

Application Number	Date of Appln	Committee Date	Ward
087702/FO/2008/N1	30th Sep 2008	28th May 2009	Charlestown Ward

Proposal Retrospective application for resurfacing and demarcation of car parking area and extension of car park into grassed area including installation of new surface water drainage system and installation of palisade fencing and gates (at a height of 2 metres - 2.4 metres) at eastern end of car park

Location North Manchester High School For Girls, Brookside Road, Moston, Manchester, M40 9QJ,

Applicant North Manchester High School For Girls , Brookside Road, Moston, Manchester, M40 9QJ,

Agent PRDS, Estate Office, 4 Myrtle Street, Bolton, BL1 3AH

Description

The Site - This application relates to a car parking area at North Manchester High School for Girls that is located at the top of Brookside Road in the Moston area of North Manchester. The area surrounding the application site is residential in nature and there are a number of houses on Inchfield Road that back onto the part of the school to which the application relates.

The Proposal - Retrospective planning permission is sought for the resurfacing and extension of a previously existing car parking area at the school, as well as the relocation and extension of some palisade fencing and gates to demarcate the end of the car park next to the grassed playing fields. The car park is located at the southern side of the main school building, directly adjacent to the rear gardens of the odd-numbered houses that front onto Inchfield Road. The car park used to have a hard core surface but has since been resurfaced with tarmac. The car park has also been extended slightly into an area that used to be grassed to the rear of Nos. 13 and 15 Inchfield Road.

It first became apparent that works were being undertaken at the car parking area without planning permission in July 2008 when a member of the Planning Department made a site visit to the school to make an assessment regarding the location of a new temporary classroom that had been applied for under application 086842. Following this, a letter was sent to the school advising them that the resurfacing and extension of the car park would need planning permission. The school were also advised that any works that they chose to undertake without the benefit of planning permission would be done so at their own risk. They were therefore urged to stop all works at the site. Despite this, the school continued with the resurfacing and extension of the car park. The car park was previously present behind the rear gardens of Nos. 1-11 Inchfield Road, however the extended car park now runs behind Nos. 13 and 15 Inchfield Road as well. It is understood that the car park was resurfaced and extended in order to provide sufficient parking spaces for both staff and visitors in order to remove cars from surrounding residential roads during the day. The school have confirmed that the car park (prior to it being extended) used to be able to accommodate 25 cars parked in a random manner, whereas the resurfaced and

extended car park now has 42 demarcated spaces, 2 fully accessible parking spaces and approximately 6 unmarked spaces.

Following the resurfacing and extension of the car park, it became apparent from information supplied by neighbouring residents that rainwater runoff was allegedly causing flooding to the rear gardens of properties adjacent to the car park, namely Nos. 1-15 Inchfield Road. Therefore, lengthy negotiations have taken place with the applicant's agent to secure a drainage system that is both capable of coping with the amount of rainwater runoff and is sustainable. Following these negotiations, two forms of drainage are now proposed. Firstly, a series of 300mm wide trenches will be installed throughout the car park. These trenches will be filled with a permeable material (limestone) that will allow rainwater to soak away naturally into the ground. Secondly, should there be any excess rainwater that does not soak away into the ground through the trenches, a continuous drainage channel is proposed to be installed along the southern boundary of the car park, adjacent to the rear boundary treatment of the odd-numbered houses on Inchfield Road that back onto the school. This drainage channel would feed the last remaining water runoff into the local drainage network.

The fence and gates that demarcate the eastern end of the car park are palisade in design. It should be noted that the entire fence is not new. The majority of it is the old fence that used to demarcate the previous eastern edge of the car park. When the car park was extended and the fence moved to its current location, a small section of new palisade fencing was added as the old fence was too short. The fence is currently in a galvanised steel state but will be colour coated with a scheme to be agreed.

Consultations

Publicity - The application was advertised in the local press as being an application in the public interest and a site notice was displayed at the site.

Neighbours - Occupiers of properties surrounding the application site were notified of the proposal when the application was originally received (October 2008). Local residents were sent a further notification when a revised scheme was submitted in January 2009. Residents were then sent a bespoke letter in May 2009 regarding the final scheme solution that is now being considered. Several objections have been received. The main areas of concern are as follows:

1. The retrospective nature of the application
2. The loss of open green space due to the car park extension
3. The revised location and extension of the fence and gates
4. The visual appearance of the fence and gates
5. The impermeable tarmac finish for the car park that has meant that flooding has occurred to the rear gardens of several houses along Inchfield Road since the car park has been resurfaced and extended

Chief Executive's Landscape Practice Group - The fence should be painted to reduce its utilitarian appearance. Should it be repainted, the applicant should confirm the RAL colour.

Environmental Health - No comments to make

Contaminated Land Section - No objection in principle

Environment & Operations (Trees) - The trees on site do not appear to have been damaged during the works but it is not possible to determine if any root damage was done. A small area has been left around each tree to allow some water to get to the trees however this will not be of much use as the roots that take up the water are well away from the base of the trees. It was not possible to see if any root damage was done and trees will now need to be monitored to see what reaction there is. It would have been better if a semi-permeable surface had been used rather than bit-mac .

Environment Agency - No observations as the proposal falls outside the scope of referrals that the Environment Agency would wish to receive

Greater Manchester Police - No objections

United Utilities – No response received

North Manchester Regeneration Team - No response received

Chief Education Officer – No response received

Issues

National Policy

Planning Policy Statement 25 (PPS25): Development and Flood Risk

The application site is not within a flood risk area, however regard has been paid to PPS25 when assessing the application due to the comments made by local residents in that they believe the resurfacing of the car park has led to flooding of their rear gardens. PPS25 states that in determining planning applications, Local Planning Authorities should give priority to the use of sustainable urban drainage systems (SUDS). PPS25 also states that intense rainfall, often of short duration, that is unable to soak into the ground or enter drainage systems, can run quickly off land and result in local flooding. The design of development down to micro-level can influence or exacerbate this. It also says that flooding can be exacerbated if development increases the percentage of impervious area. PPS25 states that the effective disposal of surface water from development is a material planning consideration in determining proposals for the development or use of land. Surface water from a developed site should be managed in a sustainable manner.

In line with the above, the completely tarmaced car park was not considered to be acceptable as it represents an large impermeable area. An acceptable scheme has now been submitted that represents a more sustainable solution

for dealing with rainwater runoff from the car park. It is considered that the limestone filled trenches proposed, together with the drainage channel along the southern perimeter of the car, represents a sustainable solution that will be in line with the guidance given in PPS25.

Regional Policy

The Regional Spatial Strategy (RSS) for the North West of England policy DP2 promotes sustainable communities by focusing on achieving a high quality of life and fostering sustainable relationships between homes, workplaces and other concentrations of regularly used facilities and services. For the reasons outlined below, it is considered that the development is consistent with policy DP2.

Local Policy

The Unitary Development Plan for Manchester

UDP policy H2.2 'Housing' states that the Council will not allow development which will have an unacceptable impact on residential areas. The matters which the Council will consider in coming to such decisions will include the scale and appearance of the development and its impact in terms of noise, vibration, traffic generation, road safety and air pollution. For the reasons outlined below, the development is considered to be consistent with this policy.

UDP policies T2.4 and T2.6 relating to 'Transport' are concerned with developments meeting their own car parking needs, including having fully accessible spaces. The car park has 44 demarcated spaces, 2 of which are fully accessible, and also 6 unmarked bays. This is considered to be acceptable.

The car park use and loss of the grassed area - The car park use is not considered to be problematic as the area that is the subject of this application was previously used as a car park, albeit on a slightly reduced area than present. It is acknowledged that the car park has been extended into a previously grassed area, but the extension is slight in comparison to the overall area of the car park. It should be noted that the applicant's agent has confirmed that this grassed area was not part of the school's official playing fields as it was sloping and badly drained and was used merely as access land to enable ground maintenance machinery to go onto the school playing fields. As stated above, the works were carried out to provide spaces for both staff and visitors in order to remove cars from surrounding residential roads during the day. For these reasons, the extension of the car park is considered to be acceptable.

Possible flooding occurrence - As stated above, several occupiers of houses that are adjacent to the car park have claimed that since the car park has been resurfaced and extended with a tarmac finish, flooding has occurred to their rear gardens. This is unacceptable and so a scheme has now been put forward so that rainwater that falls on the car park will either naturally soak away into the ground or it will be filtered into the local drainage network. Providing the permeable trenches and continuous drainage channel as shown on the submitted drawings are installed, the car park and drainage mechanism proposed is considered to be acceptable. On balance, it is considered that provided the drainage trenches and channel are installed on site, the car park

will be acceptable and will not adversely affect residential amenity within the area.

Residential amenity - It is acknowledged that the resurfacing and extension of the car parking area has led to an intensification of use of the car park with some impact on neighbouring residents. However, as stated above, this impact is not considered to be unacceptable as the school have stated that this area of the school was always used as a car park (albeit in an undemarcated way), and the extension of the car park is small in comparison to the overall size of the car park. The car park used to be present behind 6 houses on Inchfield Road whereas it is now present behind 8 houses. This increase is considered to be acceptable as provided the drainage is put in place as indicated above, it is felt that the works will not adversely affect residential amenity.

The fence and gates - The eastern edge of the car park is demarcated by palisade fencing and gates. It is the case that palisade fencing has a harsh visual appearance, however the fence is screened to a degree from the neighbouring houses on Inchfield Road by the boundary treatment at the rear of their gardens. This boundary treatment consists of railings that have been erected by the school, fences and vegetation, including some large trees. It is considered that the views of the fence are limited and the fence is only seen from first floor windows of adjacent houses. The fence is within the school grounds so is not visible from any public roads outside the school. It should also be noted that a condition is proposed on the approval to ensure that the fencing and gates are powder coated in an appropriate colour so that this will further soften its visual impact from neighbouring houses. On balance, it is considered that so long as the fence and gates are colour coated, they will be acceptable and will not adversely affect visual amenity within the area.

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 the right to a fair hearing and to this end the Committee 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 Unitary Development Plan, the Head of Planning 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. He believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

Approve in the light of policy DP2 of the Regional Spatial Strategy and policies H2.2, T2.4 and T2.6 of the Unitary Development Plan on the basis that the car park and fence and gates will not adversely affect visual or residential amenity within the area, and the drainage works proposed to the car park area will make it more sustainable.

Conditions and/or Reasons

1) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority:

The plan showing the location of the ACO drainage channel and the 300mm permeable trances, received with the applicant's agent's email of 18 May 2009

The information submitted with the applicant's agent's email of 23 December 2008 with regard to the proposed ACO Parkdrain system.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 of the Manchester Unitary Development Plan.

2) Within 28 days of the date of this approval, the palisade fence and gates that demarcate the eastern edge of the car park shall be colour coated with a colour to be agreed in writing with the Local Planning Authority. The development shall then be implemented in accordance with the approved colour and retained at all times thereafter.

Reason - To ensure an acceptable development, pursuant to UDP policy H2.2

3) The proposed limestone filled trenches and ACO drainage channel as shown on the approved drawing referred to in condition 1 (received with the applicant's agent's email of 18 May 2009) shall be installed within 28 days of the date of this approval. The trenches and drainage channel shall then be retained at all times thereafter. Evidence that the works have been carried out within this timeframe shall be submitted to and approved in writing by the City Council as Local Planning Authority within 1 week of the works being complete.

Reason - As the works that have been carried out are unauthorised, pursuant to UDP policy H2.2

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 087702/FO/2008/N1 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Chief Executive's Landscape Practice Group
Environmental Health
Contaminated Land Section
Environment & Operations (Trees)
The Chief Education Officer
North Manchester Regeneration Team
Building Control (Dangerous Buildings)
Environment Agency
United Utilities Water PLC
Greater Manchester Police
19 Inchfield Road, Manchester, M40 5QH
21 Inchfield Road, Manchester, M40 5QH
23 Inchfield Road, Manchester, M40 5QH
25 Inchfield Road, Manchester, M40 5QH
27 Inchfield Road, Manchester, M40 5QH
1 Inchfield Road, Manchester, M40 5QH
3 Inchfield Road, Manchester, M40 5QH
North Manchester High School For Girls, Brookside Road, Manchester, M40 9QJ
5 Inchfield Road, Manchester, M40 5QH
7 Inchfield Road, Manchester, M40 5QH
9 Inchfield Road, Manchester, M40 5QH
11 Inchfield Road, Manchester, M40 5QH
13 Inchfield Road, Manchester, M40 5QH
15 Inchfield Road, Manchester, M40 5QH
17 Inchfield Road, Manchester, M40 5QH

Representations were received from the following third parties:

Chief Executive's Landscape Practice Group
Environmental Health
Contaminated Land Section
Environment & Operations (Trees)
Environment Agency
Greater Manchester Police
1, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, Inchfield Road, Moston
15 Inchfield Road, Moston
17 Inchfield Road, Moston
7 Inchfield Road, Moston, Manchester

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