

Application Number	Date of Appln	Committee Date	Ward
102599/FO/2013/N1	7th Jun 2013	25th Jul 2013	Ancoats And Clayton Ward

Proposal Installation of 3 no. Modular Buildings, pedestrian footpaths, laying out of car park, play areas and associated boundary treatments to accommodate a temporary school for a period of 2 years.

Location Land Bounded By Jersey Street And Harriet Street Adjacent To Mozart Close, Manchester, M4 6AL

Applicant Mr Stuart Leeming , The Manchester Grammer School, Old Hall Lane, Manchester, M13 0XT,

Agent Mr David Trowler, David Trowler Associates, 100-104 Wallasey Village, Wallasey, Cheshire, CH45 3LQ,

Description

The Site

The application site relates to an area of fenced vacant land bounded by Jersey Street and Harriet Street within the Ancoats Conservation Area. To the north east of the site are two storey residential properties, to the west are surface car parks and industrial units whilst to the south east are further areas of vacant land. The application site historically contained a public house which was demolished in circa 2000 and has subsequently been subject of a temporary planning approval for use as a car park.

The application proposals

The application relates to the use of the site for the provision of temporary facilities for the New Islington Free School for a period of two years whilst a permanent facility is developed within the Ancoats area. The primary school will be for use of up to 120 pupils and will consist of four classrooms contained within modular units, ancillary school accommodation, external areas of hardstanding to provide outdoor play areas and on site car parking. Following the development of a permanent school facility it is intended that the temporary facilities on the application site will be removed and the site returned to its existing use and appearance.

Consultations

Neighbouring properties were notified of the proposals no responses were received.

The application was advertised in the Manchester Evening News and by way of site notice as an application within a Conservation Area.

Neighbourhood Services (Highways) – The creation of a dedicated vehicular access route is noted. The 5m proposed width along with the one way system will be adequate for morning drop-offs. However it is likely to get congested in the evening as parents lay-over on the access road to pick up children at home time. The sharp

bend in Jersey Street adjacent to the site needs to be clear of vehicles to allow for turning manoeuvres. The school will need strong communication to parents that obstructive/inconsiderate parking is not acceptable. It is noted from the application information that around 50% of parents are anticipated to drive to the site.

Jersey Street currently experiences some rat running traffic avoiding signals on the main Oldham Road.

Pedestrian access is noted to be segregated from the main vehicular entrances and provision has been included for cycle stands.

Broadly, the layout for the temporary accommodation and the required parking appear to be well thought out.

Contaminated Land Section – Recommend that due to historical information relating to this site indicate the possible presence of significant levels of contamination. It is recommended that a full contaminated land condition be attached to any approval.

United Utilities – Request that conditions are attached to any approval relating to: No surface water from this development is discharged either directly or indirectly to the combined sewer network; the site must be drained on a separate system, with only foul drainage connected into the foul sewer.

Environmental Health – Have considered the application and recommend that conditions are attached to any approval relating to: the hours of deliveries, servicing and collections; the submission and approval of a scheme for fume, vapours and odour extraction; hours of opening of the premises; the submission and approval of a scheme for the acoustic treatment of any externally mounted ancillary plant, equipment to achieve a noise level of 5dB below the existing background (L_{A90}) in each octave band at the nearest noise sensitive location.

MCC Travel Change Team – Recommend a condition be attached to any approval for the submission of a school travel plan prior to the occupation of the temporary facilities.

Policy

The Manchester Core Strategy Development Plan Document

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). It replaces significant elements of the existing Unitary Development Plan as the document that sets out the long term strategic policies for Manchester's future development, the Core Strategy is to be used as the framework that planning applications will be assessed against.

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

Policy SP1 relates to the overarching spatial principles which will guide the strategic development of Manchester to 2027 these include:

- an emphasis on the creation of neighbourhoods of choice;
- providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment;
- the majority of new residential development in these neighbourhoods will be in the Inner Areas, defined by the North Manchester , East Manchester and Central Manchester Regeneration Areas.

The application proposals relate to the provision of additional educational floorspace in an area identified for new residential development. The proposals are therefore considered to contribute towards the creation of neighbourhoods of choice and supporting the areas future growth in residential properties and therefore accords with policy SP1 of the adopted Core Strategy Development Plan Document.

The Core Strategy sets a number of Core Development Principles which indicates development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including: creating well designed places that enhance or create character; making a positive contribution to the health, safety and wellbeing of residents; considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income; protect and enhance the built and natural environment; Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible; Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

It is considered that the proposals will improve access to education and will positively contribute towards creating neighbourhoods of choice. The proposals are, therefore considered to accord with policy SP1 of the Core Strategy.

Policy DM1 of the emerging 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 and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Vehicular access and car parking.
- Refuse storage and collection.

The main issues relating to these proposals are set out in the remainder of this report which conclude that the proposals do accord with policy DM1 of the adopted Core Strategy.

Unitary Development Plan for the City of Manchester Saved Policies

Following the adoption of the Core Strategy a number of policies within the Unitary Development Plan were 'saved'. Those policies relevant to the consideration of the current application are set out below.

Policy DC18.1 relates to Conservation Area and states careful consideration is given to development proposals within Conservation Areas in order to seek to preserve and enhance their character and by considering the following issues:

- i) the relationship of new structures to neighbouring buildings and spaces;
- ii) the effect of major changes to the appearance of existing buildings;
- iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees).

A consideration of the application proposals against policy DC18.1 is set out within the issues section of this report, however the temporary nature and the location of the proposals within the Ancoats Conservation Area are considered to be acceptable in this instance.

Issues

Principle of Use

The application site is currently a vacant unused site, although historically it has had temporary consents for surface car parking. The applicant has indicated within their submission that the application site has been chosen for the temporary facility as it is in the same neighbourhood as the proposed permanent school site which will allow pupils and parents to easily relocate from one site to the other.

Given the temporary nature of the proposals and the desire to locate the temporary school facilities in the vicinity of permanent ones elsewhere in the area the principle of the school use on the application site is considered acceptable.

Impact on the Conservation Area

The application site is located within the Ancoats Conservation Area. There are no listed buildings or structures within the immediate vicinity of the site, the closest being the Grade II* Listed Beehive Mill building located approximately 185 metres to the south west of the application site. The application site is currently a vacant and fenced off area of land and does not contribute positively to the character of the Conservation Area.

The application proposals are for the provision of temporary facilities for a new Primary School to serve the Ancoats area prior to the development of a permanent facility. The applicant has indicated that following the development of a permanent school elsewhere within the area the site will revert back to its current state with all the temporary buildings removed.

It is considered that on this basis the proposals are acceptable and will not have a detrimental long term impact on the character or appearance of this part of the Ancoats Conservation Area and accord with saved policy DC18.1 of the Unitary Development Plan.

Highways

Highway Services make a number of comments on the proposals but indicate that the layout for the temporary accommodation and the required parking appear to be well thought out.

They make comments regarding the dropping off and picking up of school children by parents and the potential impacts this could lead to. In addition it has been recommended that a School Travel Plan be produced prior to the occupation of the temporary school buildings.

It is considered given the presence of surface car parks and industrial units within the vicinity of the application site the temporary use of the site for a 120 place primary school would not give rise to unacceptable increases in vehicular movements to warrant refusal of the application.

It is considered appropriate to attach conditions relating to the submission and approval of a school travel plan and for the submission of a scheme to manage the dropping off and pick up of school children to minimise inappropriate and inconsiderate car parking by parents and carers.

Residential Amenity

There are a number of residential properties situated to the north-east of the application site; the gable end of the closest residential property is approximately 29 metres from the boundary fence to the external play area and a further 25 metres from the temporary school buildings. The temporary school buildings have been located towards the rear of the application site to further reduce impacts on residential amenity from noise from classrooms.

It is anticipated that the proposed school will give rise to an increase in activity on the application site as a result of the comings and goings of vehicles as parents and carers drop off and pick up school children and noise associated with the external play areas. However, this would be for a temporary two year period and is not considered to give rise to unacceptable impacts on residential amenity that would warrant refusal of the application proposals.

Visual Amenity

The proposals involve the installation of temporary modular buildings and associated boundary treatments and external play areas and car parking. In this instance the proposals are considered to be acceptable subject to the removal of the installed buildings and boundary treatments and reinstatement of the site following the expiration of the temporary approval period.

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 the right to a fair hearing and to this end the Committee 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 polices of the Unitary Development Plan, the Head of Planning 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 temporary approval of the application is proportionate to the wider benefits of temporary approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation Temporary Approval for a period of 2 years

Reason for Temporary Approval

Approve on the basis that: the application proposals will provide for a temporary school facility for the New Islington Free School prior to the development of permanent facilities pursuant to policy SP1 of the Core Strategy; the proposals have been sited to reduce impacts on residential and visual amenity and therefore accord with policy DM1 of the Core Strategy; and, the proposals are not considered to give rise to unacceptable impacts on the character and appearance of the Ancoats Conservation Area and accord with saved policy DC18 of the Unitary Development Plan.

Article 31 Declaration

Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

Conditions

1) This planning permission is granted for a limited period expiring on 31st August 2015; and all containers, works, uses of land or other development, hereby permitted shall be removed or discontinued and the land reinstated in accordance with a scheme previously approved within one month of the site being vacated or before the expiration of the period specified in this condition, whichever is sooner.

Reason - As the development is for a temporary period and to ensure that the land is left in appropriately condition on cessation of the temporary use pursuant to policy DM1 of the Core Strategy.

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

Drawings:

1725/PL/02A date stamped as received by the local planning authority on the 17th June 2013;

1725/PL/03; 1725/PL/04; 1725 – Construction Traffic; date stamped as received by the local planning authority on the 30th May 2013;

Documents:

Design Statement prepared by David Trowler Associates 1725 May 2013; Access Statement prepared by David Trowler Associates; Waste Management Strategy including bin Collection Route – ‘New Islington Free School – Proposed Temporary School at Jersey Street, May 2013’ all date stamped as received by the local planning authority on the 30th May 2013.

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) 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 the 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, pursuant to policies DM1 and EN18 of the Core Strategy.

4) Before the development hereby approved is first occupied a Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development
- ii) a commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD

5) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours:

- 07:30hrs to 20:00hrs Monday to Saturday;
- No deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policy DM1 of the Core Strategy.

6) Prior to the development coming into use a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with policies SP1 and DM1 of the Core Strategy.

7) The premises shall not be open outside the following hours:

Monday – Friday 8:00hrs -18:00hrs
Saturday 8:00 hrs – 13:00hrs

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policy DM1 of the Core Strategy.

8) Any 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 noise level of 5dB below the existing background (L_{A90}) in each octave band at the nearest noise sensitive location.

The scheme should 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.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policy DM1 of the Core Strategy.

9) Prior to the first use of the approved development, a scheme for the management of parking associated with dropping off and picking up of school children shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the agreed scheme and be retained whilst the use is in operation.

Reason – To minimise inconsiderate and inappropriate car parking in the vicinity of the application site pursuant to policy DM1 of the Core Strategy.

10) No development shall commence until a surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

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.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 102599/FO/2013/N1 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Highway Services
Environmental Health

New East Manchester
Greater Manchester Police
Contaminated Land Section

66 86 88 90 92 94 96 98 100 Jersey Street, Manchester, M4 6JD
22 24 26 28 30 Rodney Street, Manchester, M4 6JJ
Unit 9, City Court Trading Estate, Poland Street, Manchester, M4 6AL
Roadrider Despatch, Harriett Street, Manchester, M4 6HB
Basement To First Floor, Supreme Mill, 1 Wadeford Close, Manchester, M4 6LP
Ground Floor, Supreme Mill, 1 Wadeford Close, Manchester, M4 6LP
Unit 8, City Court Trading Estate, Poland Street, Manchester, M4 6AL
Supreme Mill, 1 Wadeford Close, Manchester, M4 6LP
Unit 11, City Court Trading Estate, Poland Street, Manchester, M4 6AL
Unit 12, City Court Trading Estate, Poland Street, Manchester, M4 6AL

Representations were received from the following third parties:

Contaminated Land Section
Highway Services
Environmental Health

Relevant Contact Officer : Robert Griffin
Telephone number : 0161 234 4527
Email : r.griffin@manchester.gov.uk