

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133581/VO/2022

Date registered valid: 4 August 2022

Proposal: City Council Development involving access alterations to school boundary involving access gates, boundary fencing and alterations to the footpath

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

Ward(s): Moston Ward

Applicant: Mr Robert Massey, Manchester City Council Children & Education Services, PO Box 533, Town Hall, Manchester, M60 2LA

Agent (if any): Mr Richard Broadbent, Manchester City Council, Capital Programmes & Procurement, PO Box 533, Town Hall, Manchester, M60 2LA

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

Recommendation: Approve

Date of recommendation: 27 September 2022

Application details

Type of application: Regulation 3 Consent

Development type: Minor Other

Date of site visit: 15 August 2022

Standard consultations:

Printed: 8 August 2022 Expired: 29 August 2022

Neighbour notifications

Printed: 8 August 2022 Expired: 29 August 2022

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of Site/Area

New Moston Primary School is located at 16 Moston Lane East within the area of Moston. The site comprises three single storey buildings alongside a grass sports field. The school caters for 525 no. pupils aged 3-11.

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

Description of Development

City Council Development involving access alterations to school boundary involving access gates, boundary fencing and alterations to the footpath.

History

133828/VO/2022 City Council Development for the erection of a single-storey, front extension to form a new kitchen together with the relocation of existing marked playing pitch and car parking spaces adjacent to the proposed extension, new fencing and pedestrian gate access and ramp

111467/VO/2016/N1 CITY COUNCIL DEVELOPMENT Erection of a single-storey extension to the front elevation to form a new kitchen, together with the relocation of an existing marked playing pitch adjacent to the proposed kitchen extension. Approved

109555/FO/2015/N1 Erection of a single-storey modular building, with access ramp and steps, to form additional teaching space. Approved.

108716/FO/2015/N1 Erection of single storey extension to form additional accommodation. Approved

096638/VO/2011/N1 CITY COUNCIL DEVELOPMENT Erection of 2.4m high perimeter fencing and 4 no. sets of gates. Approved

079277/VO/2006/N1 CITY COUNCIL DEVELOPMENT Single storey extension to form link between existing school buildings to provide new reception area and entrance. Approved.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and no representations were received.

The Highways team- Raised no objection to the proposal subject to off-site highways work be added as an informative to the consent.

Tree Section- Reviewed the proposal and confirmed they have no objection to the scheme. They confirmed the trees in this location are of relatively low quality and appear to be degenerating. However, they have requested details of how the tree roots will be protected during the works.

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

Oldham Council - was consulted and no representations were received.

Cadent sent a site plan and made comments in relation to the proximity to the site gas mains are situated and re commented the details of the plan are sent to the applicant to make them aware of the gas mains layout.

Issues

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

National Planning Policy Framework

Chapter 8: Promoting healthy and safe communities

Chapter 9: Promoting sustainable transport

Chapter 12: Achieving well-designed places

National Planning Policy Guidance (NPPG)

The relevant sections of the NPPG are Noise and Design.

These largely relate to detailed aspects of a planning submission which are addressed in the following section of the report; the conclusions of the necessary assessments is that the proposal accords with the general principles of the NPPG.

Manchester Core Strategy

Policy SP1 - Spatial Principles

Policy DM1 - Development Management

PLANNING ISSUES:

The works include the following:

Scope of Works

A new pedestrian gate and a footpath with low level barrier fencing is proposed to run alongside the current boundary fence directly to the Nursery.

- o The low-level barrier fencing is proposed to continue along the front of the building up to the Reception.
- o The double road gates are to be replaced with an automatic sliding gate controlled via intercom from the Reception.
- o The new pedestrian access requires the road gate to move over slightly to accommodate it, requiring the road access point in the pavement alongside Moston Lane East to be relocated.
- o Currently staff park alongside the road as well as in the designated parking bays. Two additional bays are proposed as the new pedestrian access will reduce the width of the side road. The main entrance road width to the School will remain the same.
- o Existing gullies in front of the building for rainwater will require to be raised up to the new pavement level.
- o Pedestrian access to the School from the on-site parking will be via a further automatic sliding gate, situated by the Reception and controlled from it.
- o Waste Bins which are currently stored alongside the access road will be positioned in a designated area and only put out onto the access road when a collection is due.
- o New double manually operated gates are proposed at the current drop-off and delivery point close to the Nursery entrance to prevent children entering the site road,

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

It is considered that the proposed works will not detract from the character and appearance of the school building, or the wider environment on Moston Lane East, due to the proposed design being consistent with existing fencing, and would therefore be in accordance with policy SP1, DM1, and EN1.

Security

GMP Design for Security officers have recommended a number of security measures pursuant to policy DM1, EN1 and the National Planning Policy Framework. An informative has been added to the proposal. Greater Manchester Police commented that the perimeter fencing should be a minimum of 2500mm in height and comprise a welded wire mesh construction and there should be minimal ground clearance beneath the fence, to reduce the potential for crawling in to secure areas.

The entrances should be in keeping with the height of adjacent boundary fencing and should incorporate either:

A pad lockable bolt to the midpoint of the internal face or,
A key operable deadlock.

Gate Lock Shroud Care should also be taken to ensure there are no poles, trees or any other features immediately adjacent, on the publicly accessible side of the site boundary, that could be used as a climbing aid to scale the fencing. Any such features should be pruned or removed where possible. The site boundary treatment should also be positioned on hard standing ground. Where this is not possible, the ground conditions should be reviewed as extra measures may be required to create a secure boundary. Exposed hinges and large sliding bolt apertures/locking points to any gates should be avoided or fitted with shrouding/protective plates (see opposite) to avoid the creation of footholds.

The supporting information and drawings indicate the scheme is compliant with the advice received from GMP. The applicant has confirmed the security features with the exception of the new road and pedestrian gates which are both automatic and controlled either by key pad or from the reception, therefore requiring no key to secure them. Therefore, the proposal is considered to be acceptable and accords with Policy DM1 of the Core Strategy for Manchester.

Highways

Stacking space will be provided allowing one vehicle to wait off the adopted highway, this will prevent disrupting traffic flow on Moston Lane East and is acceptable to Highways. Given the width of the access point, two vehicles are unable to pass, therefore priority should be given to vehicles accessing the site to prevent queuing vehicles on Moston Lane East.

The applicant has confirmed that the altered access point will not affect the existing traffic calming features along Moston Lane East.

It is understood that the existing car park offers 17 spaces with a further 2 spaces proposed (19 spaces in total). This will include two accessible bays.

Trees

No trees would be removed as part of the proposal and the tree section have confirmed no tree protection measures are required as part of the consent. The trees in this location are of relatively low quality and appear to be degenerating.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

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

Recommendation: Approve

Article 35 Declaration

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

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

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

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

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

DR-A- 004, stamped as received on the 12 May 2022, DR-A-0007, stamped as received on the 4 August 2022, DR-A-005, LP-0001, The Design and Access Statement and The Tree Survey stamped as received on the 22 April 2022. Automated Pedestrian gate Details, The Railings Brochure and The Ventilated Motor Details, stamped as received on the 8 August 2022.

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

3) The development hereby approved shall be carried out in accordance with the materials as set out in drawing numbers.

DR-A- 004, stamped as received on the 12 May 2022, DR-A-0007, stamped as received on the 4 August 2022, DR-A-005, received by the City Council as Local Planning Authority on the 22 April 2022.

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 car parking layout shall be retained and maintained for as long as the development remains in use.

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

5) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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.

Informatives

1) The proposal should include the following;

A pad lockable bolt to the midpoint of the internal face or, A key operable deadlock Gate Lock Shroud Care should also be taken to ensure there are no poles, trees or any other features immediately adjacent, on the publicly accessible side of the site boundary, that could be used as a climbing aid to scale the fencing. Any such features should be pruned or removed where possible. The site boundary treatment should also be positioned on hard standing ground. Where this is not possible, the ground conditions should be reviewed as extra measures may be required to create a secure boundary. Exposed hinges and large sliding bolt apertures/locking points to any gates should be avoided or fitted with shrouding/protective plates (see opposite) to avoid the creation of footholds.

2) Any modifications /improvements to the public highway or footpath will require agreement with MCC's Highways Applications and Network Resilience teams. This will be funded at the applicant's expense. The following link provides access:
https://www.manchester.gov.uk/directory_record/287709/permission_to_work_on_the_highway_s__section_278_agreements/category/355/highways_and_pavements

Appendix 1 – List of consultees & neighbours notified

Highway Services
Neighbourhood Team Leader (Arboriculture)
Greater Manchester Police
Oldham Metropolitan Borough Council

171 Moston Lane East, Manchester, M40 3QJ
236 Moston Lane East, Manchester, M40 3QH
232 Moston Lane East, Manchester, M40 3QH
175 Moston Lane East, Manchester, M40 3QJ
New Moston Primary School, Moston Nursery, Moston Lane East, Manchester, M40 3QJ
173 Moston Lane East, Manchester, M40 3QJ
234 Moston Lane East, Manchester, M40 3QH
230 Moston Lane East, Manchester, M40 3QH
228 Moston Lane East, Manchester, M40 3QH
226 Moston Lane East, Manchester, M40 3QH
224 Moston Lane East, Manchester, M40 3QH
222 Moston Lane East, Manchester, M40 3QH
220 Moston Lane East, Manchester, M40 3QH

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH