

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134712/VO/2022

Date registered valid: 16 August 2022

Proposal: City Council Development - Erection of new 3 metre high weldmesh fencing and 2.4 metre high gate adjacent to existing fencing

Address: Medlock Primary School, Wadeson Road, Manchester, Manchester, M13 9UJ

Ward(s): Ardwick Ward

Applicant: Mr Carl Smith, Manchester City Council, Level 8, Town Hall Extension, St. Peters Square, Manchester, M2 5HD

Agent (if any): Mr Carl Smith, Manchester City Council, Level 8, Town Hall Extension, St. Peters Square, Manchester, M2 5HD

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 7 October 2022

Application details

Type of application: Regulation 3 Consent

Development type: Minor Other

Date of site visit: 6 October 2022

Standard consultations:

Printed: 30 August 2022 Expired: 20 September 2022

Neighbour notifications

Printed: 15 September 2022 Expired: 6 October 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 area

The application relates to a primary school bounded by Wadeson Road, Hamsell Road and Ardwick Green South. The existing site perimeter is characterised by light grey weld mesh fencing. The proposal involves the installation of new and additional fencing to the north of the site access from Coral Street (which is access via Ardwick Green North). The proposed fencing extends within the application site at an offset position adjacent to the western elevation of a building relating to telephone exchange and partially returning eastwards adjacent to its southern elevation.

The works involve fencing to match the existing. The additional fencing would help to secure the site from Coral Street. The internal fencing would replace existing temporary fencing that protects the adjacent playground from falling and detached masonry from the adjacent substation building.



Fig.1 – Fencing location

Description of development

The existing site entrance from Coral Street comprises of light grey weldmesh gates and an adjacent fencing panel. The height of the double gates would be retained and 2.4 metres would be retained the facilitate service vehicle access. The adjacent fencing panel would be replaced by a 1.2 metre wide gate and an adjoining in-fill panel to a height of 2.4 metres. The gate would provide pedestrian access to the site.

Within the site matching weld mesh fencing would be installed 1.3 metres from the south-west and south-east elevation of the neighbouring building forming an enclosed corridor (with a maintenance gate providing access at the returning northern end of the fencing). The main section of the fence would have a length of 22 metres and returning section of 4.8 metres. All fencing and gates would have a weld mesh specification with a matching light grey finish (RAL 7035) and supported with upright square section posts.

Consultations & Notification Responses

Local Residents and businesses – No comments received.

Highway Services – No objection. It is understood that the proposals would not have an impact on the approved pedestrian/vehicular access, parking, circulation or the external highway network. The applicant should note that all gated accesses will need to provide inward opening gates.

Greater Manchester Police Design for Security – No objections but the following recommendations have been made:

- i. Perimeter fencing should be a minimum of 2500mm in height and comprise a welded wire mesh construction.
- ii. There should be minimal ground clearance beneath the fence, to reduce the potential for 'crawling in' to secure areas.
- iii. 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.
- iv. Poles, trees or any other features should be positioned on the immediately adjacent and publicly accessible side of the site boundary, that could be used as a climbing aid to scale the fencing. Any trees 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.
- v. Exposed hinges and large sliding bolt apertures/locking points to any gates should be avoided or fitted with protective shrouding plates to avoid the creation of footholds.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It provides a mechanism through 'which locally-prepared plans for housing and other development can be produced.' It states that 'at the heart of the Framework is a presumption in favour of sustainable development.' However, the Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Furthermore, the statutory status of the development plan remains as the starting point for decision making. In 'decision-taking', this means that development proposals that accord with the development plan should be approved without delay unless 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.

- i. Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion (paragraph 92). The development would improve the security of the site from Coral Street. It would also

provide a means of protecting the play area from the neighbouring sub-station, which is in a deteriorating state. These objectives would accord positively with chapter 8.

ii. Chapter 12: Achieving well-designed places - States that 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. It also states that planning decisions should ensure that developments:

- a) Will function well and add to the overall quality of the area over the lifetime of the development;
- b) Are visually attractive as a result of good architecture, layout and landscaping;
- c) Are sympathetic to local character and history.

The proposed fencing would match the existing. The building elevation presented to the play area is enclosed by temporary fencing. The setting and appearance of the play area would be improved by the installation of the proposed fencing. The development would thereby accord with chapter 12.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource and is relevant to key planning issues of significance to applicants and local authorities. In considering this application the following aspects of the PPG have been appropriately responded to:

- i. Consultation and pre-decision matters;
- ii. Design: process and tools;
- iii. Health and well-being.

Manchester's Local Development Framework: Core Strategy - 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.'

The following policies are relevant to the proposed development:

Policy SP 1 specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- Makes a positive contribution to neighbourhoods of choice including the creation of 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 and to protect and enhance the built and natural environment;
- Improve access to education.

The development would ensure the safe and sustained use of the external play areas of the school, which is key component of the delivery of childrens education. The objectives of policy SP1 would thereby be accorded with.

Policy DM1 - 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. Relevant considerations in this case are:

- a. Appropriate siting, layout, scale, form, massing, materials and detail;
- b. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- c. Effects on amenity;
- d. Accessibility;
- e. Community safety and crime prevention;
- f. Design for health;
- g. Adequacy of amenity space.

The development would be appropriately related to its context without apparent harm to residential amenity. The site entrance from Coral Street is secondary and used for maintenance purposes (the main entrance is located on Wadeson Road). The development would improve the site security and reduce potential hazards from the neighbouring building. The development would not compromise the provision of play space. Policy DM1 would thereby be accorded with.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. This includes the identification of issues and 'problems' associated with the proposals that have required positive consideration, dialogue and negotiation to secure positive outcomes. In this case, sufficient information was provided with the planning application and further negotiation was not required.

Principle of the development – The development seeks to improve site access and safeguard the operation of the play areas from any potential dangers from a neighbouring dilapidated building. The appearance of the proposed gates and fencing would match the existing. The development would not have any apparent harm on the amenities of the area. The principle of the development is therefore acceptable.

Siting – The new access gate would align with the existing gates to Coral Street and would not affect the existing circumstances. The fencing within the site would not be visible from Coral Street and would not affect views across the site. The siting of this section of fencing would facilitate future access for future maintenance via a secure gate. The fencing and gates would be supported with posts and would not involve attachment to the neighbouring building. The siting of the fencing is considered to be acceptable.

Height and appearance – The height of the fencing panel and gate would correspond with the 2.4 metres high retained double gates thereby providing visual cohesion within the streetscene. The 3 metres fencing height within the site is considered necessary to 'secure' the perimeter to the neighbouring building.

Design and materials – The design and specification would match the existing as specified within the attached drawings. These details have been conditioned for implementation as part of the development.

Security – The comments of GMP have been considered. The gate and fencing arrangement to Coral Street would maintain the existing circumstances, which remain acceptable. This arrangement would present the opportunity for access via crawling spaces. The fencing within the site would not be for security purposes as previously set out. The comments of GMP have been attached as a condition relating to lock specification etc.. The development would maintain site security.

Access – Primary site access would be maintained from Wadeson Road. The width of the new pedestrian access would be sufficient to facilitate wheelchair / pushchair access if required.

Conclusion – The development would aid the on-going operation of the school and is considered to be acceptable.

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 based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, sufficient information was provided with the planning application and further negotiation was not required.

Condition(s) to be attached to decision for approval

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 stamped as received by the City Council as local planning authority on 16 August 2022:

Planning application forms;
Proposed new fencing and gates Ref: MCC-B01-XX-DR-B-0010.

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 for the City of Manchester.

3) The development shall be implemented in accordance with the materials and specifications detailed on drawings referenced: Proposed new fencing and gates Ref: MCC-B01-XX-DR-B-0010, incorporating weldmesh fencing panels, gates and square section upright posts on light grey (RAL 7035), which shall be maintained in situ at all times thereafter.

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 for the City of Manchester.

Informative

- 1) The following security and crime reduction measures have been recommended:
- i. 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.
 - ii. Exposed hinges and large sliding bolt apertures/locking points to any gates should be avoided or fitted with protective shrouding plates to avoid the creation of footholds.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Greater Manchester Police

52 Ardwick Green South, Manchester, M13 9XF
Ardwick Green Tesco Service Station, Ardwick Green South, Manchester, M13 9XF
The Vallance Dental Centre, The Vallance Medical Centre, Wadeson Road, Manchester, M13 9UJ
Ardwick Sure Start And Childrens Centre, Wadeson Road, Manchester, M13 9UJ
Vallance Centre Pharmacy, Wadeson Road, Manchester, M13 9UJ
The Vallance Medical Centre, Wadeson Road, Manchester, M13 9UJ
Room A Flat 4 Hamsell Court, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room B Flat 2 Hamsell Court, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room A Flat 1 Hamsell Court, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room C Flat 17, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room C Flat 14, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room D Flat 11, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room B Flat 8, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room A Flat 8, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room A Flat 2, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Flat 15, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Flat 11, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Flat 2, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Flat 1, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room D Flat 3 Hamsell Court, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room A Flat 3 Hamsell Court, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room C Flat 2 Hamsell Court, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room A Flat 15, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room D Flat 13, City Edge, 30 Ardwick Green South, Manchester, M13 9XE

[illegible]

Flat 4, 1 Hamsell Road, Manchester, M13 9YP
Flat 1, 1 Hamsell Road, Manchester, M13 9YP
Room B Flat 17, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room C Flat 15, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room B Flat 14, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room B Flat 13, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room A Flat 13, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room A Flat 10, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room D Flat 7, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room C Flat 6, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room A Flat 5, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room A Flat 3, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Room C Flat 2, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Flat 14, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Flat 13, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Flat 10, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Flat 8, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
Flat 4, City Edge, 30 Ardwick Green South, Manchester, M13 9XE
British Telecom, Telephone Exchange, Ardwick Green South, Manchester, M13 9XF

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA