

**Ward:** Bury West - Church

Item 03

**Applicant:** Mr S Crosier

**Location:** Greenhill County Primary School, Greenhill Road, Bury, BL8 2LJ

**Proposal:** Erection of 2.4 metres high security fencing and gates

**Application Ref:** 66303/Full

**Target Date:** 10/02/2021

**Recommendation:** Approve with Conditions

### **Description**

The application relates to a primary school with access from Greenhill Road, Anderton Close and Mile Lane. The school is bounded by residential properties to all sides with Mile Lane shopping precinct located to the west. The frontage of the main school building is sited along Greenhill Road with landscaping and planting separating the school building from the highway. The boundary of this frontage is depicted by railings. There are pathways around the side, and rear boundaries of the site the boundaries of which are depicted by a mixture of railings, and hedges. The school itself has playing fields to the rear, with playgrounds to the side and rear. Parking is accommodated within the site to the rear and side of the school.

Planning permission is sought for the construction of a 2.4 metre fencing to the site boundaries with new single and double access gates fronting Mile Lane, and Anderton Close. Part of the proposed fencing will be reduced to a height of 2 metres along the part of the frontage of Greenhill Road and Mile Lane. The majority of the existing railings along Greenhill Road will be retained, with a stretch of 2 metre fencing sited approximately 8.7 metres from the highway proposed within the grounds of the school.

### **Relevant Planning History**

51074 - Single storey extension to form new admin/front entrance; internal alterations- Approve with Conditions 22/04/2009

### **Publicity**

Neighbour letters sent 18/12/2020.

Objections received from 111 Greenhill Road, 9 Rivington Drive, 56 Mile Lane, 78 Greenhill Road, 55 Mile Lane, 80 Greenhill Road, 107 Greenhill Road, 13 Rivington Drive with concerns relating to:

- The fence is described as high security. What statement is this saying to the people that visit the area?
- Loss of house value
- Money should be spent on maintaining trees and keeping the grounds
- Rainwater floods off the playground and runs like a river down the footpath
- Residents clean up the leaves now - this is a job the Council should do
- New fence could cause a slip/fall/trip hazard on the footpath by the side of the school and add to the "river" at the side of the school
- Do children want to look at a 2 metre high fence?
- Fence will resemble - industrial and commercial units, police station, secure units, MOD sites, Airports, Seaports - excessive for a primary school in a residential semi-rural area
- The current fence has served the school for 40+ years and could continue to do so if maintenance was carried out.
- There are no issues with vandalism/break-ins and there are already security measures

in place.

- This is a residential area and if the fence is installed I will be expecting a council tax reduction for myself/other residents as it will have a negative impact on the value of our homes.
- Don't consider this expenditure to be value for money for the council tax payer, the roads on this once sought after estate are in a poor condition especially Watling St where the pavements are unsafe due to the amount of broken up tarmac on them.
- Mr Crosier/applicant is no longer the head teacher therefore is this application still valid?
- A fence of equivalent height to the current one would be more appropriate in keeping with the open nature of the estate which Bury council has always highlighted in the past.
- The school already has cctv and security lights.
- The tree roots which have caused several uneven areas of pathway around the school perimeter.
- School children are aware of the environment - seems contradictory to say "we are ripping all our gates and fencing up unnecessarily for scrap" and replacing them with a product that will have a much shorter life space than the current installation.
- Usually with planning applications neighbours are consulted by post and the council put up notices in the vicinity, in this case surrounding the school, can you confirm if this rule has been adhered to in order for neighbours to agree or object

Following receipt of amended plans further letters sent 19/01/2021 and 22/01/202.

Further objections and comments received from 56 Mile Lane, 111 Greenhill Road, 109 Greenhill Road, 9 Rivington Drive, 53 Mile Lane, 55 Mile Lane with concerns relating to:

- We are fed up of receiving revised plans for the school we need answers WHY is a primary school in good residential area having fencing only used around prisons and borstals ?
- Are all the primary schools in Bury having this type of fencing if not WHY us in a good area there are many areas in Bury that may need them but not here.
- I have lived on this estate 51years on 7th Feb and cant not understand why this is necessary.
- Its appalling the thought of looking at it every day and strongly object especially now the person that applied for it is no longer at the school.
- Its the tax payers that will be paying for it the estate is in really bad disrepair roads pavements especially Watling street that has been botched up numerous times over last 3 years.
- As this estate is regarded as residential why would we need a fence as this which is predominately used on industrial sites
- In light of the present fence/lighting/cameras system operating as designed successfully why spend thousands of tax payers money on this project.
- As it is going to be a visibly detrimental to the local residents as far as residential properties prices are concerned will we be lowering our tax.
- Is it correct that the headmaster who instigated this project (Crosier) left 10 days after the start of this project
- We can find no reference in EFSA Safeguarding Guidance for a requirement of a height of 2.4 metres perimeter fence, rather a minimum requirement of 1.8 metres. If a 2 metre fence is considered appropriate for the front of the school why cannot this at least be applied to the whole perimeter? Better still the minimum recommended height. The fence is in the line of sight of at least 3 properties on each side of Rivington Drive and due consideration should also be given to this.
- The school does not get broken into, the councils own security logs will vouchsafe this, the children are not being harassed outside the front gates, the Police can vouch this.
- Why would anyone want to send their children to a place that looks more like a detention centre than a school.
- During this pandemic, decisions made by adults and Councils have damaged children's mental and physical health. They need space, freedom to run and play, not security fences.
- Why not plant an ecologically, environmentally friendly hedgerow. It will grow above the perimeter fence thus adding height and depth. It would soak up water, entrap leaves, be

a boon to birds and insects. These children are more environmentally engaged and aware than previous generations. A hedgerow would accomplish far more than a security fence.

- No issues with the current fencing.
- The amended site layout is even worse than the original. This will make the school look even more like an industrial complex with bits of railing all over the place.
- This is a residential estate.
- If you have to have a higher security fence for the safety of the children and the property at least reduce the proposed new height.
- You must take into account the visual rights of the residents (taxpayers) living around the school.
- At no time has there been an explanation of the rationale behind the application to replace the original fence which has served its purpose for over 50 years.
- Have you also considered comments made about the leaf fall, uneven pavements and water spill from the school fields?
- We object strongly to the miss match of old and new fencing and gates and feel that if as we have previously asked the fence can be lowered to 2 mt then this would be better running along Greenhill road and the old gates and railings removed, the appearance of old and new running along Greenhill road with a section going up at 90 degree angle will most certainly have the appearance of a project poorly carried out, if we must have this fence lets have professional finish.
- Asked if the fencing that would be overlooked by residents could be lower than the 2.4 height that was proposed.
- The new fencing to be positioned at 90-degree angle at (G6 ) up a gradient to the point where it will then turn 90-degree to continue along the school frontage at a higher position.
- We have now been informed that a 2nd revision has been submitted, on viewing the site plan it now appears that some of the fencing along Greenhill road and now Mile lane will be reduced to 2mt.
- The height and style of fencing will resemble - industrial and commercial units, police station, secure units, MOD sites, Airports, Seaports - excessive for a primary school in a residential semi-rural area.
- There have been no responses to the questions asked by residents. Is this a school or a prison? This is an area with low crime and no explanation of why this HIGH SECURITY FENCING needed?
- You have not addressed questions about the lowering of council tax due visual impact, You have not responded about the applicant Mr Crossier who has left the school in Dec 20 is this still a legal application as he is no longer the headmaster?
- Have you consulted with the children's parents as to whether they would like to see their children in a prison looking environment or would they like to see alternatives such as a natural hedgerow that could educate their children in wildlife?
- Bury Council as usual is not taking into account the reasonable questions asked and have not provided the appropriate responses. The residents of Seddons Farm some longstanding, feel that our voices are going unheard and we are being ignored by you. Money could be spent more appropriately. I strongly OBJECT!
- when the houses were built in 1968/69 it was an open plan estate which has been predominantly maintained amongst its residents
- The school, I attended from 1969, was built to serve the community and you had to live within the catchment to attend. Since this rule has changed roads have become congested, air polluted childhood obesity increased and parking at schools dangerous, there is a definite risk to children being unloaded from cars into the path of vehicles.
- I implore the council to reconsider & spend the money within the education system.
- The council persistently raise the council taxes wasting much of it, annual estate road repairs a great example

### **Statutory/Non-Statutory Consultations**

**Traffic Section** - requested conditions in relation to foundation details/outward opening gates and dilapidation survey.

Informatives have been added in relation to foundations and gates as in this instance these concerns fall under Section 179 of the Highways Act 1980 and Section 153 of the Highways Act 1980 rather than planning regulations and as such should not be replicated in a condition.

**Pre-start Conditions** - Agreed by agent.

### **Unitary Development Plan and Policies**

CF2	Education Land and Buildings
EN1/2	Townscape and Built Design
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
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.

#### **Education Land and Buildings - Principle**

UDP Policy CF2 - Education Land and Buildings states that the council will, where appropriate, consider favourably proposals for the provision, improvement and dual use of educational facilities.

The frontage of the main school building is sited along Greenhill Road with landscaping and planting separating the school building from the highway. The boundary of this frontage is depicted by railings. There are pathways around the side, and rear boundaries of the site the boundaries of which are depicted by a mixture of railings, with a hedge visible along the Mile Lane frontage.

The application seeks to increase the height of these boundary treatments to 2.4/ 2 metres in order to address safeguarding at the school. The front of the school in particular is highly accessible by members of the public and whilst there is an existing boundary treatment along Greenhill Road and Mile Lane Street not fully prevent people from entering the site, or indeed from children climbing over the railings onto the highway. It is therefore considered that by increasing the height of the fence where the school meets the public realm will enable the school to meet it's duty of care in relation to safeguarding children. It is therefore considered that the proposal is acceptable in principle in terms of being an improvement to an educational provision. The proposed fencing is therefore considered to comply with UDP Policy CF2 - Education Land and Buildings.

#### **Visual Amenity**

UDP Policy EN1/2 - Townscape and Built Design seeks to protect the character and townscape of the boroughs towns.

Whilst the proposed fencing would be higher than the existing fencing, this style and form of metal fencing to depict the boundary of school premises recreation spaces is not uncommon. There are a mixture of boundary treatments sited around the school, including 1.8 metre close boarded fencing, and 1.8 metre concrete fencing forming the boundaries of the properties on Rivington Drive, Anderton Close, Ribbleton Close and Bispham Close. Whilst the fronts of properties along Mile Lane and Greenhill Road are more open, they are not the only type of boundaries within the immediate vicinity of the site and the proposed fencing would be mesh in style, allowing views across and into the site as existing.

In addition to this the school have reviewed the concerns of residents, and amended the height, and location of the fence in the more prominent Mile Lane and Greenhill Road frontages in an attempt to address their objections to the scheme.

It is considered that the proposal would not have a detrimental impact on the character of the immediate street scene or the existing school building and as such complies with Policy EN1/2 - Townscape and Built Design.

### **Highways**

UDP Policy HT6/2 - Pedestrian/Vehicular Conflict acknowledges that pedestrians are amongst the most vulnerable section of the community in terms of road traffic accidents and seeks to reduce pedestrian/vehicular conflict. The Traffic team have been consulted as part of the application process and have raised no objections to the siting of the fencing in terms of visibility. A condition has been attached to ensure that the footways around the school are not impacted by the development proposed.

### **Permitted Development**

In this instance, it is considered that the fall-back position of what could be built under permitted development rights is a material planning consideration and as such needs to be applied to this case. NPPF paragraph 38 also confirms that "Decision-makers at every level should seek to approve applications for sustainable development where possible."

In relation to schools Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 allows the erection of fencing, walls, gates and means of enclosure to a height of 2 metres adjacent to a highway provided that it does not create an obstruction of view of persons using the highway as to be likely to cause danger. The proposed fencing is 400mm higher in some locations than what could be constructed without planning permission and as the highways consultation has raised no concerns in relation to visibility, it is considered that the school could use this as a fall back to construct similar levels of fencing to all boundaries, including Greenhill Road, in any event.

### **Residential Amenity**

The proposed fencing would be located a minimum of approximately 25 metres from the fronts of the properties along Greenhill Road, and approximately 18 metres from the fronts of the properties along Mile Lane. The property at No. 56 Mile Lane is located on a corner plot with its side elevation, not principal elevation facing towards the proposed fencing.

The properties along Rivington Drive, Anderton Close, Ribbleton Close and Bispham Close, and No. 80 Greenhill Road would be separated from the proposed fencing by an existing pathway and their own intervening boundary fencing.

The proposed fence is a commonly found feature around the perimeter of schools, many of which are within residential settings. The proposed fencing along Mile Lane and Greenhill Road would be separated from the houses by intervening roads where traffic, activity and the parking of cars along the street would obscure some views of the fence.

The proposed fence would be lower than a single storey built form and constructed in a mesh type and 'see through' material, and with separation distances of over 18 metres it is considered that views from the ground floor windows or from any outlook from the houses opposite would not be significantly affected by its position or appearance.

With the fall back position of permitted development rights discussed above and due to the distances provided, the permeable nature of the fencing proposed and the intervening road, it is considered that the proposed fencing would not have a significant overbearing relationship or detrimental impact on outlook or residential amenity of the surrounding residential properties.

The proposed development is therefore considered to comply with UDP Policies EN1/2 -

Townscape and Built Design and CF2 - Education Land and Buildings.

### **Response to neighbours**

Safeguarding is not just to do with crime, and in a school setting relates to ensuring that children are not at risk of harm - this includes site security and perimeter fencing. Given the close proximity of the school's playground, entrances and playing fields to the public realm, and the existing low level boundary treatments it is considered that the proposal does meet the requirements of Policy CF2 and is therefore considered to be an improvement to the education facility.

The application has been submitted to consider the impact of the proposed fencing, in land use planning terms. The fencing alone is being considered against the relevant planning and material planning considerations that are relevant to the planning decision. Issues with current and previous maintenance of the school are non-material planning considerations not relevant to the decision. Issues relating to Bury Council are also non-material planning considerations not relevant to the planning decision.

The applicant is the former head teacher. Whilst he may have left the school planning permissions run with the land and as such the application is still valid.

The cost of the fencing is irrelevant to the planning process. In addition to this budgets and funding for highways works, schools etc are separate considerations outside of the scope of planning.

It is a matter for other local authority and academy schools to determine how they will meet their safeguarding requirements.

Loss of property value is a non-material planning consideration not relevant to the decision.

Neighbours were notified via post on the 18th December 2020 and re-notified of amendments to the scheme satisfying publicity requirements for this scale of development.

Neighbours were notified and asked for their comments and representations in relation to the scheme, however the application was not submitted by Bury Council and as such any questions in relation to the need for the fencing, or details in relation to the history of the submission need to be addressed to the school and not the Local Planning Authority. It should also be noted that the school appears to be transitioning to an Academy.

An applicant is free to submit a scheme for consideration against planning policy by the LPA should they so wish. No pre-application advice was sought from the LPA in this instance and the first contact in relation to this scheme by an LPA Officer was following submission of the planning application.

### **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/ 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 numbered PL-100 Revision A, PL-101 Rev C, PL-102 and PL-103 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 listed.

3. No development shall commence unless and until a photographic dilapidation survey the footways abutting the site has been submitted to the Local Planning Authority in the event that subsequent remedial works are required following erection of the proposed fencing and gates. Any associated highway remedial works that may be required as a result of the proposed development shall be implemented to the satisfaction of the Local Planning Authority.

Reason. To maintain the integrity of the adopted highway pursuant to Policies HT6/2 - Pedestrian/Vehicular Conflict and EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.

For further information on the application please contact **Helen Pressley** on **0161 253 5277**

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

APP. NO 66303

ADDRESS: Greenhill Primary School, Greenhill Road  
Bury

Planning, Environmental and Regulatory Services

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66303

Photo 1



Photo 2





66303

Photo 3



Photo 4





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Photo 5



Photo 6



NOTES

- Site Boundary**
- Proposed line of 2.4 metre high Security Mesh and Gates**  
Approx length 290 LM
- Proposed line of 2.0 metre high Security Mesh and Gates**  
Approx length 130 LM



Rev	Date	Comments	By
C	22.01.21	Proposed fence line to Greenhill Road revised and height reduced to 2.0m.	SRN
B	19.01.21	Proposed fence line to Greenhill Road revised.	SRN
A	16.12.20	Drawing re-named.	SRN

STATUS  
**PLANNING**

Client  
**Greenhill Primary School  
Mile Lane, Bury, BL8 2JH**

Project Title  
**Safeguarding Fence and Gates**

Drawing Title  
**Proposed Site Plan. Extent of Fencing and Gates**

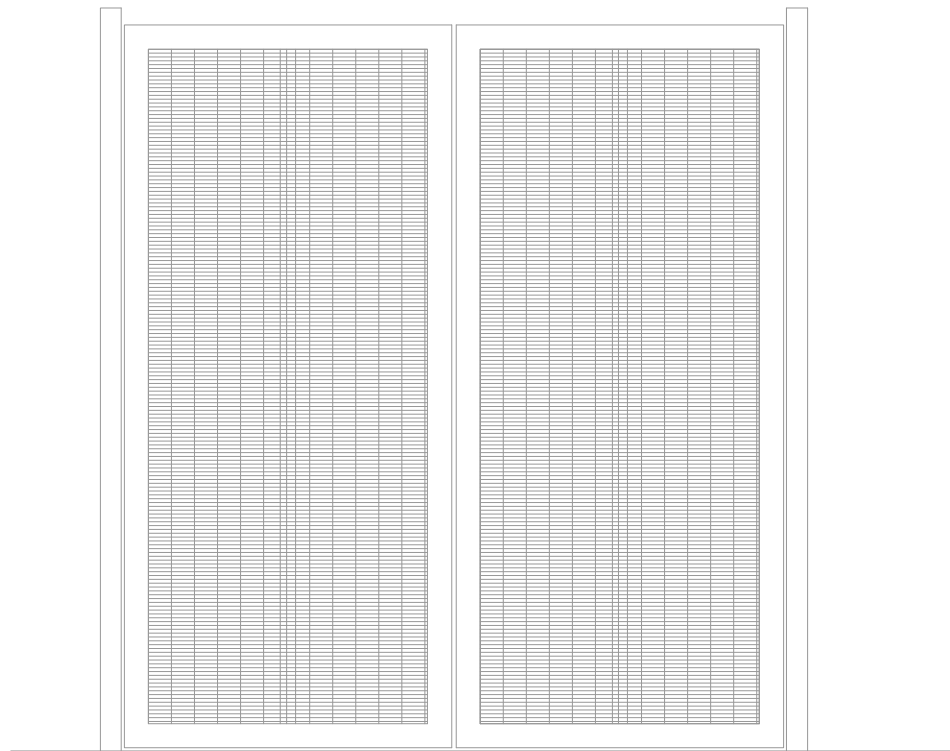
Scale 1:500 @ A1	Drawn by SRN	Date DEC 20
Job no. 21-22	Drawing no. PL-101	Revision no. C



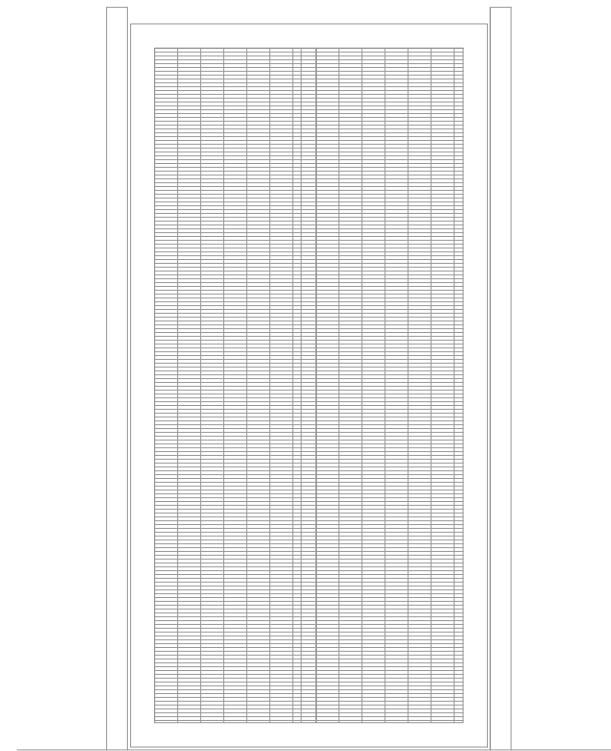
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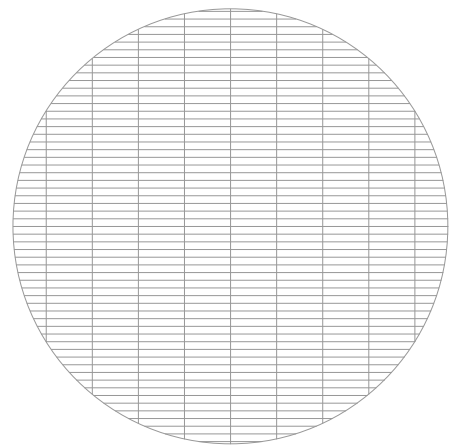
NOTES



ELEVATION OF DOUBLE GATE 1:25

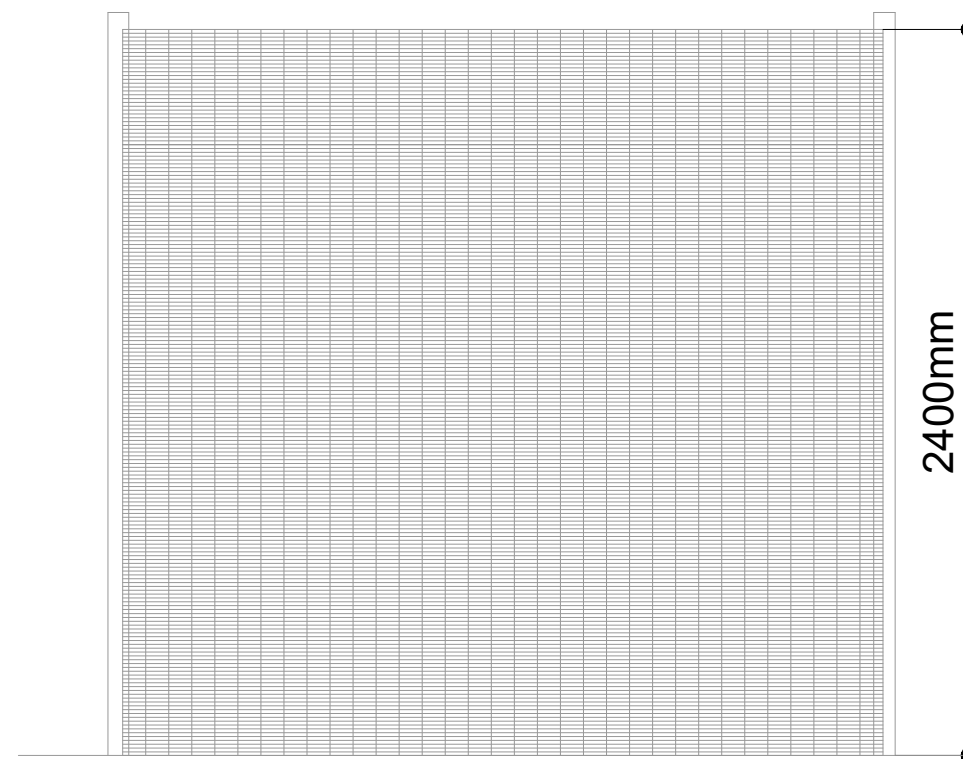


ELEVATION OF SINGLE GATE 1:25



SECTION OF MESH

**PROPOSED FENCE SPECIFICATION**  
 CLD Securus Lite 358 mesh (76.2 x 12.5mm) with polyester powder coating fixed to CLD posts set in concrete.  
 CLD swing gates with Securus Lite 358 infill panels.  
 All as manufactured by CLD Fencing Systems and installed by approved contractors  
 Fence Colour RAL 6005



ELEVATION OF FENCE 1:25

Rev	Date	Comments	By
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STATUS  
**PLANNING**

Client  
**Greenhill Primary School**  
 Mile Lane, Bury, BL8 2JH

Project Title  
**Safeguarding Fence and Gates**

Drawing Title  
**Fence and Gate Details**

Scale 1:25 @ A3	Drawn by SRN	Date DEC 20
Job no. 21-22	Drawing no. PL-102	Revision no. ---

**lancastermaloney**

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