

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 29/09/2026	Ref: 73502/FUL
Registration: 06/08/2026	LDFC: 01/09/2026	Expiry Date: 01/10/2026
Site Visit: 14/08/2026	Site Notice: 14/08/2026	Press Date: 20/08/2026
Objections: 0	Con Area: RAMS	Adv Type: CAAF
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Partial replacement of fencing with new 2.4m high boundary fence and vehicular gates and associated works.

Location: Peel Brow Primary, Fir Street, Ramsbottom, Bury, BL0 0BJ

Description

The application relates to a primary school which is located within an established residential area. The school is bounded by a hedgerow along the northern boundary, beyond which is a pedestrian path, a perimeter fence along the eastern boundary which runs parallel to a public footpath (275RAM), a line of trees, vegetation and perimeter fence to the southern boundary and to the west and front of the school there are low level iron railings and hedging.

The school is adjacent to but not in the Ramsbottom Conservation Area.

The application seeks consent for partial replacement of fencing with a new 2.4m high boundary fence and vehicular gates and associated works.

The proposed fence would be a weld mesh fence type and would run along the front of the school site (southern boundary) with a new access gate off Fir Street.

Relevant Planning History

50729 - First floor classroom extension for year 6. - Approve with Conditions 26/01/2009

54078 - New boundary fencing to the front elevation (2 locations). - Approve with Conditions 18/07/2011

73100 - Partial replacement of boundary fencing with 2.4m high fence and 2no. additional gates and associated works - Approve with Conditions 06/07/2026

Publicity

Letters sent to 57 properties on 11/8/26.

Site notice posted 14/8/26

Press advert 20/8/26

No responses received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection

Traffic Section - No objection

Pre-start Conditions - Not relevant

Development Plan and Policies

NPPF National Planning Policy Framework

EN1/2 Townscape and Built Design

EN1/5	Crime Prevention
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN6/3	Features of Ecological Value
CF1/1	Location of New Community Facilities
JP-P5	Education, Skills and Knowledge
JP-G7	Trees and Woodland
JP-C8	Transport Requirements of New Development
JP-C5	Streets For All

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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.

Principle

The proposed fencing would address the identified shortfall for compliance with safeguarding standards for the security and safety of the children and the school. The submitted Design Statement and Condition Report identifies that the existing perimeter fence is in poor condition.

The proposed fencing and access gates are therefore required to provide safeguarding for the children, staff and visitors to the school.

It is therefore considered that the proposed development would be acceptable in principle and comply with EN1/2, EN1/5, CF1/1 and JP-P5.

Siting and impacts on the area

The proposed 2.4m high mesh fence would be located along the front of the school site and positioned within the boundary so as not to encroach the public footpath or affect the trees and planting at the front of the school.

A new 2.4m high weld mesh gate would be provided at the entrance to the school off Fir Street and an internal gate next to the school building.

Whilst the fence would be located along the frontage and more visible to public views than other areas of the school boundary which are screened by trees and planting, the proposed fence and gates would be of the same weld mesh type fence which have been previously approved at the school and are commonly found at schools and public areas as they provide security without significantly harmful visual impacts due to their see-through appearance.

The nearest residents with views of the fence would be No 12 and No 30 Fir Street to the south and north and those opposite the school on Fir Street. There would be a distance of more than 13m from the houses to the fence. Given the mesh appearance, oblique relationships and separation of the road, it is considered that visual impacts would not be significantly harmful to occupiers of these properties.

The Conservation Officer is satisfied the proposed fencing would not cause significant harm to the setting of the Conservation Area.

In terms of impact on the public footway, the Local Highway Authority raised no objection.

The proposed development is therefore considered to be acceptable and would comply with policies EN1/2, EN1/5, CF1/1, JP-C5 and JP-C8.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 decision relates to drawings -

 Proposed site plan 2601 CA-02 rev E
 Existing site plan 2601 CA-01 rev D
 Fencing and gate details Sheet 1 2601 TA-03 rev C
 Location plan 2601 TA-05

 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.

- 3 The replacement of boundary fencing, vehicular gates and amended pedestrian access arrangements indicated on the approved plans, incorporating foundations that do not encroach under the adjacent adopted highway, demarcation of the limits of the adopted highway and all associated highway remedial works required to reinstate the adopted highway to its condition prior to commencement of the development, shall be implemented.
Reason. To secure the satisfactory development of the site in terms of highway safety, maintain the integrity of the adopted highway and ensure compliance with the Highways Act 1980 pursuant to policies EN1/2, JP-C5 and JP-C8.

<u>Case Officer</u> JT 29/09/26	<u>Date</u>	<u>Sign off Officer</u> DM 29/9/2026	<u>Date</u>
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