

DELEGATED REPORT

Report by Claire Booth	Date of report: 06/12/2023	Ref: 69355/FUL
Registration: 13/04/2023	LDfC: 12/05/2023	Expiry Date: 08/06/2023
Site Visit: 21/06/2023	Site Notice: 21/04/2023	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: See the report for reason.		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Single storey front extension

Location: St Monicas RC High School, Bury Old Road, Prestwich, Manchester, M25 1JH

Description

The existing high school site consists mainly of two storey buildings and is bounded by Bury Old Road and Scholes Lane. Vehicular access is taken from Bury Old Road and leads to a car park and to a single storey schoolhouse building. Within the site, there are netball courts immediately to the south of the school buildings with a grassed area beyond. The grassed area is not marked out for pitches and is approximately 1 metre higher than the adjacent road. This area is bounded by 3 metre high paladin fencing.

Heaton Park and the Grade II listed gatehouse are located to the east and are within Manchester City Council's boundaries. Nazareth House to the west is a Grade II listed building and is at a higher level than the application site (approximately 2.5 metres). There are residential dwellings to the north and south of the application site.

The proposed extension would project from the principal elevation by approximately 5.8m and would have a width of approximately 4.8m. The eaves of the building would be approximately 3.3m high, with the ridge proposed at 5.5m. The gable frontage would be fully glazed up to the apex of the roof. The proposal seeks to create a formal entrance way/reception area to the school.

The proposed development would use the existing access.

The LPA has had to delay determination of this application due to the application not being accompanied by existing and proposed floor plans. These have been received by the LPA on the 06 December 2023.

Relevant Planning History

48255 - Replacement and new fencing to two existing hard play/games areas. Tarmacing over of grassed strip between the two hard surfaced sections of the southerly play/games areas at St Monica's RC High School, Bury Old Road, Prestwich. Approved with conditions - 25 July 2007

51223 - Two storey classroom block extension at St Monica's RC High School, Bury Old Road, Prestwich. Approved with conditions - 22 May 2009

52059 - Non material amendment to panel colours following grant of planning permission 51223. Approved - 14 December 2009.

52303 - Erection of two storey vocational centre and associated works - Approve with Conditions 26/05/2010

65099 - Erection of external shelter - Approve with Conditions. 24/03/2020

66158 - Prior approval for proposed installation of a 20m slim-line column supporting 6 no. antennas, 2 no. transmission dishes, 2 no. equipment cabinets and ancillary development thereto including a GPS module and 3 no. remote radio heads - Prior Approval Required and Granted, 10/12/2020

Publicity

Due to their being no residential properties directly opposite where the proposed extension would be sited, due to the presence of Heaton Park, the proposals have been advertised by Site Notice and on the Council's website.

No representations have been received to this publicity.

Statutory/Non-Statutory Consultations

Environmental Health - Contaminated Land - No comments or observations received.

Environment Agency - No comments or observations received.

Traffic Section - No objections.

BURY M.B.C., Education Services - No comments or observations received.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
CF2	Education Land and Buildings
CF1/1	Location of New Community Facilities
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
HT4	New Development
EN1/6	Public Art
EN1/7	Throughroutes and Gateways
EN2/3	Listed Buildings
EN7	Pollution Control
EN7/2	Noise Pollution
EN8/2	Woodland and Tree Planting
OL3/1	Protection of Urban Open Space
RT2/3	Education Recreation Facilities
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

- The elimination of discrimination, harassment and victimisation;
- The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;
- The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the

protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Issues and Analysis

Principle of Development - Policy CF1/1 states that proposals for new and improved community facilities will be considered with regard to the following factors:

- Impact upon residential amenity and the local environment
- Traffic generation and car parking provision
- The scale and size of the development
- Accessibility by public and private transport
- The needs and requirements of the disabled

Policy CF2 states that the Council will consider favourably proposals for the provision, improvement and dual use of educational facilities.

Policy RT2/3 states that development will not be allowed where it would result in the loss of education recreation facilities. Exceptions to this will only be permitted where each of the following are satisfied:

- It can be demonstrated that there is no educational requirement for the land;
- There is no significant demand for its use by the Council, voluntary groups or sporting bodies now or in the future
- There is an adequate supply of pitches and recreation space in the area.

The proposed building and car park would be built on a grassed area, which is not marked for pitches. Sport England have objected to the proposal as it would result in the loss of a potential recreation facility and there is insufficient evidence relating to the need for the development.

The site has not been used as a playing field in the last five years for team sports (defined as an area of 0.2 Ha used for football, hockey, cricket or rugby). As such, the site is not

classed as a playing field.

Therefore in policy terms, the land on which the proposed extension would be built has not been used for sporting activities for the past 5 years and the site is not a recreational facility. Therefore, the proposed development would be entirely in accordance with Policy RT2/3 of the adopted Unitary Development Plan and there is no requirement for the school to demonstrate a case for the exceptions.

The matters raised under UDP Policies CF1/1 and CF2 will be discussed below.

Design and Visual Amenity

UDP Policy EN1/2 and Policy CF1/2 require the impact of proposals on the local environment to be considered and proposals that do not harm visual amenity.

The existing building seems to currently lack a clear entrance on its Bury Old Road frontage and this proposal would create an entrance point. The proposal would therefore create an active frontage to this elevation of the building.

In terms of design, the proposed extension would have a gable roof that would sit below the sills of the first floor windows. The proposed extension would appear subordinate in scale, design and massing to the host building whilst providing a public facing entrance to the school which it currently does not have. Accordingly, the proposed extension, which is to be roofed in materials to match the existing roof of the school, would not cause harm to the visual amenities of the locality. The proposal thus accords with the requirements of UDP Policies EM1/2 and CF1/2.

Parking and Highway Amenity

The proposal would not affect the provision of car parking at the school and due to it being a school entrance will not be used for teaching purposes and therefore additional car parking provision on the site is not necessary.

Residential Amenity

The extension would be sited on the Bury Old Road elevation of the building which overlooks the grounds of Heaton Park. There are no residents in close proximity of the proposed extension and therefore the proposal, including its use as an entrance into the school, would not adversely effect the amenity of any nearby residents.

Conclusion

Overall, for the reasons given above, the proposals are considered to accord with UDP Policies EN1/2, CF1/1 and CF2 and the National Planning Policy Framework when considered as a whole. It is therefore recommended that planning permission be granted.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date

of this permission.

Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

- 2 This permission relates to the following plans:

Dwg. no. 001 Rev. A: Location/ Site Plan;
Dwg. no. 003 Rev. B: Proposed Part Front Elevation; and,
Dwg. no. 004 Rev. A: Proposed Right Side Elevation.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Development Plan and the National Planning Policy Framework.

- 3 The external finishing materials for the proposal hereby approved shall match those of the existing building.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

- 4 Where during any works on site, unforeseen contamination is suspected or found, or contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.

Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB	06/12/2023		