

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136137/FO/2023
Date registered valid: 24 March 2023
Proposal: Erection of 2.4 metres high weld mesh fencing, with associated pedestrian and vehicle gates, around the perimeter of the playing fields
Address: Parrs Wood High School, Wilmslow Road, Manchester, M20 5PG
Ward(s): Didsbury East Ward

Applicant: Mr Liam Denby, Stratus9 Consulting Ltd
Agent (if any): Mr Liam Denby, Stratus9 Consulting Ltd
Case officer: David Lawless
Tel: 0161 234 4543
Email: david.lawless@manchester.gov.uk

Recommendation: APPROVE
Date of recommendation: 19 April 2024



Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 16 May 2023

Standard consultations:

Printed: 15 May 2023 Expired: 5 June 2023

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 16 May 2023 Expired: 6 June 2023 Posted: 16 May 2023 Expired: 6 June 2023

Press advert

Published: 23 May 2023 Expired: 6 June 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

This application relates to the school playing fields associated with parrs Wood High School. They are situated to the south of the main school complex and are bounded by Wilmslow Road to the west, the River Mersey to the south, the school and an access road to the north and a golf course to the east.



Listed building:	No
Conservation area:	No
Tree Preservation Order:	No

Description of development

For safeguarding purposes the applicant is seeking planning permission for the erection of 2.4 metres high weld mesh fencing, with associated pedestrian and vehicle gates, around the perimeter of the playing fields.

Consultations & Notification Responses

Local Residents/Members of the Public – No comments received.

Didsbury Civic Society – Object to the proposal for the following reasons:

- It is similar to the rejected application submitted for Didsbury Sports Ground for security fencing,
- It is a large area of greenspace lost to the public for recreation purposes, dog walking, sport practise etc
- This land was public land similar to the Sports Ground. Have, and will any codicils on this land been resolved. Why are the Trust being allowed to exclude the community from using what was after all public land.
- Will the Trust or United Utilities or the Environmental Agency be fully responsible for clearing all flood debris which could after all be 2.4 metres from ground level and an eye sore?
- Surely at a time of economic hardship the trust should be spending vital funding on children`s education rather than a vanity project.
- Is this proposal aimed at ending public use?
- Will MCC check and ensure that no covenants still in place on this land?
- It is understood that part of the Levee are under the jurisdiction of Stockport MBC

Highway Services – Highways have no objections regarding the proposed erection of a 2.4 metre high weld mesh fence. It is understood that the proposals would not have an impact on the approved pedestrian/vehicular access, parking, circulation or the external highway network. All gated accesses provide inward opening gates, they do not impact on the adopted footway or highway. Plans confirm that the proposals will not have an impact on the public footpath, Public Right of Way, which is to the South of the site, adjacent to the school field and the River Mersey.

Neighbourhood Team Leader (Arboriculture) – In order for the works to have a minimal impact on the existing tree stock, the fencing installers will need access to the arb report and any additional information available on this application before any holes are dug. It is important that the hand dig methods are exercised within the root protection zones of any trees identified on the survey.

Environment Agency – No objection to the proposal but suggests the imposition of an informative regarding the need to obtain a permit for the works under the Environmental Permitting (England and Wales) Regulations 2016

Sport England – Has no objection to the proposal subject to the imposition of a condition regarding the siting and subsequent removal of any contractors' site compound required for the duration of the works.

Cadent Gas Ltd – No objections but suggests the imposition of an informative about the proximity of the high pressure gas pipeline which runs through a portion of the site.

PADHI+ (HSE) – The PADHI+ system has been utilised, the results of which are “Do not advise against”.

Greater Manchester Police – No objections to the proposal.

Stockport Metropolitan Borough Council – No objections to the proposal.

Policies

The National Planning Policy Framework (December 2023) – The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. 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.

Places for Everyone joint development plan document for Bolton, Bury, Manchester, Salford, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan – The Places for Everyone Plan (PfE) was adopted on 21 March 2024, as such the Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

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. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below

Policy SP1, *Spatial Principles*, - 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 and protect and enhance the built and natural environment.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of specific issues, of which the following are of most relevance:-

- 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.
- Community safety and crime prevention.
- Design for health.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.

Policy EN 10, *Safeguarding Open Space, Sport and Recreation Facilities* – This policy states 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
 - a) it could not fulfil other unsatisfied open space, sport or recreation needs, and
 - b) 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.

Issues

Principle of the Proposal – Given the safeguarding reasons behind the installation of the fencing, there is no objection in principle to the development. Notwithstanding this, any impact upon existing levels of residential and visual amenity, as well as any existing ecological and hydrological features must be assessed.

The Didsbury Civic Society has made reference to a similar scheme at Didsbury Sports Ground. It should be noted that the following application was approved in May 2014 under reference 105314/FO/2014/S2:

Didsbury Sports Ground, Ford Lane - Erection of 2.4 metre high weld mesh fencing to perimeter of cricket pitch adjoining car park

Design – The use of weld mesh fencing and gates is welcomed and it is the much preferred option over palisade fencing as it offers enhanced security while having a more lightweight appearance, especially when powder coated (see below) to blend in with the existing landscaping. Overall, the design of the fencing is considered acceptable.

Siting – On the whole the proposed fencing is to be sited behind the existing landscaping, apart from where it runs long the public footpath adjacent to the River Mersey where it will sit in front of the mature hedging/trees. As a result, most of the fencing would not be visible from the public realm. It should also be noted that where it is located in front of the landscaping, given its weld mesh construction it would not be highly visible to passing members of the public as it would be powder coated in RAL 6005:



The siting of the fencing and gates is considered acceptable.

Residential and Visual Amenity – Given the design and siting of the proposal, it is not considered that the development would have an unduly detrimental impact upon the existing levels of residential and visual amenity enjoyed within the vicinity of the site.

Trees – The impact upon the existing tree coverage has been assessed as minimal. Notwithstanding this, the City Arborist has suggested that a suitably worded condition be attached to any consent granted which requires the work to be undertaken in accordance with the submitted Arboricultural Impact Assessment.

Flood Resilience – After a number of initial concerns about the siting of the western boundary fencing, the Environment Agency has now withdrawn its objection to the proposal as that particular section of fencing has been pushed further into the site.

Sports Pitches – After a number of concerns about the impact of the proposal upon sport pitch provision, Sport England has now withdrawn its objection to the proposal.

High Pressure Gas Pipeline – The informative suggested by Cadent Gas would be attached to any approval granted.

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 a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner to resolve any problems arising in relation to dealing with the planning application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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

- a) Drawing nos. S9-10434-P-02 to 04, received on 2 February 2023
- b) Drawing no. S9-10434-P-01/RV3, received on 18 April 2024
- c) Drawing no. S9-10434-P-07, received on 29 February 2024
- d) Arboricultural Impact Assessment, received on 24 March 2023
- e) Design and Access Statement, received on 2 February 2023

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) The development hereby approved shall not commence until full details of:

(a) the works/contractors' compound (including any buildings, moveable structures, works, plant, machinery, access and provision for the storage of vehicles, equipment and/or materials); and

(b) a scheme for the removal of the works/contractors' compound and the restoration of the land on which it is situated are submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The works/contractors' compound shall not be provided and used on the site other than in accordance with the approved details and shall be removed and the land on which it is situated restored in accordance with the approved details before occupation of the development hereby approved.

Reason - In the interests of residential and visual amenity and to protect the playing field from damage, loss or availability of use, pursuant to Policies DM1 and EN10 of the Manchester Core Strategy.

4) All work within the Root Protection Areas of the retained trees should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work" and the recommendations of the Arboricultural Impact Assessment, received on 24 March 2023.

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 Manchester Core Strategy.

Informatives

1) This development will require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the bank of the river Mersey (and its associated flood banks) which, is designated a 'main river'. Some activities are excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: Flood risk activities: environmental permits - GOV.UK (www.gov.uk).

2) Highway Services Informative - The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email -highwaylicences@manchester.gov.uk

3) Cadent Gas Informative - Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linsearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Appendix 1 – List of consultees & neighbours notified

Cadent Gas Ltd
Highway Services
Neighbourhood Team Leader (Arboriculture)
Greater Manchester Police
Environment Agency
Sport England
Stockport Metropolitan Borough Council

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Flood Zones Type 2 (low to medium risk) -

Flood Zones Type 3 (high risk) -

Green Belt Land - Greater Manchester Green Belt Local Plan 1984

Green Belt Land - Green Belt Area (LDF)

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: SOUTH AREA