG
24 Northland Road, Manchester, M9 7AG
59 Northwold Drive, Manchester, M9 7HY
124 Grange Park Road, Manchester, M9 7AH
122 Grange Park Road, Manchester, M9 7AH
54 Northland Road, Manchester, M9 7AG
52 Northland Road, Manchester, M9 7AG
50 Northland Road, Manchester, M9 7AG
48 Northland Road, Manchester, M9 7AG
46 Northland Road, Manchester, M9 7AG
44 Northland Road, Manchester, M9 7AG
42 Northland Road, Manchester, M9 7AG
40 Northland Road, Manchester, M9 7AG
38 Northland Road, Manchester, M9 7AG
36 Northland Road, Manchester, M9 7AG
34 Northland Road, Manchester, M9 7AG
32 Northland Road, Manchester, M9 7AG
26 Northland Road, Manchester, M9 7AG
22 Northland Road, Manchester, M9 7AG
20 Northland Road, Manchester, M9 7AG

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH1