

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 01/07/2026	Ref: 73100/FUL
Registration: 26/05/2026	LDfC: 26/06/2026	Expiry Date: 21/07/2026
Site Visit: 29/05/2026	Site Notice: 29/05/2026	Press Date: 04/06/2026
Objections: 1	Con Area: RAMS	Adv Type: CAAF
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Partial replacement of boundary fencing with 2.4m high fence and 2no. additional 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 the boundary fencing with a 2.4m high fence and 2 no additional gates.

The proposed fence would be a weld mesh fence type and would run along the north, east and western perimeter of the school. A new 2.4m high gate would be located at the school entrance from Fir Street and a 2.4m high gate provided internally to the school building.

The hedge and tree planting round the school perimeter would be retained.

Relevant Planning History

41150 - Extension to headteachers office and staffroom - Approved 2/9/2003
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

Publicity

Letters sent to 49 properties on 27/5/26
Site notice posted 29/5/26
Press advert 4/6/26

One objection received

- Concerned about the plans due to the proximity of the school/updates to my home.
- The side of my house runs parallel with the school.
- A number of homes will potentially be affected- the current view will be altered, works carried out,
- I would like a meeting to see more detailed plans other than a coloured line on the attached.
- A face to face meeting to discuss the timescales and how the finished works would look

would be beneficial as we currently have a lovely green outlook and 7ft fences seems more like an eyesaw, although I understand the need for change due to safeguarding.

- Concern the fence would replace the bushes

Statutory/Non-Statutory Consultations

Conservation Officer - No objection

Public Rights of Way Officer - 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

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 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

Apart from the front of the school which bounds Fir Street the proposed 2.4m high mesh fence would be located around the school perimeter. The proposed fence line would not encroach the public footpaths and would be set behind the line of hedgerow and tree planting.

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

The proposed fence and gates would be a weld mesh type which are commonly found at schools and public areas as they provide security without significantly harmful visual impacts due to their see through appearance. The fence would also be located behind existing hedging, trees and vegetation which are to be retained and would be largely screened from public views.

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

The Footpath Officer has raised no objection, highlighting there are concrete edgings along the edge of the path and the new fence needs to take that into account when it is being erected. The new fence should not encroach onto the existing surfacing of the path. the fence would be located being the edgings and not encroach the footpath.

PRoW have recommended an informative that the applicant must be made aware of the need to safeguard people using public rights of way and that no public rights of way are damaged, widths altered (without permission), gates erected across their width (unless authorised by Bury Council the Highway Authority) or obstructed by any other means either during or as a result of development. The applicant must ensure that no changes to land levels/surface water runoff affects a public right of way. If a temporary obstruction of public rights of way is unavoidable, no development must take place until a temporary closure order has been made by Bury Council and a suitable temporary alternative route(s) made

available.

The proposed development is therefore considered to be acceptable and would comply with policies EN1/2, EN1/5, EC6/3 and CF1/1.

Response to objection.

- The existing hedging and vegetation would remain.
- Given the type of see-through fence and its location along the perimeter of the school, it is considered there would not be significant impacts which would adversely affect residential or visual amenity.

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 -

Location plan produced 20-April 2026
Existing site plan TA-01 rev A
Proposed TA-02 rev B
Fence - details sheet 1 TA-03 rev A

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 Beneath all areas of the canopies of the trees/Root protection areas, and along the northern boundary to the hedgerow planting, all construction work for the development hereby approved must be 'hand-dig' only under arboricultural supervision. No storage of materials or equipment is allowed.
Reason: To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and PfE Policy JP-G7 - Trees and Woodland.

<u>Case Officer</u> JT 1/7/26	<u>Date</u>	<u>Sign off Officer</u> HL	<u>Date</u> 6/7/26
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