

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133828/VO/2022

Date registered valid: 20 May 2022

Proposal: City Council Development for the erection of a single-storey, front extension to form a new kitchen together with the relocation of existing marked playing pitch and car parking spaces adjacent to the proposed extension, new fencing and pedestrian gate access and ramp

Address: New Moston Primary School, 16 Moston Lane East, Manchester, M40 3QJ

Ward(s): Moston Ward

Applicant: Mr Robert Massey Manchester City Council Children & Education Services, PO Box 532, Town Hall, Manchester, M60 2LA

Agent (if any): Miss Claire Parker Cassidy + Ashton Group Ltd. 7 East Cliff, Preston, PR1 3JE

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

Recommendation: Approve

Date of recommendation: 21 July 2022

Application details

Type of application: Regulation 3 Consent

Development type: Minor Other

Date of site visit: 26 May 2022

Standard consultations:

Printed: 24 May 2022 Expired: 14 June 2022

Neighbour notifications

Printed: 24 May 2022 Expired: 14 June 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

Description of Site/Area

New Moston Primary School is located at 16 Moston Lane East within the area of Moston. The site comprises of three single storey buildings alongside a grass sports field.

The surrounding area is largely residential to the south, east and north of the site and a church lies adjacent to the west of the site.

Description of Development

Planning permission is sought for the erection of a single storey kitchen extension to an existing primary school to provide on-site catering facilities. To accommodate the siting of the kitchen, there will be a requirement to relocate the existing marked playing pitch on the hard surfaced playground and car parking spaces.

The scheme would also involve the erection of 2.4m high coloured weld mesh fencing to form a boundary around the internal service road and parking spaces, and a new pedestrian gate from Moston Lane East.

History

111467/VO/2016/N1CITY COUNCIL DEVELOPMENT Erection of a single-storey extension to the front elevation to form a new kitchen, together with the relocation of an existing marked playing pitch adjacent to the proposed kitchen extension. Approved

109555/FO/2015/N1Erection of a single-storey modular building, with access ramp and steps, to form additional teaching space. Approved.

108716/FO/2015/N1Erection of single storey extension to form additional accommodation. Approved

096638/VO/2011/N1CITY COUNCIL DEVELOPMENT Erection of 2.4m high perimeter fencing and 4 no. sets of gates. Approved

079277/VO/2006/N1CITY COUNCIL DEVELOPMENT Single storey extension to form link between existing school buildings to provide new reception area and entrance. Approved.

Consultations & Notification Responses

Local resident/occupiers of the surrounding properties were consulted, and no representations were received.

The Highways team- Raised no objection to the proposal and commented the relocation of 12 car parking spaces are acceptable subject to compliance with the space standards. The drawings provided indicate the parking spaces are compliant with space standard. Highways commented on the other aspects of highways works outside the site. However, given, the nature of the development within the curtilage of the site no additional highways conditions are considered necessary.

Environmental Health- Raised no objection the proposal subject to a contaminated land and external plant noise condition and further details for the soft play area in terms of noise, and an air quality condition including EV charging points and any other considerations, for example boiler emissions to be added to the consent. However, a noise condition for the play area is not required in this instance given the facility already existing and would be located a short distance from the existing area.

The Flood Team- Confirmed based on the provided evidence, they recommend no drainage condition for this application. The drainage of the site can be approved.

Sport England- Raised no objection to the proposal.

Tree Section- confirmed that subject to no trees being removed the proposal is acceptable.

Ecology Unit- Raised no objection to the proposal subject to compliance with the requirement of the bat survey and the installation of bird boxes which has been added as a condition and an informative added informing the applicant it is an offence under the Wildlife and Countryside Act 1981 as amended to remove, damage, or destroy the nest of a wild bird.

Greater Manchester Police- Raised no objection to the proposal subject to security measures being incorporated into the proposal and an informative has been added to the consent.

Issues

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

National Planning Policy Framework

Chapter 8: Promoting healthy and safe communities

Chapter 9: Promoting sustainable transport

Chapter 12: Achieving well-designed places

National Planning Policy Guidance (NPPG)

The relevant sections of the NPPG are Noise and Design.

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.

Manchester Core Strategy

Policy SP1 - Spatial Principles

Policy DM1 - Development Management

UDP- DC26 Development and Noise

PLANNING ISSUES:

It is considered the proposed development is acceptable in terms of the National Planning Policy Framework (NPPF), and Manchester's Core Strategy, including policies SP1, DM1, and EN1, and saved policy DC26 of the Unitary Development Plan.

It is considered that the proposed single-storey extension will not detract from the character and appearance of the school building, or the wider environment on Moston Lane East, due to the proposed design and detail of the scheme, and would therefore be in accordance with policy DM1.

The position of the extension to the front elevation is not considered ideal in visual terms. However, the built form is subservient in appearance, incorporates design details from the existing building, including the emulation of the fenestration, and is required to be located in this location to serve the existing adjacent dining hall. Furthermore, the proposed extension is set away from Moston Lane East behind a reconfigured hard surface sports pitch.

In the interests of visual amenity, pursuant to policies DM1, and EN1, a materials condition is proposed to be attached to any approval. Although the submitted GA elevations plan do not clearly show the installation of roller shutters, they are referred to key of this plan. It is therefore proposed to attach a condition to require the submission of the finalised details of the proposed roller shutters i.e., coloured recessed shutter boxes and coloured perforated shutters, before any shutters are installed to the elevations of the proposed extension

GMP Design for Security officers have recommended a number of security measures pursuant to policy DM1, EN1 and the National Planning Policy Framework. An informative has been added to the proposal.

It is not considered that the proposed extension will unduly adversely affect the amenities of the occupiers of neighbouring residential properties, pursuant to policy DM1. This is due to the context of the existing school site within which the extension would be sited, the subservient design of the extension, and the separation distances between the extension and nearby houses.

Conditions regarding fume extraction, noise and contaminated land, are required to be imposed to ensure the proposal does not have undue effect upon amenity, and is a sustainable use, pursuant to policies SP1, DM1, and DC26.

The proposed scheme necessitates and includes the relocation of a hard surfaced playing pitch slightly further to the east of the existing demarcated pitch. A condition is to be imposed to ensure the new pitch is marked out, pursuant to policy SP1 and the National Planning Policy Framework, to ensure continued access to sports.

No trees will be removed, and the ecology unit support the proposal subject to bird boxes being installed to ensure compliance with Section 174 of the NPPF 2021, which states that the planning policies and decisions should contribute to and enhance the natural and local environment. The extension would be located on an area of existing hardstanding, with a negligible ecological value habitat, with the loss of vegetated habitats limited it would appear to a strip of amenity grassland. The ecology unit are satisfied that adequate mitigation can be achieved on site, through provision of bird boxes on the existing trees or new build. The details have been conditioned.

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 proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance the local planning authority had no issues to raise with the applicant/agent but have attached appropriate conditions to the approval.

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 drawings and documents:

DR-A-2004 REV P1

DR-A-1003 REV P4

DR-A-2003 REV P3

DR-A-2101 REV P3

DR-A-2201 REV P4, stamped as received 30 May 2022

DR-A-1001 REV P1, stamped as received on the 20 May 2022.

The Construction Management Plan by Conlon, Tree Information ref: S23372-T 01, the Biodiversity Survey by Echo Calls, The Drainage Information by Conlon, Contaminated Land Report by Amey, The Waste Proforma, The Traffic Information, stamped as received on the 20 May 2022.

Planning Submission Odour Control Statement by Walmsley Associates, 20 May 2022

Sustainability Statement stamped as received on the 24 May 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.

3) Notwithstanding details received, prior to any above ground works, samples and specifications of all materials to be used on all external elevations of the development shall be submitted for approval in writing by the City Council as local planning authority. The development shall be carried out in accordance with the approved 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 Core Strategy

4) The development hereby approved shall be carried out in accordance with drainage information on DWG:841-010_100 P1, stamped as received on the 20 May 2022. The details shall be implemented prior to the first occupation of the development and thereafter retained and maintained in situ.

Reason - to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

5) The car parking within the site shall be surfaced, demarcated and made available for use before the development is occupied, in accordance with drawing number P4, stamped as approved on the 30 May 2022, by the City Council as Local Planning Authority. The car parking spaces shall then be available at all times whilst the buildings are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the buildings are occupied, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

Reason - To ensure sufficient car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

6) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground

contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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. Additionally, that the current works shall not compromise the protection afforded by earlier remedial measures the existing development has had installed as part of planning permission Pursuant to policies DM1 and EN18 of the Core Strategy.

7) The development hereby approved shall be carried out in accordance with the construction management plan by Conlon, stamped as received by the City Council, as Local Planning Authority, 20 May 2022.

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

8) The development hereby approved shall be carried out in accordance with traffic management information, stamped as received by the City Council, as Local Planning Authority, 20 May 2022. The details shall be implemented prior to the first occupation of the development and thereafter retained and maintained in situ.

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

9) a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Prior to commencement of the use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

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

10) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme 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 site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

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

11) a) Prior to commencement of the development, a scheme for electric vehicle charging shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development the agreed scheme shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason -To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

12) Notwithstanding the information provided within the waste management strategy, stamped as received on the 20 May 2022, by the City Council, as Local Planning Authority. Prior to the occupation of the development further details are required and shall including the following:

Estimated volumes and types of waste produced by the development.

Details of internal and external stores for both waste and recycling, including any plans and designs.

Location of the proposed collection point and details of the route the collection vehicle will take.

Details of how waste will be transferred between stores and to the collection location; and

Details of number and capacity of bins proposed and collection frequency.

A plan showing the location of waste bins for the development.

Reason - To ensure adequate refuse arrangement are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

13) The development hereby approved shall be carried out in accordance with the Sustainability Statement, stamped as received by the City Council, as Local Planning Authority 24 May 2022. The details shall be implemented prior to the first occupation of the development and thereafter retained and maintained in situ.

Reason - In order to minimise the environmental impact of the development, pursuant to policies DM1 and SP1 of Manchester's Core Strategy and the National Planning Policy Framework.

14) The development shall be carried out in accordance with the details contained in the Preliminary Survey and Assessment in respect of Bat Species and Nesting Bird, Echo Calls Bat Surveys dated 5th April 2022 as submitted with the planning application. Details of bird boxes will also need to be submitted in writing to the local planning authority.

Prior to occupation of the development, compliance with the above document shall be verified in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation

Reason - To ensure the creation of new habitats in order to comply with policy EN15 of the Manchester Core Strategy (2012).

15) The development hereby approved shall be carried out in accordance with the approved details for the boundary treatment shown on drawings numbered P3 and P4, stamped as received by the City Council, as Local Planning Authority 30 May 2022, and shall thereafter be retained.

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 in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for Manchester.

16) Details of any roller shutters or security grilles to be installed within the development shall be submitted to and agreed in writing by the City Council as Local Planning Authority before these are in place. Roller shutters and grilles shall be of an open grille construction, with the housing for the mechanism recessed behind the plane of the wall where the mechanism is to be located and shall be colour coated.

Reason - In the interests of visual amenity, pursuant to saved policies DC14 and E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for Manchester.

Informatives

1) Under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a bird's nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

2) The new external fittings (i.e. shutters, windows or doors, cycle storage) should be certified to Secured by Design standards.

All aspects of the proposed extension, particularly doorways should be illuminated with dusk til dawn lighting.

Coverage for any CCTV systems and alarms will need to be reviewed to check all areas of the development are covered.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Police
Greater Manchester Ecology Unit
Sport England

27 Annesley Road, Manchester, M40 3PB
5 Whitegate Close, Manchester, M40 3WY
10 Whitegate Close, Manchester, M40 3WY
8 Trevor Drive, Manchester, M40 3PY
5 Trevor Drive, Manchester, M40 3PY
163A Moston Lane East, Manchester, M40 3GJ
177 Moston Lane East, Manchester, M40 3QJ
171 Moston Lane East, Manchester, M40 3QJ
236 Moston Lane East, Manchester, M40 3QH
232 Moston Lane East, Manchester, M40 3QH
216 Moston Lane East, Manchester, M40 3QH
214 Moston Lane East, Manchester, M40 3QH
212 Moston Lane East, Manchester, M40 3QH
210 Moston Lane East, Manchester, M40 3QH
198 Moston Lane East, Manchester, M40 3GH
190 Moston Lane East, Manchester, M40 3GH
175 Moston Lane East, Manchester, M40 3QJ
204 Moston Lane East, Manchester, M40 3QH
New Moston Primary School, Moston Nursery, Moston Lane East, Manchester, M40 3QJ
208 Moston Lane East, Manchester, M40 3QH
202 Moston Lane East, Manchester, M40 3QH
37 Annesley Road, Manchester, M40 3PB
33 Annesley Road, Manchester, M40 3PB
25 Annesley Road, Manchester, M40 3PB
6 Trevor Drive, Manchester, M40 3PY
173 Moston Lane East, Manchester, M40 3QJ
234 Moston Lane East, Manchester, M40 3QH
230 Moston Lane East, Manchester, M40 3QH
228 Moston Lane East, Manchester, M40 3QH
226 Moston Lane East, Manchester, M40 3QH
224 Moston Lane East, Manchester, M40 3QH
222 Moston Lane East, Manchester, M40 3QH
220 Moston Lane East, Manchester, M40 3QH
218 Moston Lane East, Manchester, M40 3QH
206 Moston Lane East, Manchester, M40 3QH
200 Moston Lane East, Manchester, M40 3QH
35 Broadway, Manchester, M40 3PA
33 Broadway, Manchester, M40 3PA
196 Moston Lane East, Manchester, M40 3GH
194 Moston Lane East, Manchester, M40 3GH
192 Moston Lane East, Manchester, M40 3GH
39 Annesley Road, Manchester, M40 3PB
35 Annesley Road, Manchester, M40 3PB
31 Annesley Road, Manchester, M40 3PB

29 Annesley Road, Manchester, M40 3PB
23 Annesley Road, Manchester, M40 3PB
21 Annesley Road, Manchester, M40 3PB
19 Annesley Road, Manchester, M40 3PB

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: NORTH