

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137125/FO/2023

Date registered valid: 14 June 2023

Proposal: Relocation of the main school entrance, erection of single storey entrance lobby extension, internal fencing and a new external pedestrian entrance gate.

Address: St Francis RC Primary School , Ellenbrook Close, Manchester, M12 5LZ

Ward(s): Gorton & Abbey Hey Ward

Applicant: The Board of Governors St Francis RC Primary School

Agent (if any): Mr Mark Bridge Lancaster Maloney Martin Limited

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21 August 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 29 June 2023 Expired: 20 July 2023

Neighbour notifications

Printed: 29 June 2023 Expired: 20 July 2023

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

This application relates to the grounds of St. Francis RC Primary School, which lies to the north of a predominantly residential area. The school is primarily a single storey flat roofed building and presently has vehicular and pedestrian access points, from Ellenbrook Close.

On the front side of the building, facing Ellenbrook Road, there is an existing entrance lobby, which is set-back from the forward most part of the building. It is proposed to erect a single storey flat roof extension to this entrance lobby, which would have dimensions of 2.5 metres long x 3 metres wide x 3 metres high. It would be set-back from the forward most part of the building, would be no higher than the existing building and would be constructed in materials to match the existing.

In addition, it is proposed to erect new fencing/gates on the premises, comprising of:

- New 3 metre high x 1.5 metre wide green weldmesh single pedestrian gate, on Ellenbrook Close frontage, to match existing perimeter fencing.
- New 1.8 metre high green weldmesh fencing, with two new 1.8 metre high x 1.5 metre wide single gates with weldmesh infill, erected within the existing school grounds, between Ellenbrook Close and the school building.

These works are proposed to create a new visitor access point to the main school building, and the proposed new main entrance lobby extension, without a visitor accessing the main school grounds, car park and play areas. The existing visitor access point is next to the existing pupil

access, to the west of the site, and this will be discontinued, although no changes are proposed, to the boundary treatment, in that location.

The school presently has access to 34 car parking spaces in total, 12 in the car park adjacent to the school entrance and a further 22 in the adjoining St. Francis RC Church grounds. As a result of this proposal, 2 spaces would be lost in the car park closest to the school entrance.

Consultations & Notification Responses

Local residents/adjoining occupiers - One objection has been received, from a local resident, for the following reasons:

This will cause more traffic on what is already a busy road.

It is the main road that leads to Assisi Gardens, Brinsop Square, Ellenbrook Close and parking for Gorton Lane residents.

School hours are already a busy time and when residents return from work they cannot park their cars.

A further response was received from a resident who did not object to the application, but who made the following comments:

Ellenbrook Close is the only road that feeds Assisi Gardens, Brinsop Square Ellenbrook and parking for Gorton Lane which makes it very busy, not helped by parked cars adjacent to school site already.

Many years ago the entrance was in this position and caused chaos at drop off and pick up times and visitor's to school throughout the school day

Highway Services - Made the following initial comments:

PEDESTRIAN ACCESS & BOUNDARY TREATMENT:

Highways request that the new pedestrian gate opens internally as shown on submitted plans in order to ensure no conflict with passing pedestrians/ vehicles. Submitted gate specifications show that at least 1m pedestrian clearance is provided which is considered acceptable by Highways.

The proposed fencing would result in a reduction in the size of the existing car park. Plans indicate that on-site parking capacity would not reduce by a level that would give rise to highways concerns.

The applicant should confirm that the proposed internal fencing would not affect existing on-site servicing/deliveries.

VEHICLE ACCESS & HIGHWAYS WORKS:

No off-site highways works are proposed and the existing vehicular access point into the car park and access gates from Ellenbrook Close will be retained.

CONSTRUCTION MANAGEMENT:

The school should take forward appropriate construction management with regard to the entrance lobby extension and fencing works in consideration of existing school access and parking operations (This has not been requested as a condition and has been provided as an informative).

In response, the applicant confirmed the following:

The School currently utilise both the on site parking in the location of the proposed new entrance along with the car park of the adjacent St Francis RC church which is also under

Diocesan ownership. The onsite car park can currently accommodate approximately 12 cars and adjacent church car park approximately 22 cars. The capacity of the on site car park would be reduced by 2 spaces, however this will not cause an issue for the School due to the adjacent off site church car park which can accommodate existing numbers.

Deliveries to the School other than letters and small packages are currently taken at an existing large sliding gate off Ellenbrook Close, and this arrangement will not change in connection with the relocated entrance.

In response, Highways Services required further clarification, with regard to servicing operations. The response states that deliveries/servicing are currently 'taken' at the large sliding gate off Ellenbrook Close and Highways Services are not clear whether this means that such vehicles do not currently enter the site, as they are concerned that such vehicles may not be able to access and egress the site in forward gear due to the constrained car park area.

The applicant confirmed that, depending on the size of the delivery vehicles, there is not enough space in the current car park for them to turn round when the car park is full, therefore they currently either pull up on the side of the footpath and wheel deliveries into site using cages or trollies or they drive in forwards and reverse out with guidance, and the new entrance proposals will not change this current arrangement.

Highways Services considered this to be acceptable, and raised no further concerns.

Strategic Area and Citywide Support Manager - Recommend that a condition is attached, to any planning permission, requiring the installation of a proprietary gas membrane. Informatives are also proposed in relation to construction hours and a contaminated land watching brief.

Greater Manchester Police - No objections.

Cadent Gas - Have no objection to this proposal from a planning perspective, although an Informative Note is required to be attached to any planning approval.

Issues

National Planning Policy Framework (July 2021) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
- b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. paragraph 127).

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.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy T2 states that outside the City Centre all new development should provide appropriate car parking facilities, taking account of the guidance in Appendix B (of the Core Strategy). In all parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B (this indicates maximum car parking standards for various uses).

Notwithstanding the above, Policy T2 requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking that may be required. Policy T2 requires the provision of proportionate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed

guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- 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.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is unallocated in the plan.

Principle of development - The site is a school site and the works proposed are considered to be appropriate to the school use, and acceptable in principle.

Impact of works (lobby extension) - The proposed extension is single storey only with a relatively small (7.5 square metres) building footprint. It is set back, from the forwardmost part of the building, and would be seen against the backdrop of the school building, and being constructed in matching materials. Its visual impact is therefore likely to be very minimal.

Impact of works (fencing/gates) - The proposed internal fencing/gates are less than 2 metres in height and constitute permitted development and are not therefore subject of this application. The proposed new pedestrian/visitor gate would be created within the existing 3 metre high fence line, along Ellenbrook Close and would be of the same height, material and colour. Visually this alteration is therefore likely to have a minimal impact.

Car parking/servicing - The proposed internal fencing would lead to the loss of 2 car parking spaces, but these works are not subject of this application. In any event, Highway Services have not raised issues with the loss of these spaces, given the overall level of parking provision at the site. Pupil access will be retained at the existing location at Textile Street and the only change, to the existing access and servicing arrangements is that a new segregated visitor access will be created in a position adjacent to the existing vehicle access point on Ellenbrook Close, rather than from a point to the west of the site, adjacent to the pupil access. These works would therefore have no significant impact upon the access and servicing arrangements on site, and would have the benefit of increasing security at the site, in respect of visitor access.

Residential amenity - The proposed development would not involve changes to the existing vehicular access, but would involve the creation of a pedestrian access from Ellenbrook Close in proximity to the main entrance to the school.

It is no doubt the case that there is sometimes inconvenience, to nearby residents, at school opening and closing times, due to the amount of traffic for the drop-off and collection of children. It is not, however, considered that the works, subject of this application, would significantly impact upon these existing circumstances and exacerbate the current situation for local residents.

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 / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. In particular clarity was obtained in relation to car parking

and servicing arrangements. In addition, the applicant attempted to address the gas membrane requirements prior to determination, but was unable to do so, and has sought determination of the application with this condition.

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:

Drawings numbered 2209/03 P05 and 2209/03 P06, stamped as received by the City Council, as Local Planning Authority, on 31 May 2023.

Drawings numbered 2209/03 P01A, 2209/03 P04A and 2209/03 P07, stamped as received by the City Council, as Local Planning Authority, on 14 June 2023.

Emails from Mark Bridge dated 12 and 21 July 2023, confirming access and servicing arrangements on site.

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 materials used to construct the external elevations of the extension hereby approved shall match the existing school building, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the school building and surrounding area, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

4) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas pursuant to policy EN18 of the Manchester Core Strategy.

Informatives

1) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This informative does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact Cadent Gas Ltd at plantprotection@cadentgas.com or on 0800 688 588 quoting reference LSBUD Ref: 30034099

2) The school should take forward appropriate construction management with regard to the entrance lobby extension and fencing works in consideration of existing school access and parking operations

3) 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
highwaynetworkmanagement@manchester.gov.uk.

4) Construction/demolition works shall be confined to the following hours:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

5) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the 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 agreed Remediation Strategy and validated. If no contamination is found, then a post-completion report shall be submitted to evidence this prior to occupation of the development.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

18 Gardner Street, Manchester, M12 5PH
20 Gardner Street, Manchester, M12 5PH
7 Brinsop Square, Manchester, M12 5PL
School Bungalow, St Francis Rc Junior School, Textile Street, Manchester, M12 5DJ
11 Brinsop Square, Manchester, M12 5PL
5 Brinsop Square, Manchester, M12 5PL
4 Ellenbrook Close, Manchester, M12 5PB
2 Ellenbrook Close, Manchester, M12 5PB
3 Brinsop Square, Manchester, M12 5PL
15 Brinsop Square, Manchester, M12 5PL
13 Brinsop Square, Manchester, M12 5PL
9 Brinsop Square, Manchester, M12 5PL
1 Brinsop Square, Manchester, M12 5PL

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA