

Application Number	Date of Appln	Committee Date	Ward
135936/FO/2023	23 Jan 2023	1 June 2023	Cheetham Ward

Proposal Erection of part single, part two storey building to form purpose-built primary school (Class F.1) with associated open space, access, landscaping, boundary treatment and other infrastructure works.

Location Bignor Street Park, Heywood Park, Manchester

Applicant Conlon Construction

Agent Rhian Smith, Avison Young

Executive Summary



The proposal relates to the erection of a part single, part two storey building to form a purpose built primary school (Class F.1) with associated open space, access, landscaping, boundary treatment and other infrastructure works.

The application site comprises a piece of open land that is identified on the open space audit as a local park with an open sport field. In mitigation for the loss of the park and field there is a package of replacement and enhanced sport facilities and a community use agreement with regards to the use of the playing facilities at the proposed school.

The proposals were subject to the notification by way of 395 letters to nearby addresses, a site notice was posted at the site and an advertisement placed in the Manchester Evening News.

In response to the neighbour notification 4 comments were received, 2 objections to the proposals, 1 comment in support and 1 neutral. Amongst the concerns raised are the impact of the proposals on parking in the locality and that the site should be maintained as a park.

It is acknowledged there are concerns about the proposal, as noted above. However, as set out in the report it is considered that this development would provide much needed educational facilities and there would be no undue impact arising from a proposal of this scale and nature. Where impacts have been identified these are capable of mitigation. The benefits of the scheme significantly outweigh any identified harm associated with the proposal.

All matters raised by objectors are fully addressed in the attached report.

Manchester City Council have a land interest.

The application is being reported to Planning and Highways Committee due to a statutory objection received from Sport England. In the event that committee were minded to Approve the application subject to the signing of a Section 106 agreement to secure offsite mitigation for re-provision of play, the application would have to be referred to the Secretary of State for determination.

Description

The application site which lies in Cheetham Hill measures 1.2 hectares comprising a park, known as Bignor Street Park, which has a cricket pitch to the south with a multi-use court to the north. There are mature trees on the site, particularly around the western and southern boundary, the trees are not protected by a Tree Preservation Order.



The site is bounded to the north by Bellott Street, by Heywood Street to the west and incorporates a piece of adopted highway (no-through road) between Bignor Street and Brentfield Avenue. To the south and east lies Tamerton Drive. The locality is predominantly residential with supporting facilities e.g. medical centre, community centre, a church and a mosque nearby.



It is proposed to erect a part single, part two storey building to form a purpose-built primary school (Class F.1) with associated open space, access, landscaping, boundary treatment and other infrastructure works.

The primary school would provide a two form entry primary school for 420 pupils (age 4-11) accessed off Heywood Street.

The school building would be set back from the back of footpath on Heywood Street by over 19m. When viewed in its entirety the building would measure 56m in length for between 20m to 43m in depth in an L shaped arrangement, to the north of the site.

Car Parking would be accommodated on site for 44 car parking spaces, 32 cycle parking spaces and 20 scooter parking spaces. 9 car parking spaces have electric charging points including 1 accessible space. 60 full time members of staff are anticipated.

The proposal includes recreational facilities including the provision of a Multi Use Games Area, mini football pitch and two cricket nets which would be made available for community use.

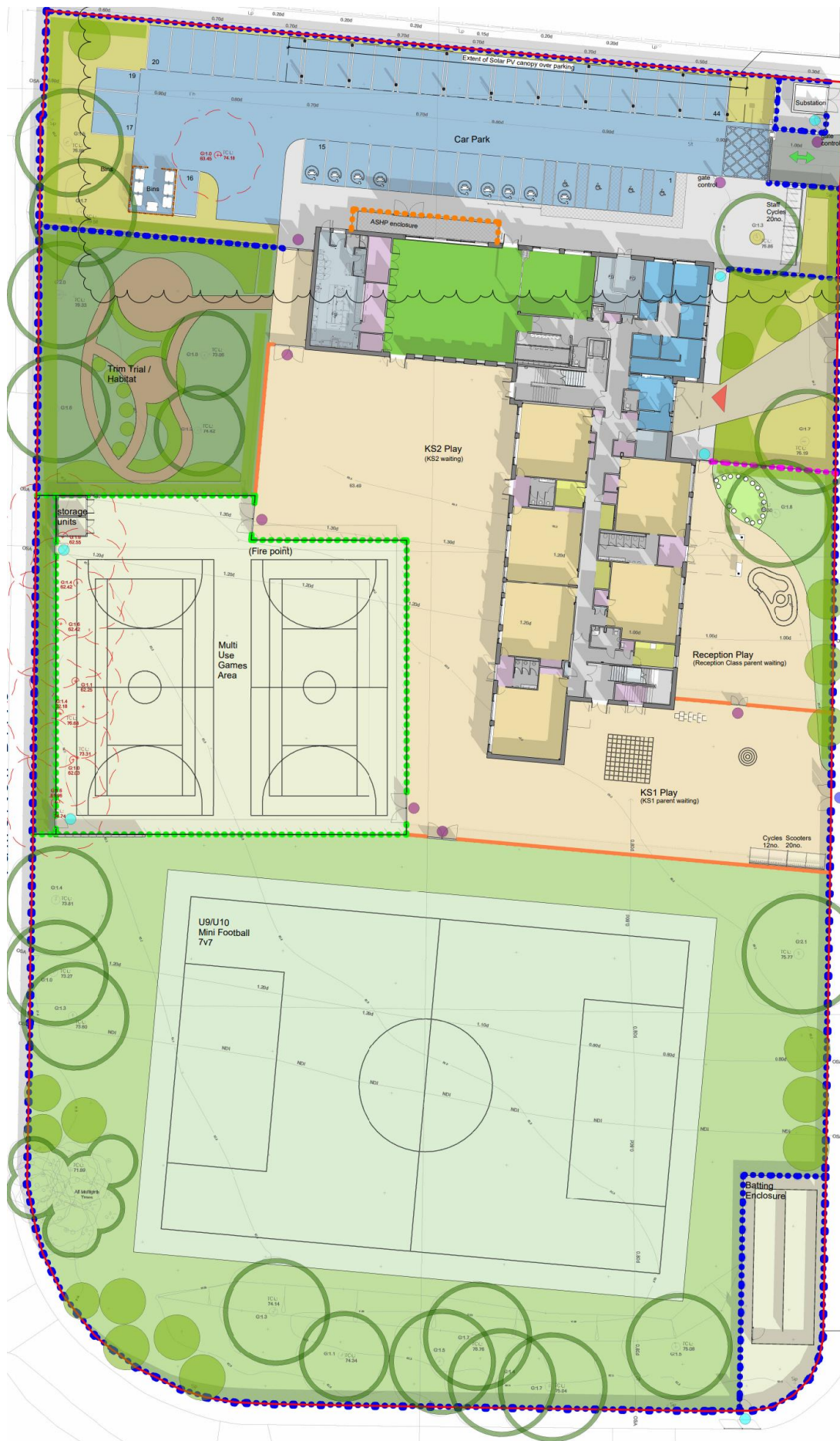
Highways improvements are proposed in the form of double yellow lines, the extension of the 20 miles per hour zone to Heywood Street, pedestrian guardrails on the western footway of Heywood Street in front of each pedestrian entrance, the provision of a plateau at the junction of Heywood Street /Bignor Street/car par access, limited waiting bays on the west side of Heywood Street, provision of tactile paving on Bignor Street, the provision of an uncontrolled tactile paving pedestrian crossing on Heywood Street just to the south of Bignor Street and the movement of

an existing pedestrian crossing point at Tamerton Drive closer to the junction with Heywood Street.

The site lies within Flood Zone 1 where a low probability of flooding is anticipated. A Flood Risk Assessment has been submitted and assessed.

Education have confirmed that the school is required to meet an identified need and fits into the agreed strategy of increasing primary education capacity through the extension of existing schools and the provision of new schools. The provision of a new school on Bignor Street is integral to this strategy.





Consultations

Publicity – The development was advertised in the Manchester Evening News as a major development affecting a Public Right of Way. A site notice was placed next to the site boundary. A map showing the extent of residents and businesses (395) notified of the application is set out at the end of this report.

Two objections were received as follows:

- The park serves the local community. The traffic will cause a problem associated with the traffic to the existing nursery, mosques and church. Why is another school needed given the existing schools in the catchment area. This proposal would impact on the underprivileged and would cause stress and anxiety.
- Noise associated with the school will disturb elderly residents
Impact on parking in the area due to the existence of 3 existing mosques, a gurdwara, local schools and commuter parking to shops on Cheetham Hill Road.
Increase in litter
Loss of open public space used by residents during good weather

One expression of support has been received as follows:

Support this great educational project (school) for the area and communities. Currently this park is used for sport as well, therefore, part of this piece of land should be left to continue sports activities. This development will stop illegal activities such as drugs trafficking/consumption. The resident also asked for school places.

One resident wrote in to query the impacts of the development on parking in the area, referencing parking problems associated with mosques on Brideoak Street, Bellott Street and Heywood Street. The resident requested a residents parking scheme.

Highway Services

Comments received can be summarised as follows- The site is considered to be adequately accessible by sustainable modes and is in close proximity to a number of local bus facilities.

It is anticipated that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns.

In relation to the submitted highway design and stage 1 road safety audit: -

- o The existing pedestrian crossing point at Tamerton Drive is to be brought closer to the junction with Heywood Street which is supported.
- o Existing overhanging vegetation on Heywood Street is to be removed.
- o The street tree and signing in the vicinity of the narrowing are being relocated to allow the creation of a pedestrian crossing point and this is supported.
- o Vehicle tracking has been provided for a large refuse vehicle to demonstrate that waste collection can be made internally, and this arrangement is acceptable from a highway perspective.
- o Tactile paving provision has been adjusted so that a minimum depth of 1.2m is

provided on Bignor Street.

- o Would support the provision of an uncontrolled tactile paving pedestrian crossing on Heywood Street just to the south of Bignor Street as identified in the stage 1 road safety audit.

- o In relation to the speed limit on Heywood Street, it should be noted that the existing 20mph speed limit does not extend beyond Huxley Avenue, It will therefore be necessary for the 20mph speed limit to be extended on Heywood Street.

With regard to traffic regulation order and traffic calming proposals -

- o Verification is required that there is sufficient room to continue to provide a suitably wide running lane between the proposed parking bay and the existing pedestrian refuge island.

- o Query the use of school keep clear markings at the car park access point . Double yellow lines may be more appropriate here.

- o The provision of a plateau at the junction of Heywood St/Bignor St/car park access is supported.

- o In relation to cycle use of Brentfield Avenue, whilst this is not a classified route, it is possible that cyclists use it, and in this regard we await any feedback received following consultation to the stopping up order proposal.

Suggest that additional on-site car parking provision is made, the risk of any off-street parking taking place as a result of car parking overspill should be minimised.

Secure and sheltered cycle parking is provided for staff (20 spaces) and cycle and scooter parking provision for pupils (12 and 20 respectively) which are situated in appropriate locations and these arrangements are acceptable to Highways.

With regard to boundary treatments, a recessed automatic sliding gate is provided to the car park which is acceptable to Highways.

The framework travel plan is acceptable and, should planning approval be granted we require that a full travel plan is conditioned as part of any approval.

Should the planning application be approved it is required that a Construction Management Plan be conditioned

1. Off-Site Highways;
2. Full Travel Plan;
3. Construction Management Plan.

FURTHER HIGHWAYS RESPONSE 20/03/2023: -

Clarification that a sufficiently wide running lane between the proposed parking bay and the existing pedestrian refuge island has been provided.

Double yellow lines are now proposed instead of the school keep clear markings which is now acceptable to us.

As recommended an additional nine on-site car parking spaces have now been provided to bring the total to 44 spaces. Each bay is correctly sized.

Further swept path information has been submitted to verify that the necessary internal service vehicle manoeuvres can be undertaken.

The extension to the 20mph zone on Heywood Street is supported, and we consider it unlikely that any objection to such a scheme would be upheld.

No outstanding highway issues with this application.

Environmental Health

Recommend the imposition of conditions relating to Fumes, Construction Management, Hours of Opening, Hours of Delivery, Lighting, Acoustic Insulation, External Plant, Noise Management Plan, Refuse, Electric Vehicle Charging and Contaminated Land.

Parks & Events

Any comments received will be reported to committee.

Neighbourhood Team Leader (Arboriculture)

Proposals should be changed in order to incorporate T11, T13, T14, T15, T16 and T17, which have all been categorised as Cat A trees.

Sections 4, 5, 6 and 7 of the report provided details for the proposed tree protection measure and they are all in line with BS:5837.

MCC Flood Risk Management

Recommend the imposition of conditions relating to Sustainable Urban Drainage and the maintenance thereof.

MCR Active

Loss of Outdoor Sport Provision

The loss at Bignor St is an area of playing field with an undersized cricket pitch and MUGA. Part of the playing field (6,423m²) will be retained for school sport use, comprising a junior football pitch and two small MUGAs. The current functional area of playing field area (cricket plus MUGA) is approximately 8,446m² which results in the approximate loss of playing field to a non sport use (i.e. the school buildings) of 2,023m².

Mitigation should be secured across three sites within Cheetham, as follows.

Mitigation Proposal

The mitigation is intended to be secured across three sites:

1. On site partial mitigation for the cricket element at Bignor Street Park – two-bay cricket nets to be located to the south of the proposed school playing field. Subject to design and clarification of management and maintenance responsibilities and a Community Use Agreement. These will be placed on an area of land, that although currently part of the park does not form part of the functional area of playing field. This is seen as a gain and meets the locally identified need for recreational cricket in the area. Outstanding information relating to the cricket nets that has not been submitted as part of the planning application, at the time of writing, are the size, design and materials of the cricket nets, maintenance and management arrangements and Community Use Agreement.

2. Offsite mitigation:

a. MUGA at Cheetham Park – Cheetham Park does not fall within the definition of a playing field and the creation of a MUGA on this site will support an identified local need for basketball/cricket as set out in the PPOSS.

b. MUGA at Smedley Playing Field to contain a cricket offer as part mitigation for the loss of cricket at Bignor Street. MCRactive and MCC Parks Team are currently looking at the feasibility of creating a 'Box Cricket' offer on Smedley Playing Field to support the existing non turf cricket pitch on the site.

The Planning Statement refers to redesignation of a pitch at David Lewis Recreation Ground. Specifically, this was a replacement cricket non-turf pitch which has since been delivered via another programme and has been removed from the mitigation proposal for this site.

It is considered the provision of two new offsite MUGAs with a cricket/basketball offer plus the onsite cricket nets with Community Use Agreement will mitigate the loss of playing field and the existing MUGA.

The loss of playing field land is relatively small and is not of sufficient size to enable reprovision of a cricket pitch elsewhere. In terms of playing field land required to meet a need for deficiencies in other pitch sports, the area of playing field that would be replaced is not of sufficient size to help address those deficiencies because other pitch sports require a much larger area of playing field to enable pitches of a suitable size, to be accommodated. The PPOSS shows there is sufficient provision of football pitches across all types, and the creation of new playing field land to accommodate a small size football pitch of 0.2ha (the area of playing field that would be lost) where there is no identified need would not be strategically sound or sustainable. There is a need for Basketball and recreational cricket provision, and it is considered the cricket nets and MUGAs will meet strategic objectives and be sustainable.

Mitigation Contribution

The Council would be responsible for implementing the mitigation across the identified park mitigation sites through an agreed contribution.

Points Requiring Clarification from the applicant

1. Design and dimensions of the on site Cricket Nets
2. Community Use Agreement (CUA) for the onsite cricket nets – a draft has been submitted to MCRactive for review, MCRactive strongly suggest the applicant consider extending the Community Use Agreement to the indoor hall and the outdoor sports facilities (football pitch and MUGAs).

MCRActive's Sport Strategy and Health Teams can assist with engaging local community organisations who may benefit from use of these new facilities in the heart of the community.

3. Management and Maintenance of the cricket nets

Strategic Fit:

Manchester Playing Pitch and Outdoor Sport Strategy (2022)

Bignor Street Park accommodates a cricket non-turf pitch (NTP), and two Multi Use Games Areas (MUGA's) used for Basketball, recreational cricket, recreational football and tennis.

The Playing Pitch and Outdoor Sport Strategy (PPOSS) sets out the supply/demand position for all outdoor sport across Manchester. Bignor Street Park is located within

the North Analysis Area and the supply and demand position for cricket and MUGAs in that area is that there is a shortfall of both, which reflects the position city wide. Where there is no excess of outdoor sport provision, as is the case here, the recommendation on page 12 of the PPOSS Strategy Report is:

“There is a resultant need to protect all existing outdoor sport provision until all demand is met, or there is a requirement to replace provision in accordance with Sport England’s Playing Fields Policy.”

The requirement to protect the site or replace the facilities in accordance with planning policy requirements has been discussed with the applicant during pre application discussions.

It is noted the school will have an indoor hall with sports equipment store adjacent located on the ground floor. One of the key recommendations of the IBFS is to encourage schools to allow community use out of hours and in a safe and regulated manner. Local school halls, whether specifically designed for sport or as a space for physical activity, can contribute to the local community health and well being.

The applicant is currently drafting a Community Use Agreement which at present only extends to the on site cricket cages but MCRactive strongly suggest the applicant consider extending the Community Use Agreement to the indoor hall and the outdoor sports facilities (football pitch and MUGAs). MCRactive’s Sport Strategy and Health Teams can assist with engaging local community organisations who may benefit from use of these new facilities in the heart of the community.

Manchester Sport and Physical Activity Strategy (SPAS)

The mitigation proposal is in accordance with the SPAS aims and objectives to increase physical activity amongst all Manchester residents.

Conclusion:

Given the proposal is:

- In accordance with all relevant Manchester Sport Strategies; and
 - The loss of playing field and outdoor sport facilities will be mitigated within the locality and in a way that is sustainable and will result in an increase in participation.
- MCRactive is supportive of the proposal subject to the capital costs for the mitigation proposal being secured via a Section 106 agreement for works at Cheetham Park and Smedley Playing Field.

Sport England

Sport England maintains its objection to this application as the proposal fails to meet any of the Playing Fields Policy Exceptions or comply with paragraph 99 (b) of the NPPF.

In summary, the proposal is for a ‘Free School’ and that it would remove an existing grass cricket pitch and hard surface multi-use areas. The loss at Bignor Street is an area of playing field with an undersized cricket pitch and MUGA. Part of the playing field (6,423m²) will be retained for school use, comprising a junior football pitch and two small MUGAs. The current functional area of playing field area (cricket plus MUGA) is approximately 8,446m² which results in the approximate loss of playing field to a non-sport use of 2,023m².

Consultation with National Governing Body’s for Sport

Sport England has a memorandum of understanding with the pitch sport National Governing Bodies and consults with them on planning proposals. On this occasion, in relation to the submitted additional information,

Sport England has consulted with; -the Football Foundation; England and Wales Cricket Board; and Basketball England. All responses received are summarised as follows: -

Football Foundation:

Would like to see the mini soccer pitch at the school also included within agreements to make the site available for community use.

England and Wales Cricket Board (ECB):

The document provided in relation to the batting enclosure does not provide the full specification to show provision according with ECB technical requirements.

Previous comments regarding the loss of the existing NTP remain relevant.

No like for like replacement so the demand for ad hoc match play on a NTP in open space would no longer be met.

Assessment of Additional Information

The comments from the ECB are relevant and material to Sport England's assessment of the information, as such further full technical specification is required in relation to the Batting Enclosure.

The Draft Community Use Agreement has been reviewed. At this stage any CUA submitted without signatories is not material to Sport England's assessment of the proposal.

The requirement for a CUA is material in this case. Whilst a CUA can be achieved through planning condition, in this case, as community use will need to form part of the overall package to address the requirements of Exception 4, Sport England will need to be satisfied that a planning condition will deliver a CUA capable of full implementation and providing access of use by the community of the proposed batting enclosure; sports pitch; and MUGA; as well as toilet facilities on site. The draft CUA document submitted would not achieve this.

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

all or any part of a playing field, or land which has been used as a playing field and remains undeveloped, or land allocated for use as a playing field unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England Policy Exceptions

E1 A robust and up to date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.

E2 The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

E3 The proposed development affects only land incapable of forming part of a playing pitch and does not:

- reduce the size of any playing pitch;
- result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
- reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;

- result in the loss of other sporting provision or ancillary facilities on the site; or
- prejudice the use of any remaining areas of playing field on the site.

E4 The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- of equivalent or better quality, and
- of equivalent or greater quantity, and
- in a suitable location, and
- subject to equivalent or better accessibility and management arrangements.

E5 The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

Sport England has considered the proposals with regard to the specific exception criteria identified in the above policy and made the following assessment:

E1: Does not apply, it has not been demonstrated that there is an excess of playing pitches in terms of school or community playing pitch provision, there is no evidence to suggest that the playing field is not needed.

E2: Does not apply, the proposal does not propose ancillary facilities supporting the use of the site as a playing field.

E3: Does not apply, the development affects land marked out as pitches.

E4: No effective mitigation is currently proposed for the loss of 2,023 sqm of playing field.

E5: Does not apply, the proposed development is not for a sport facility.

The National Planning Policy Framework paragraph 99 states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a. an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b. the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c. the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

In this circumstance Paragraph 99 b) applies.

On the basis of the above assessment the proposal does not meet any of the policy exceptions in Sport England's Playing Fields Policy or paragraph 99 of the NPPF because the area of playing field lost would not be adequately replaced.

Conclusion

Considering the above, Sport England maintains its objection to the application as it fails to accord with any of the Exceptions to Sport England's Playing Fields Policy or with Paragraph 99 of the NPPF.

Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's holding objection, then in accordance with The Town and Country Planning (Consultation) (England) Direction 2021, the application should be referred to the Secretary of State.

The wording of the condition for community use of the proposed school's sports facilities allows for a more inclusive use and the condition wording mirrors the basic structure of Sport England's Model Condition for the requirement for a Community Use Agreement.

It does not however deal with the statutory objection provide by Sport England on and that objection still stands.

Greater Manchester Police

Recommendations made within the Crime Impact Statement have been included with the plans.

Greater Manchester Ecology Unit

No objections subject to the imposition of a bird breeding condition.

United Utilities Water PLC

Recommend the imposition of conditions relating to Sustainable Urban Drainage and the maintenance thereof.

Electricity Northwest

Any comments received will be reported to committee.

Policy

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.

This is an overarching policy which sets the context for this application.

Policy EN 10 - Safeguarding Open Space, Sport and Recreation Facilities - This policy indicates that the Council will seek to retain and improve existing open spaces,

sport and recreation facilities to the standards set out above and provide a network of diverse, multi-functional open spaces. Proposals will be supported that:

- improve the quality and quantity of accessible open space, sport and recreation in the local area provide innovative solutions to improving the network of existing open spaces, increase accessibility to green corridors, and enhance biodiversity improve access to open space for disabled people.

Proposals on existing open spaces and sport and recreation facilities will only be permitted where:

- Equivalent or better replacement open space, sport or recreation facilities will be provided in the local area;

or

- The site has been demonstrated to be surplus for its current open space, sport or recreation function and the City wide standards set out above are maintained, and it could not fulfil other unsatisfied open space, sport or recreation needs, and a proposed replacement will remedy a deficiency in another type of open space, sport or recreation facility in the local area;

or

- The development will be ancillary to the open space, sport or recreation facility and complement the use or character.

Assessment against this policy has been undertaken and appropriate mitigation offered.

Policy EN12 - Area priorities for Open Space, Sport and Recreation - The priorities for open space, sport and recreation in the City set out in Manchester's Strategic Open Space, Sport and Recreation Study and within the regeneration areas include the following:-

North area: ensure that new development will deliver improvements to the quality of existing provision.

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.

Saved Unitary Development Plan Policies

CC21 The following sites will be enhanced for recreation or for permanent open space:- Heywood Street; former Wesleyan Cemetery, Thomas Street.

The reason behind the saved policy was to ensure adequate and high quality open space remains in this densely developed part of the City which is characterised by housing with little or no private open space and limited access to formal parks. The mitigation offered as part of this application would address this policy concern.

DC26 Development and Noise – Condition to ensure noise criteria are met on completion of the development are required.

Relevant National Policy

The National Planning Policy Framework (July 2021) sets out Government planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and environmental role. The NPPF outlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The following specific policies are considered to be particularly relevant to the proposed development:

Section 6 – (Building a strong and competitive economy) - The proposal would create jobs during construction that would support commercial premises within the local area and provide 60 full time job opportunities for the operational phase of the development.

Section 8 (Promoting healthy and safe communities) – The proposals are accompanied by a Crime Impact Statement which indicates measures to be included into the development to reduce the opportunities for crime and the fear of crime.

Paragraph 95 states that:

It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.

Paragraph 99 states that:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

The local authority is satisfied that appropriate mitigation has been provided.

Section 9 (Promoting Sustainable Transport) – The proposal is in a location accessible to a variety of public transport modes.

Section 12 (Achieving Well-Designed Places) – The proposals are supported by a Design and Access statement that sets out the context of the site and the design process undertaken.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) – The proposal has been designed to reduce energy demands and incorporate renewable energy solutions. The site is within Zone 1 of the Environment Agency flood maps and has a low probability of flooding.

Section 15 (Conserving and enhancing the natural environment) – The documents submitted with this application have considered issues such as ground conditions and the impact on ecology and demonstrate that the proposal would not have a significant adverse impact in respect of the natural environment and would result in a Biodiversity Net Gain.

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 strong built form and therefore accords with the general principles of the Guide to Development SPD.

Manchester Green and Blue Infrastructure Strategy 2015

The Manchester Green and Blue Infrastructure Strategy (MGBIS) sets out objectives for environmental improvements within the City within the context of objectives for growth and development.

Climate Change

Our Manchester Strategy 2016-25 – sets out the vision for Manchester to become a liveable and low carbon city that will:

- Continue to encourage walking, cycling and public transport journeys;
- Improve green spaces and waterways including them in new developments to enhance quality of life;
- Harness technology to improve the city's liveability, sustainability and connectivity;
- Develop a post-2020 carbon reduction target informed by 2015's intergovernmental Paris meeting, using devolution to control more of our energy and transport;
- Argue to localise Greater Manchester's climate change levy so it supports new investment models;
- Protect our communities from climate change and build climate resilience.

Manchester: A Certain Future (MACF) – This is the city wide climate change action plan, which calls on all organisations and individuals in the city to contribute to collective, citywide action to enable Manchester to realise its aim to be a leading low carbon city by 2020. Manchester City Council has committed to contribute to the delivery of the city's plan and set out its commitments in the MCC Climate Change Delivery Plan 2010-20.

Manchester Climate Change Board (MCCB) Zero Carbon Framework - The Council supports the MCCB to take forward work to engage partners in the city to address climate change. In November 2018, the MCCB made a proposal to update the city's carbon reduction commitment in line with the Paris Agreement, in the context of achieving the "Our Manchester" objectives and asked the Council to endorse these new targets.

The Zero Carbon Framework – This outlines the approach that will be taken to help Manchester reduce its carbon emissions over the period 2020-2038. The target was proposed by the Manchester Climate Change Board and Agency, in line with research carried out by the Tyndall Centre for Climate Change, based at the University of Manchester. Manchester's science-based target includes a commitment to releasing a maximum of 15 million tonnes of CO₂ from 2018-2100. With carbon currently being released at a rate of 2 million tonnes per year, Manchester's 'carbon budget' will run out in 2025, unless urgent action is taken. Areas for action in the draft Framework include improving the energy efficiency of local homes; generating more renewable energy to power buildings; creating well-connected cycling and walking routes, public transport networks and electric vehicle charging infrastructure; plus, the development of a 'circular economy', in which sustainable and renewable materials are re-used and recycled as much as possible.

Other Legislative requirements

Section 17 of the Crime and Disorder Act 1998 provides that in the exercise of its planning functions, the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

Issues

Principle of use

The proposed educational buildings are considered to be suitable for the application site. The proposal would allow a new primary school to accommodate the increased requirement for additional primary school places to serve the City. The demand for the provision of the new primary school is evidenced and substantiated. On this basis the principle of the use in this location is considered to be acceptable subject to the further consideration of the matters set out below.

Loss of playing field

The site is currently identified in the open space strategy and in the Development Plan as a local park with an open sports field. The sports field is in use as a multi-use games area to the north and cricket pitch to the south. Saved policy CC21 states that site will be enhanced for recreation or for permanent open space.

Paragraph 99 of the National Planning Policy Framework (NPPF) is the most up to date policy for assessing the loss of open space and outdoor recreation stating that:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) An assessment has been undertaken which has clearly shown the open space, building or land to be surplus to requirements; or
- b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Policy EN 10 of Manchester's Core Strategy states:

The Council will seek to retain and improve existing open spaces, sport and recreation facilities to the standards set out above and provide a network of diverse, multi-functional open spaces. Proposals will be supported that:

- improve the quality and quantity of accessible open space, sport and recreation in the local area
- provide innovative solutions to improving the network of existing open spaces, increase accessibility to green corridors, and enhance biodiversity
- improve access to open space for disabled people

Proposals on existing open spaces and sport and recreation facilities will only be permitted where:

- Equivalent or better replacement open space, sport or recreation facilities will be provided in the local area;
Or
- The site has been demonstrated to be surplus for its current open space, sport or recreation function and the City wide standards set out above are maintained, and:
 - it could not fulfil other unsatisfied open space, sport or recreation needs, and
 - a proposed replacement will remedy a deficiency in another type of open space, sport or recreation facility in the local area;Or

The development will be ancillary to the open space, sport or recreation facility and complement the use or character.

The site is allocated within the Development Plan as local open space, one of the above exception criteria must be met if development is to be acceptable in policy terms.

Criteria (b) of Paragraph 99 and the first bullet of Policy EN 10 therefore require the loss resulting from the proposals to be replaced with equivalent or better provision to be provided in terms of quantity and quality in a suitable location. Sport England policy exception E4 is also relevant.

E4 states that the area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- of equivalent or better quality, and
- of equivalent or greater quantity, and
- in a suitable location, and
- subject to equivalent or better accessibility and management arrangements

A mitigation package of measures is proposed as part of this development as follows:

1. On site partial mitigation for the cricket element at Bignor Street Park – two-bay cricket nets to be located to the south of the proposed school playing field to be made available via a Community Use Agreement. These will be placed on an area of land, that although currently part of the park does not form part of the functional area

of playing field. This is seen as a gain and meets the locally identified need for recreational cricket in the area. It has now also been agreed that the Multi Use Games Area and mini football pitch would also be the subject of the Community Use Agreement.

2. Offsite mitigation:

- a. MUGA at Cheetham Park – Cheetham Park does not fall within the definition of a playing field and the creation of a MUGA on this site will support an identified local need for basketball/cricket as set out in the PPOSS.
- b. MUGA at Smedley Playing Field to contain a cricket offer as part mitigation for the loss of cricket at Bignor Street. MCRactive and MCC Parks Team are currently looking at the feasibility of creating a 'Box Cricket' offer on Smedley Playing Field to support the existing non turf cricket pitch on the site.

Manchester Active have set out that the development accords with all relevant Manchester Sport Strategies; and that the loss of playing field and outdoor sport facilities would be mitigated within the locality and in a way that is sustainable and would result in an increase in participation. MCRactive is supportive of the proposal subject to the capital costs for the mitigation proposal being secured via a Section 106 agreement for works at Cheetham Park and Smedley Playing Field.

The applicant liaised with Manchester Active with regards to the needs set out in the Playing Pitch strategy. The scheme submitted includes mitigation that replaces with equivalent / better provision which accords with the exceptions set out in the NPPF and the Development Plan. It also addresses saved policy CC21 of the Unitary Development Plan in that external play facilities would be enhanced on site for recreation that would be available for community use, a suitable condition securing community use has been recommended.

The reason behind the saved policy was to ensure adequate and high quality open space remains in this densely developed part of the City which both the community use agreement and mitigation package offered as part of this application would secure.

As Sport England are a statutory consultee for this application, their continued objection in principle triggers a requirement to refer the application to the Secretary of State in the event that Committee resolve to approve the application.

Sport England state that the condition for community use is more inclusive and meets their model condition standards, however, they maintain that they consider that the proposal fails to meet any of the Playing Fields Policy Exceptions or comply with paragraph 99 (b) of the NPPF.

The mitigation for the loss of play facilities has regard to Sport England's own Playing Fields Policy, and in accordance with the Playing Pitch and Outdoor Sport Strategy, Manchester Active has advised that there is a sufficient package of replacement/enhanced facilities that the applicant has agreed to meet these requirements.

It is acknowledged that Sport England do not agree with this position but it is considered that the mitigation proposed is appropriate and together with the community use requirements for the facilities on the application site, which would require a detailed schedule of use of the facilities provided this is now considered acceptable when considered against all relevant planning policies and national guidance. The off site package of mitigation measures would be secured through a legal agreement

Traffic, Car parking and Sustainable Transport

Pedestrian access to the site would be via 2 entry points off Heywood Street. The staff car park would be accessed from Heywood Street via an automatic sliding gate.

Representations from the local community reflect concerns with regards to car parking in the area associated with existing community uses. The proposed use would generate peak traffic movements at the start and end of the usual school day and would generate a parking requirement. The applicant has submitted a transport statement assessing the impacts of the development proposed and there have been negotiations following the receipt of comments during the application process to secure an acceptable highway arrangement and to mitigate the impacts of the development proposal.

The City Council are satisfied, subject to conditions requiring mitigation being imposed.

It is considered that the 44 staff car park proposed is an appropriate provision of car parking in relation to the standards set out in the Core Strategy. The site is well located in relation to public transport. Necessary alterations to the highway are proposed and would be secured through an appropriate condition for off site highways works, which include:

Double yellow lines, the extension of the 20 miles per hour zone to Heywood Street, pedestrian guardrails on the western footway of Heywood Street in front of each pedestrian entrance, the provision of a plateau at the junction of Heywood Street /Bignor Street/car par access, limited waiting bays on the west side of Heywood Street, provision of tactile paving on Bignor Street, the provision of an uncontrolled tactile paving pedestrian crossing on Heywood Street just to the south of Bignor Street and the movement of an existing pedestrian crossing point at Tamerton Drive closer to the junction with Heywood Street.

A condition is recommended to ensure that the school fulfil their obligation to encourage pupils to travel to school utilising sustainable methods of transport as set out in the Framework Travel Plan.

It is considered that the applicant has provided a proportionate level of information relating to transport and car parking. They have confirmed agreement to the necessary works to mitigate the impacts of the proposed development and it is not considered that the proposals raise significant enough concerns to warrant refusal of the application on highway or pedestrian safety grounds.

Residential Amenity

The proposed building is predominantly two storeys in height with a maximum height (including plant) rising to 8.8 metres.

The building is positioned on the site to maximise the separation distances between the building and the existing residential properties surrounding the site, to ensure that privacy distances are respected. The internal and external arrangement of the building and associated open spaces also ensure that there are sufficient levels of natural surveillance across the site.

The site is separated from the nearest residential property on the opposite side of Heywood Street by 40m. Given the separation distance provided to the proposed school building it is not considered that the development would give rise to unacceptable impacts on residential amenity in terms of loss of light, overshadowing or overlooking.

Any approval would be subject to the imposition of appropriate conditions controlling fumes, hours of opening, community use and servicing and deliveries.

Conditions are recommended controlling any noise disturbance associated with the operation of the school, any external equipment or through use of the external play areas, albeit that these impacts will be limited by daylight hours.

The lighting proposed is for LED wall mounted luminaires to illuminate footpaths around the building and 5m columns with post top mounted streetlights to illuminate the car park. No lighting is proposed to the multi use games playing areas. A condition is recommended to control any adverse impacts of lighting proposed.

The proposal by its nature will increase comings and goings from the site as a result from both initially the 420 pupils being picked up and dropped off as well as the 60 full time members of staff arriving and leaving the building. The concerns expressed are that this may result in increased pressures for car parking both in the morning and afternoon associated with the normal school day, although as set out elsewhere in this report the levels of parking proposed are considered acceptable for the proposal and the Highways measures to be put in place would mitigate any adverse conditions for pedestrian and other highway users.

Whilst there would be a noticeable change in the traffic in the immediate area, with the mitigation measures it is not considered that this impact would be so significant to warrant refusal of the application.

Visual Amenity

It is inevitable that any building on this site would result in a visual change in the locality given it is currently a park, in addition existing fencing is to be replaced and additional fencing is to be installed. It is proposed to have a continuous 2.4m high weld mesh fence around the perimeter of the school and the facilities.

The proposed school has, however been designed to respond to the general character of the area.

The proposed building would be a light coloured brick building with alternate coloured brick banding to define it from surrounding red brick residential properties. The fenestration would be powder coated aluminium. A flat roof has been utilised to keep the height of the building to a minimum.

The replacement boundary treatment would be an improvement over and above the existing weld mesh fence that runs around the perimeter of the park, but has been the subject of vandalism, with sections removed to provide alternative access points.

The design and appearance is considered to be acceptable in visual terms in this location.

Ecology, Trees and Biodiversity Net Gain

The applicant has prepared an Ecological Impact Assessment alongside the application. Greater Manchester Ecology Unit have raised no ecological concerns regarding the site or proposals, subject to the imposition of a condition requiring the protection of breeding birds.

The proposals necessitate the removal of 6no. individual trees along the western boundary. The remaining trees which form the majority of the sites tree cover will be retained as part of the development and protected during construction.

The Applicant has revised the landscaping scheme to achieve an 143% Biodiversity Net Gain increase on the site. This significantly exceeds the BNG targets which are not statutory until the end of this year and is welcomed and offsets the loss of trees set out above.

Air Quality

The scheme includes for electric charging for vehicles, cycle parking, landscaping and includes a travel plan which encourages alternatives to travelling by car. A construction management plan condition is recommended to control dust emissions, this is anticipated in the submitted air quality statement, which finds that the mitigated impacts of the construction activities would not be significant.

It is considered that the proposals would not give rise to unacceptable impacts in terms of Air Quality and therefore accords with policy EN16 of the Core Strategy.

Climate Change

The applicant has provided an Energy Statement that confirms the building would achieve adopt an enhanced building fabric in order to minimise the building energy demand as well as incorporating passive design measures to limit the amount of energy used by building services systems. The proposal also includes the use of photovoltaic panels and air source heat pumps. As a result the report confirms that the proposal would achieve a 103% improvement on Part L 2021 target, which

substantially exceeds the requirements set out in Core Strategy Policy EN 6. The proposed development would therefore deliver a low carbon and sustainable resource efficient development.

Drainage and Flood Risk

The application site is within flood zone 1 'low probability of flooding'. The submitted Flood Risk Assessment has been considered by the City Council's Flood Risk Management Team who advise that notwithstanding the submitted information, further details are required in terms of surface water drainage and its subsequent maintenance. Suitable conditions have been included which require further agreement of such details. If these measures are successfully implemented, the drainage strategy is considered acceptable.

Crime and Security

The proposed development has been designed with crime prevention and safety fully in mind with measures to be incorporated which will reduce opportunities for crime. The application is accompanied by Crime Impact Statement which has been reviewed by Greater Manchester Police (Design for Security). It is considered that provided the physical security measures detailed within the statement are implemented, the proposed development is acceptable from a crime and security perspective. A condition is appended to secure the details set out in the report.

Waste

A Waste Management Proforma was submitted to accompany the planning application. This has been assessed by Environmental Health, who are satisfied, subject to a condition requiring a revised proforma / strategy to be submitted that details the capacity, frequency of collection and by whom the waste would be collected.

The proposed school would have a secured and screened bin storage area accessed to the rear of the car park near to the kitchen.

Accessibility

The proposals have been designed to be accessible to all.

Conclusion

The application proposals relates to the provision a new primary school in Cheetham Hill which is an essential facility to serve the local community. It is considered, as set out within this report, that the proposals will not result in any unacceptable harmful effects.

The mitigation offered as part of this scheme satisfies the requirements of the Manchester Playing Field strategy and meets the exceptions set out in local and national planning policy. The scheme ultimately has the potential to lead to greater participation in sports in the local area.

Notwithstanding the above, there is a minor departure from saved policy CC21 which requires the retention of the land for play. The land is for the most part retained for play purposes which will be open to use by the community. In terms of the planning balance, having regard to the community use offer, the mitigation package and the economic, social and environmental benefits associated with the development proposal, the scheme submitted is considered to be compliant with all development plan and national policies. For the abovementioned reasons the application is not being referred to the Secretary of State as a departure, the scheme however must be referred to the Secretary of State as Sport England maintain an objection to the scheme as a statutory consultee.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 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 of the application 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

MINDED TO APPROVE subject to the signing of a Section 106 agreement securing offsite mitigation for reprovision of play following referral to the Secretary of State

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 application, and the application has been determined in accordance with the policies within the Development Plan.

Conditions to be attached to the decision

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:

Site Location Plan FS0766-BSA-XX-XX-D-A-1000-rev_
Existing Site Layout Plan FS0766-BSA-XX-XX-D-A-1001-rev_
Proposed Boundary Treatment Plan FS0766-BSA-XX-XX-D-A-1003-revP01
Proposed Roof Plan FS0766-BSA-XX-XX-D-A-1004-revP01
Proposed Site Sections FS0766-BSA-XX-XX-D-A-1005-revB
Proposed Ground Floor Plan FS0766-BSA-XX-XX-D-A-1010-revD
Proposed First Floor Plan FS0766-BSA-XX-XX-D-A-1011-revD
Proposed Elevations FS0766-BSA-XX-XX-D-A-1015-revF
Proposed Sections FS0766-BSA-XX-XX-D-A-1017-revA
Solar PV Canopy FS0766-BSA-XX-XX-D-A-1030
Prepared by Bowker Sadler Architects
Landscape Masterplan 406_01_RevD Prepared by Saville Landscape
Landscape General Arrangements 406_02_RevC Prepared by Saville Landscape Design
Habitat Area Details and Setting Out 406_03_RevB Prepared by Saville Landscape Design
Surfaces and Edging 406_04_RevC Prepared by Saville Landscape Design
Boundary Treatments 406_05_RevB Prepared by Saville Landscape Design
Furniture 406_06_Rev B Prepared by Saville Landscape Design
Landscape & Ecological Enhancement Plan AT.22.1242.100 Prepared by Amenity Tree
External Lighting Plan 7-10197-CCL-XX-SS-DR-E-6300-P1 Prepared by Clancy Consulting
Proposed Site Plan – Sports England ECB overlay FS0766-BSA-XX-XX-D-A-0916

Covering Letter January 2023 Avison Young
Design and Access Statement January 2023 Bowker Sadler Architects Supporting
Planning Statement January 2023 Avison Young
Noise Assessment January 2023 Hepworth Acoustics
Crime Impact Assessment February 2023 Greater Manchester Police
Construction Management Plan January 2023 Conlon Construction
Preliminary Ecological Assessment February 2022 Amenity Tree
Tree Bat Roost Assessment January 2023 Amenity Tree

Arboricultural Impact Assessment and Method Statement January 2023 Amenity Tree
Environmental Standards Statement January 2023 Clancy Consulting
Flood Risk Assessment and Drainage Strategy December 2022 Clancy Consulting
Geo-Environmental Phase 1 Report November 2020 Mott Macdonald
Transport Assessment January 2023 Eddisons
Travel Plan January 2023 Eddisons
Waste Proforma January 2023 Avison Young
Road Safety Audit January 2023 Eddisons
Assessment of Biodiversity Version 1 30.11.22 prepared by Amenity Tree

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. Above-ground construction works shall not commence until samples and specifications of all materials to be used in the external elevations and hard landscaping around the buildings as detailed on the approved drawings have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those 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 only be carried out in accordance with the recommendations of the Crime Impact Statement prepared by Greater Manchester Police and shall not be occupied or used until the City Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.

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

5. The development hereby approved shall be implemented in full accordance with the measures as set out within the Energy Statement Prepared by Clancy Consulting reference Ref: 7_10197-CCL-XX-XX-RP-MEP-5900, received by the City Council as local planning authority on 10 January 2023.

Within 3 months of the completion of the construction of the authorised development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures at each phase of the construction of the development, including dated photographic documentary evidence of the implementation and completion of required works.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy for the City of Manchester and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

6. No drainage shall be installed until the full details of a surface water drainage scheme has been submitted to and approved in writing by the City Council as local planning authority.

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.

7. No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been 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.

8. All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

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.

9. No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended and to comply with policy EN15 of the Core Strategy.

10. Prior to first occupation of the development the cycle parking shall be implemented in full and made available for use. 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.

11. The car parking layout indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the buildings hereby approved being occupied. The car parks shall remain in use at all times thereafter.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

12. Prior to occupation of the development the provision of electric vehicle charging points shall have been implemented in line with the information submitted on plan AT.22.1242.100 dated 17.05.2023. These charging facilities shall thereafter be retained for the use of the dwellings.

Reason - To promote sustainable development and in the interests of residential amenity, pursuant to Policies DM1 and EN16 in the Manchester Core Strategy (2012).

13. Prior to the occupation of the development, a scheme of highway works, in order to provide an adequate pedestrian and vehicular environment in the vicinity of the application site, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

Double yellow lines, the extension of the 20 miles per hour zone to Heywood Street, pedestrian guardrails on the western footway of Heywood Street in front of each pedestrian entrance, the provision of a plateau at the junction of Heywood Street /Bignor Street/car par access, limited waiting bays on the west side of Heywood Street, provision of tactile paving on Bignor Street, the provision of an uncontrolled tactile paving pedestrian crossing on Heywood Street just to the south of Bignor Street and the movement of an existing pedestrian crossing point at Tamerton Drive closer to the junction with Heywood Street

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

14. Within six months of the first use of the development, a revised Travel Plan which is consistent with the Framework Travel Plan submitted as part of the application and which takes into account the information about travel patterns gathered following the opening of the building 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 building, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

15. 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.

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.

16. When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and 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.

17. Use of the development shall not commence until a Community Use Agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the on site cricket nets, natural turf football pitch, activity hall and include details of pricing policy, hours of use, access by non-educational establishment users, management

responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement and for the duration of the development.

Reason - To secure well managed safe community access to sports facilities, to ensure benefit to the development of sport pursuant to policy EN10 of the Core Strategy.

18. Notwithstanding the details submitted, use of the development shall not commence until details of the type of enclosure for the cricket nets have been submitted to and agreed in writing by the local planning authority.

Reason – To ensure benefit to the development of sport pursuant to policy EN10 of the Core Strategy.

19. The development hereby approved shall not be occupied or used until the Council as local planning authority has received a scheme for the extraction of any fumes, vapours and odours from the premises, to 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 of nearby properties in order to comply with Policy DM1 of the Core Strategy for the City of Manchester.

20. No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period.

The plan/statement shall provide for:

- o A construction programme including phasing of works;
- o 24 hour emergency contact number;
- o Expected number and type of vehicles accessing the site;
- o Deliveries, waste, cranes, equipment, plant, works, visitors;
- o Size of construction vehicles;
- o The use of a consolidation operation or scheme for the delivery of materials and goods;
- o Phasing of works;
- o Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction): Programming; Waste management; Construction methodology; Shared deliveries; Car sharing; Travel planning; Local workforce; Parking facilities for staff and visitors; On-site facilities; A scheme to encourage the use of public transport and cycling;
- o Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- o Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- o Locations for storage of plant/waste/construction materials;

- o Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- o Arrangements to receive abnormal loads or unusually large vehicles;
- o Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- o Any necessary temporary traffic management measures;
- o Measures to protect vulnerable road users (cyclists and pedestrians);
- o Arrangements for temporary facilities for any bus stops or routes;
- o Method of preventing mud being carried onto the highway;
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

21. The premises shall not be open outside hours to be agreed in writing by the City Council as local planning authority.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policies SP1 and DM1 of the Core Strategy and saved Policy DC26 of the City of Manchester Unitary Development Plan.

22. Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, 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 Policies SP1 and DM1 of the Core Strategy and saved Policy DC26 of the City of Manchester Unitary Development Plan.

23. If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as local planning authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

24. Before the use hereby approved commences, the premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study

of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority.

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

25. Before first occupation of the development, the buildings, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme 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.

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

26. Prior to commencement of any sporting activities a Noise Management Plan (NMP) shall be submitted to and approved in writing by the City Council as local planning authority.

The NMP shall include an assessment of noise from all activities associated with the use and shall not give rise to any significant adverse impacts on the occupants of nearby residential properties.

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

27. Prior to the commencement of above ground development, details for the external storage of waste, including segregated recyclable waste (including details of a secure and ventilated bin store and details of the waste management contractor), shall be submitted to and approved in writing by the City Council as local planning authority. The approved bin store shall be retained in situ whilst the development is occupied and at all times thereafter.

Reason - In the interests of residential and visual amenity and public health pursuant to policy DM1 of the Manchester Core Strategy Development Plan Document.

28. The development hereby approved shall incorporate the Biodiversity Enhancement Measures as set out within the approved drawings and documents (BNG assessment, Landscape & Ecological Enhancement Plan (Dwg No. AT.22.1242.100) and Landscape General Arrangements (Dwg no. 406-02 Rev C)) and shall be retained at the site thereafter.

Reason - Pursuant to biodiversity enhancement of the site, in accordance with policy EN15 of the Core Strategy and the National Planning Policy Framework.

29. a) Prior to the commencement of the development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Benefit Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
 - ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
 - iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives
- b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

30. (a). Three months prior to the first occupation of the development, a Local Benefit Proposal Framework that outlines the approach to local recruitment for the end use(s), shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the occupation of the development.

In this condition a Local Benefit Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
- iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(b). Within 6 months of the first occupation of the development, a Local Benefit Proposal which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council, as Local Planning Authority. Any Local Benefit Proposal approved by the City Council, as Local Planning Authority, shall be implemented in full at all times whilst the use is in operation.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

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: 135936/FO/2023 held by planning or are City Council planning policies, the Unitary Development 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
Parks & Events
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
MCR Active
Greater Manchester Police
United Utilities Water PLC
Electricity Northwest
Greater Manchester Ecology Unit
Sport England**

A map showing the neighbours notified of the application is attached at the end of the report.

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