

Application Number	Date of Appln	Committee Date	Ward
123188/FO/2019	1st Apr 2019	13th Feb 2020	Rusholme Ward

Proposal Installation of fencing and gates to campus boundaries between 2.4 m and 2.7 metres in height

Location Xaverian College , Lower Park Road, Manchester, M14 5RB

Applicant Mr S Channell , Xaverian College, Lower Park Road, Manchester, M14 5RB,

Agent Ms T Croghan, Pozzoni Architects, Woodville House, 2 Woodville Rd, Altrincham, WA14 2FH

Description

The application proposals relate to the boundary walls around the Xaverian College campus which is located in the Rusholme ward of Manchester. The College occupies a mix of new and converted buildings focused around an open area green space, however the Campus is spread over two distinct areas to the east and west of Lower Park Road. Many of the older buildings on the Campus are former residential villas which have been converted and extended to accommodate educational use. The campus is located within Victoria Park Conservation Area and contains the Grade II listed buildings known as Ward Hall, Marylands and Firwood which have all been converted for educational use in the past.

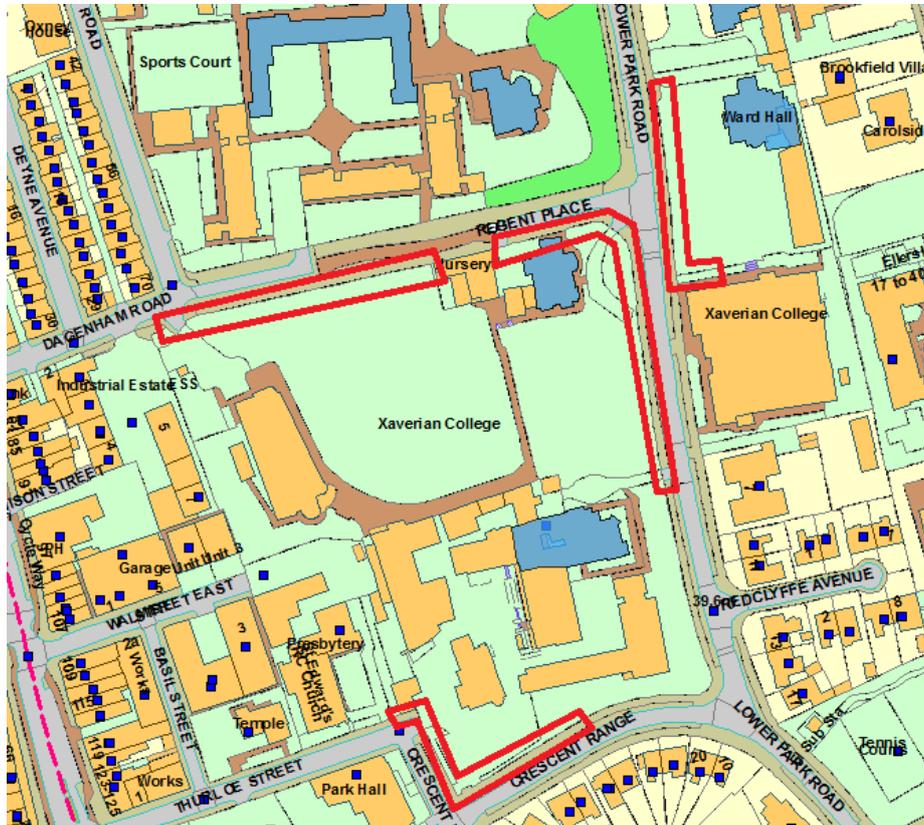
The northern boundary of the campus fronting Regent Place is formed of a high brick wall with mature boundary trees behind with a weld mesh type fence towards the eastern end of this boundary to the front of the listed Maryland building. The boundary then has a series of stone gates and posts to the entrance to Marylands before returning to a brick boundary wall along Lower Park Road with a further set of stone gate posts and gates at the entrance to the listed Firwood building. The boundary wall appears to be of an older age at this point with banding, coping stones and pier detailing which is absent on that part of the wall further to the north. The height and style of this boundary wall continues to the south and west along Crescent Range before a change in material to stone to the front of the Sunbury building and around on to Thurloe Street.

The existing boundary treatment to the front of the Grade II listed Ward Hall on Lower Park Road consists of a red brick boundary wall with stone coping and a lower level metal railing on top, there are gate posts and gates to the entrance to Ward Hall although these are not the original gates and posts.

Application proposals

The application proposals have been amended since their first submission by the applicant following responses to the notification period and concerns raised with regards to the extent and type of boundary treatment proposed. As such the current

proposals are for the installation of ornamental steel railings to certain areas of the existing boundary treatments either as a standalone boundary treatment or as an addition to existing boundary walls to provide a consistent type of boundary treatment around the Campus. The extent of the proposed boundary treatment amendments are highlighted on the site plan below.



Areas of proposed boundary treatment amendments are edged in red (Listed buildings on the Campus are marked blue)

Where ornamental railings are to be attached to existing boundary walls this would be undertaken in a manner where the railings would be flush to the front face of the existing wall to ensure that footholds are not created to facilitate access over the wall and railings.

In detail the proposals seek permission to:

- Install 2.4metres gates and fence to the north western corner of the campus to the vehicular access from Dagenham Road.
- The repair and maintenance of the existing boundary wall on the northern boundary with Regent Place;
- The insertion of a new railing type gate within the non-original boundary wall on Regent Place to allow views from Regent Place through to the Listed Building known as Firwood (the most southern building shaded blue on the map above) – This would allow compliance with the requirement for the new Teaching Block building being constructed on the north eastern edge of the campus under planning permission 123274/FO/2019 granted by Committee in August 2019 to provide additional views into the Campus and of Listed Buildings.

- The removal of 2.7m high weld mesh fencing around the Marylands Listed Building and replacement with the same height but with an ornamental railings type finish on Regent Place.
- Provision of ornamental railings to the top of the existing boundary wall from Marylands to Firwood along Lower Park Road to an overall height of 2.4 metres.
- Provision of ornamental railings to the top of the existing boundary wall to the front of the Sunbury building along Crescent Range and onto Thurloe Street together with replacements gates to an overall height of 2.4 metres.
- Provision of ornamental railings to the top of the existing boundary wall to the front of the listed Ward Hall building on Lower Park Road and provision of gates between that boundary wall and the College building to the south.



Example type of ornamental steel fence proposed

Following comments received to the original proposals a supporting statement was submitted by Xaverian College to outline the requirement for the proposed amendments to the existing boundary treatments. This states:

Obligations: As a Sixth Form College providing full time education to in excess of 2300 young people (16-18) studying at Years 12 and 13, Xaverian is obliged to fulfil the safeguarding duties placed upon it through;

- The Education Act 2002
- The Health and Safety at Work Act 1974
- The Management of Health and Safety at Work Regulations 1999

In addition, the College is asked to consider how it can seek to work within the Department for Education's Non-Statutory Security Guidance 2018. Sitting within the Ofsted Common Inspection Framework, the College must be able to demonstrate the quality of its safeguarding provision.

Reducing Risk: The College seeks to, wherever possible, reduce the physical risk to the welfare, health and safety of students, staff and those legitimately visiting the College. Educational providers, from early years provision though to Year 13 will typically:

- operate out of a single building without grounds with the option to immediately or continuously prevent access from non-vetted persons.

- operating on a site with external grounds (either single or multiple buildings) with a secure perimeter to immediately or continuously prevent access to non-vetted persons.

Xaverian manages an estate of 8 buildings, each with multiple entrance and exit points together with grounds having entrance points from Thurloe Street, Dagenham Road and Lower Park Road (6 entrance points). Perimeter walling is varying in height throughout and is of a height that renders the campus easily accessible by others. The Campus is also bisected by Lower Park Road.

The College is of the opinion that it is clearly out of kilter with other educational providers and should seek to reduce the risk posed by the potential activities of others that might threaten the health, safety and welfare of its community. Whilst there are clear benefits to securing the College's site for the purpose of ensuring the security of property this is not the primary intention of this application. Xaverian is aware of the risks posed by:

- non-vetted individuals accessing its site
- its inability to fully secure perimeter access should an emerging situation arise that would place an immediate risk to the health, safety and welfare of its students, staff and visitors.

Management of an Estate of Historical Significance: Xaverian College has operated at its current home in Victoria Park for over 100 years. During the College's time within Victoria Park, the College has taken continuous steps to maintain the buildings in its ward and preserve the nature of its campus. For this reason, the College has set aside sums to ensure any installed fencing is in keeping with the historical nature of its grounds and other nearby estates. The College would also seek to introduce additional perimeter planting to further compliment any installed fencing. The College is aware that sections of its perimeter walls (in particular Thurloe Street and Crescent Range) show clear evidence of previously installed wrought iron fencing although, as with many public estates and private dwellings, these are thought to have been removed during World War II. In seeking measures to secure its campus, the College would seek to introduce / reintroduce fencing of an appropriate, yet secure design, examples of which can be seen at the adjacent St Edward's RC Church (Thurloe Street)



Example of other similar fencing and gates installed at St Edwards Church on Thurloe Street adjacent the Xaverian Campus and also within Victoria Park Conservation Area

Consultations

In accordance with the statutory requirements for advertising the type of application submitted the application was subject to site notice, advertisement in the Manchester Evening News and notification of addresses within the vicinity of the application site 27 responses were received objecting to the proposals, a summary of the comments received is set out below.

Councillor Ahmed Ali commented on the original application proposals - I am writing to support local residents' concerns in relation to this planning application.

The people living in this area value the protection and maintenance of architectural heritage features within the Victoria Park Conservation Area, and this includes notably simple brick and stone boundary treatments.

The tall iron fences and gate work, by reason of its scale, design and materials, is out of keeping with and is detrimental to the character and appearance of the listed buildings, surrounding Xaverian College in the Conservation Area. The Tall Iron fences and gate work in our opinion is in contravention with the Section 12 of the National Planning Policy Framework.

The proposal to build up boundaries to a uniform 2.7m height via additional railings (and wire mesh on Regent Place) will be visually obtrusive and overbearing. The proposal therefore involves a public interest cost in terms of heritage and visual amenity, as the College seems to acknowledge.

But the College in its supporting Statement does not adequately explain the safeguarding benefits it intends to achieve, or to demonstrate that these will be on a scale to offset this public interest cost.

If out-of-hours intrusion is a key issue, other measures (such as CCTV) could surely be introduced. During college hours given the open plan character of the different sites on the campus, higher fencing does not seem to offer added safeguarding value.

Residents -

- The proposal should be adjusted to incorporate more sympathetic design that would enhance the character of the conservation area, namely - lower railing on top of existing walls to restore the original look.
- Extra care should be taken to protect existing mature trees. Current gates position within root protection zone will be damaging for the trees.
- I object to this application as it would result in a significant damage to the character of the Victoria Park conservation area and the setting of a number of listed buildings along Lower Park Road.
- The applicant claims that the proposed measure is required for the safety and wellbeing of students. Taller fences and gates however will make no difference to their safety. The college ground is completely open during the day. Gates are locked only after all students left the college. The requirement for the taller gates and fences is therefore to prevent night-time breaking in. This is an operational issue and could be resolved by the installation of CCTV cameras and an introduction of a night-time guard.
- The application fails to illustrate the exact impact of the proposal as there are no visuals included in the submission. there is a good reason for that: if implemented the scheme will make the entire Lower Park Road look oppressive and block the view of the listed buildings.

Rusholme & Fallowfield Civic Society – Object to the application proposals.

We consider that the planning application is contrary to Manchester City Council's adopted planning policies in relation to heritage assets and their preservation. On this basis, we request that the planning department determines/recommends refusal of the application or requests further modifications to the proposal.

We welcomed the opportunity to meet with the college and to review the proposal. The meeting was attended by members of the society, local historians, local residents and Cllr A.Ali. It was a constructive meeting which allowed us to understand college's objectives and responsibilities regarding the safeguarding of its students. We also understood that the proposed increase in railing height is to provide a deterrent for a staged lock-out operation should it be required.

There is no prescribed height to be achieved and the actual design is down to the institution itself. In the case of Xaverian, the character of the Victoria Park conservation area and the settings of the three listed buildings should be also taken into consideration.

It appears that the college shares our view of the area and would like to put forward a solution that would satisfy the above points. We hope that our first meeting is a start of a future partnership and more open liaison with the college. As the result of our meeting a number of changes have been incorporated and the proposal is an improvement from the previous submission.

There are, however, still some areas of concern and, consequently and regrettably, our current position is to object to the application until these are resolved. We have suggested to hold another meeting with the college which could not be accommodated by the college.

Overall Impact:

The current pack of information provides plans and diagrams of the proposed edge treatment. Unfortunately, the overall impact on the streetscape and views along Lower Park Road is not shown and therefore cannot be fully assessed.

We agree in principle that the inclusion of new decorative railings on top of the existing stone and brick walls is acceptable. Following the meeting with the college we walked down the Lower Park Road and the adjacent streets. The walls in the area still contain the remains of the old railings / posts that were included in the original design for the villas' boundaries; cut down during WWII. These railings however were much shallower than the proposal put forward by the college.

Walking down the main route along Lower Park Road it is apparent that 2.4 m height would be too imposing, overpowering and damaging for the character of the area and the setting of the listed villas. The alternative 2.1m overall height would be in keeping with the proportions of the walls and would also act as a sufficient deterrent. Shallower railings applied continuously along Lower Park Road (would create a much stronger appearance and will enhance the area. Fragmented taller railings would have the opposite effect.

Particular attention should be paid to the setting out of the railings along Ward Hall car park where the levels rise towards the entrance gates. The corner of the car park already achieves a height of 2.2-2.3m from the pavement.

Our proposal would be to reduce the height along Lower Park Road, around Maryland Entrance and down Crescent Range to 2.1m of continuous decorative railing.

Gates:

The application does not provide sufficient details for the proposed gates. We would like to see those included in the application at reduced height along Lower Park Road.

We are concerned that the proposed curved step-back railings and gates will damage the root system of the existing mature trees. The proposal is trying to avoid using existing posts, which is not necessary as the stone posts should be able to support the new gates at 2.1m height. Gate design therefore should be looked at in more detail to avoid damage to the trees and to fit within the area.

The existing gates at Thurloe Street/Crescent Range junction are in a good condition, in line with the new railing design and measure 2.3m in height. These gates look appropriate for the area and in a case of emergency would provide sufficient barrier for the lock-down operation. The proposal is to remove the existing gate and to replace with new gates of 2.4m height. We consider this proposal unnecessary. The existing gates should be retained to reduce the carbon footprint of the project.

Setting-out

Once the heights are agreed we would like to see detail setting-out of the gates and railing. This could be provided as a condition to the main application.

We are happy to meet with the college and the planners to refine the design as listed above. Until then we would retain our position on the matter.

Manchester Conservation Areas and Historic Buildings Panel - The Panel noted that the character of the area was mainly of original walls which fitted in well with the area and that fences of this design and height would be an incongruous element in the conservation area and felt that the proposed new fence would have a considerable impact and change the areas residential character. They felt that the cumulative impact would be great and requested that alternative methods for security and safeguarding be looked at in more detail.

The Panel felt that the proposed fences were very high at 2.7 metres and asked if they could be reduced. They felt that the weld mesh design looked poor and that the railings themselves seemed of a very standardised product. They also noted that the proposed black colour would be too stark.

MCC Highway Services - The boundary treatment proposals as depicted on drawing reference 5154-PAL-XX-XXDR-A-1104 Rev A is acceptable in principle to Highways providing that it is confirmed that the gates proposed at the Lower Park Road entrance open inwards so that they do not obstruct the footway.

MCC Neighbourhood Services (Arborists) – Raise no objections to the proposals in terms of impacts on trees, they have reviewed the submitted method statement and indicate that construction workers installing the railings should be familiar with it.

GMP Design for Security - Where fencing is to be installed on existing brick boundary treatment, the fencing should be installed to be flush with the existing brickwork to ensure no footholds are created.

Policies

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The adopted development plan consists of the Core Strategy (adopted 2012) and the saved policies of the Unitary Development Plan. Due consideration in the determination of the application will also need to be afforded to national policies in the National Planning Policy Framework (NPPF) which represents a significant material consideration.

Core Strategy Development Plan Document

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the

long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy EN 3, *Heritage* – Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Policy DM1, *Development Management* – This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.

- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques

Saved UDP Policies – Policies DC18 and DC19 are considered of relevance in this instance:

Policy DC18, *Conservation Areas* – Policy DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas by taking into consideration the following:

- a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i. the relationship of new structures to neighbouring buildings and spaces;
 - ii. the effect of major changes to the appearance of existing buildings;
 - iii. the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
 - iv. the effect of signs and advertisements;
 - v. any further guidance on specific areas which has been approved by the Council.
- b. The Council will not normally grant outline planning permission for development within Conservation Areas.
- c. Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area.
- d. Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.
- e. Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

Listed Buildings – Policy DC19.1 states that in determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. In giving effect to this policy, the Council will:

- a. not grant Listed building consent for the demolition of a listed building other than in the most exceptional circumstances, and in any case, not unless it is satisfied that every possible effort has been made to continue the present use or to find a suitable alternative use;
- b. not permit a change of use of a listed building, where it would have a detrimental effect on the character or appearance of the building;
- c. not permit any external or internal alteration or addition to a Listed building where, in its opinion, there would be an adverse effect on its architectural or historic character;
- d. seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of

adjacent land, and where appropriate, by the preservation of trees and landscape features;

e. permit demolition only where there are approved detailed plans for redevelopment and where there is evidence of a firm building contract;

f. not permit alterations to a listed building which would prevent the future use of any part of the building, in particular upper floors or basements, or where poor maintenance is likely to result.

The National Planning Policy Framework (February 2019)

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development which for decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or

- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 192 in Section 16 (Conserving and enhancing the historic environment) states that in determining planning applications, local planning authorities should take account of:

a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c. the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification

Paragraph 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a. the nature of the heritage asset prevents all reasonable uses of the site; and b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d. the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 200 states that local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Paragraph 201 states that not all elements of a Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole.

Guide to Development in Manchester Supplementary Planning Guidance

Recognises the importance of an area 's character in setting the context for new development; New development should add to and enhance the area's distinct sense of place; Each new development should be designed having full regard to its context and the character of the area; Seeks to ensure high quality development through good and inclusive design; Buildings should front onto streets; Site boundaries and treatment should contribute to the street scene; There should be a clear definition between public and private space; The impact of car parking areas should be minimised; New developments will be expected to meet designing out crime principles; The impact of development on the global environment should be reduced. The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings.

Legislative Requirements

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of the power to determine planning applications for any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

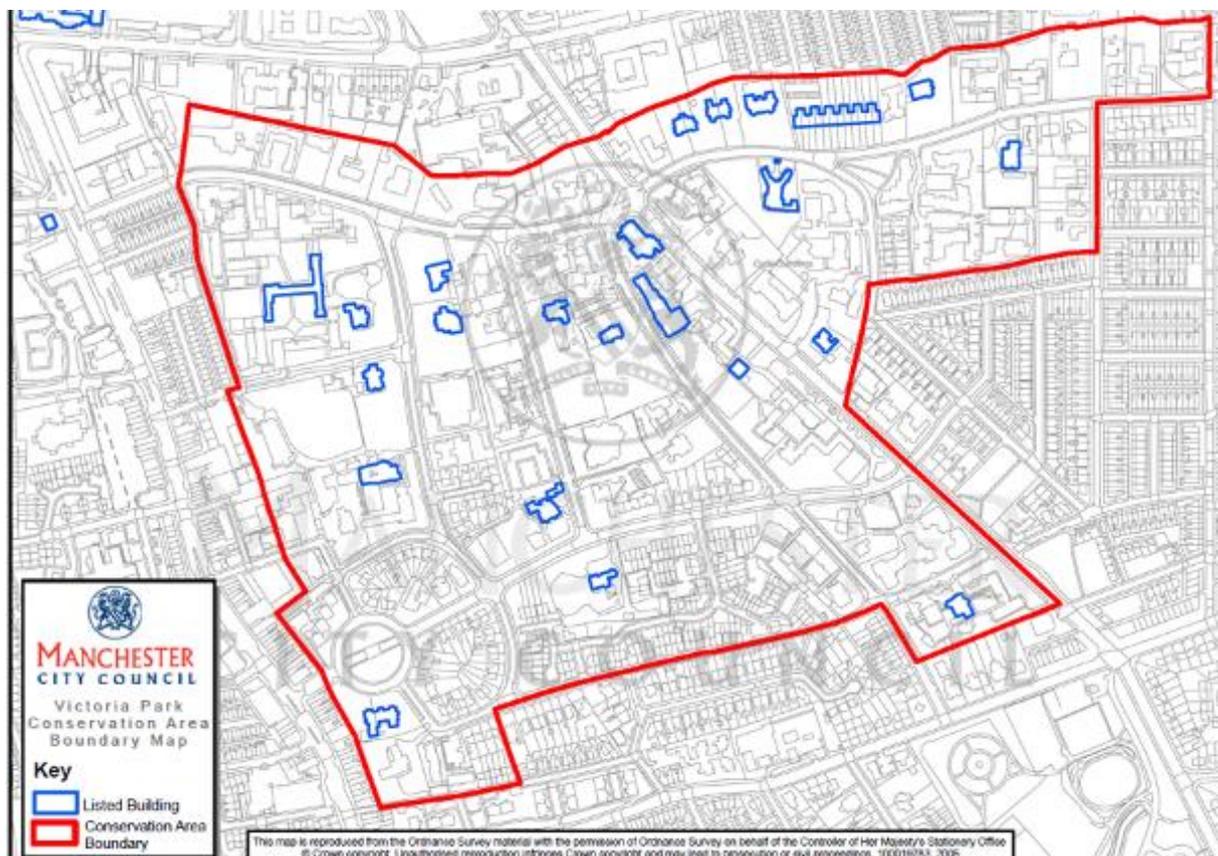
Issues

Principle

The general principle of the installation of boundary treatments around an educational facility is considered acceptable. In this instance further consideration is required to the impacts of the proposals on Victoria Park Conservation area and the grade II Listed Buildings on the Xaverian Campus known as Ward Hall, Firwood and Marylands.

Impact on the Victoria Park Conservation Area

Victoria Park conservation area was designated in March 1972. It extends from the backs of properties to the north of Daisy Bank Road and Oxford Place to Kent Road East and West, and Rusholme Grove in the south. The west boundary is Oxney Road and the backs of properties on Wilmslow Road. To the east the boundary is formed by Anson Road, the backs of properties on Langdale Road and Laidon Road, the backs of properties on Daisy Bank Road, Scarsdale Road, the backs of properties on Langdale Road and Anson Road.



The Conservation Area description notes that “In many cases the large spaces between buildings have been maintained and a significant number of trees retained. The gardens are enclosed by walls of stone or brick, most of which are of medium height with or without a hedge behind them for additional height. Other walls are high enough to screen the house and grounds entirely from the road. At the entrances to properties there were large gates and gate piers, many of which have unfortunately been demolished”.

Given the extent of the Xaverian Campus it contains a variety of types and heights of boundary treatments which is generally reflective of the Conservation Area as a whole which does have a range of boundary types reflecting the various ages of development and renewal that have taken place over the last 185 years as demonstrated in the photographs below.



View North of Upper Park Road – Timber fencing, brick walls (left), and brick walls with decorative railings (right)



Corner of Denison Road and Conyngham Road – Low brick walls (left), Low stone walls and chain link fencing (right)



Denison Road looking east – Low stone walls with railings(right), low wall with hedging (left)

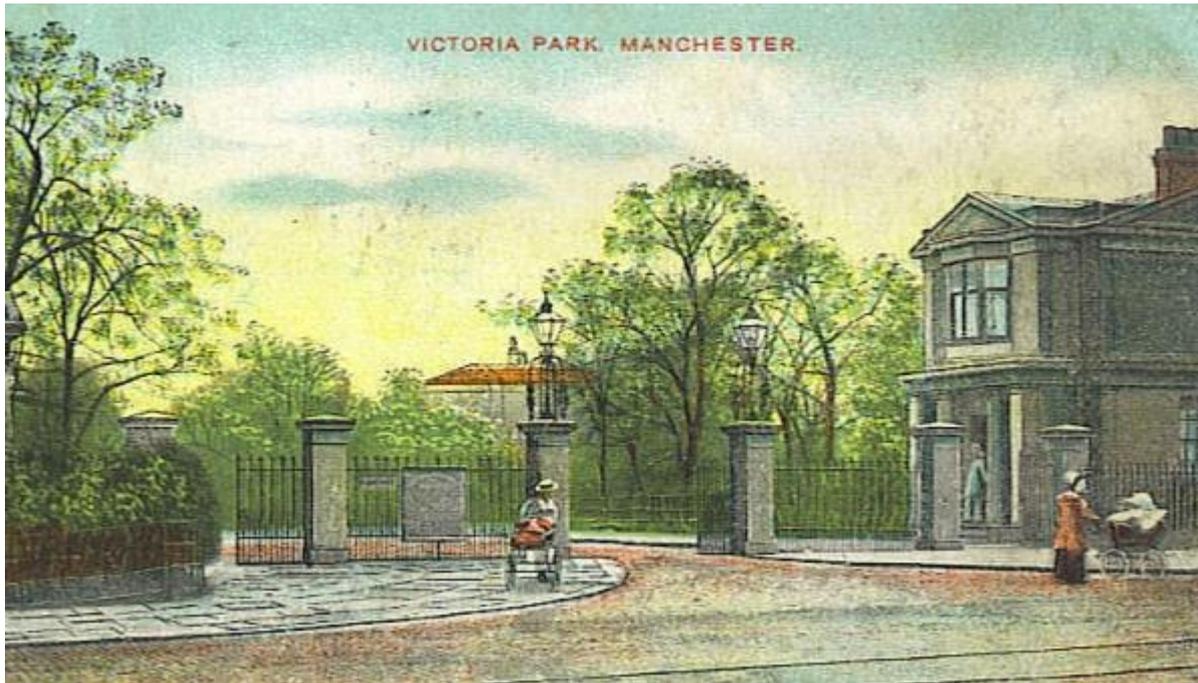


Oxford Place looking east – Low stone walls (left), low brick walls/piers and railings (right)



Oxney Road looking north-east – Brick wall, railings and weld mesh fencing

The application proposals would not result in the replacement of historic boundary walls or gate posts but additions to them in the form of steel ornamental railings and gates. There are other examples of railings in the Conservation Area of varying ages and types with most being painted black. In addition to existing railings within the Conservation Area there are still remnants within the existing boundary walls around the Xaverian Campus that indicate the former presence of railings to some stretches of wall as seen in the photograph below of the boundary wall to the Crescent Range frontage.



Postcard of one of the original entrances to Victoria Park – Piers and railings

The proposed addition of ornamental steel railings would not be an incongruous addition to the existing boundary treatments to the Xaverian Campus and are not considered to give rise to unacceptable impacts on the character of the Conservation Area. The railings would retain visual permeability into the Campus where such views exist currently and reflect historic boundary treatment types that were present at the time of the formation and laying out of Victoria Park in the 1830s and 40s. Concerns have been made regarding the height of the proposed boundary treatments and that these should be reduced. The applicant has amended the originally submitted proposals which did include to increase the boundary treatments to 2.7 metres in height and incorporate some elements of a weld mesh type fencing and provided railings to a larger extent of the boundary walls. The reduction in height to a majority of the proposed railings together with a reduction in the amount of railings now proposed to the boundary walls it is not considered that the proposed height of railings to the majority of the boundary walls would be so harmful to warrant refusal of the proposals.



Remnants of former railings on boundary wall at Xaverian Campus

Given the range and types of boundary treatments and that evidence indicates that elements of the existing boundary walls have previously had railings it is considered that the principle of the proposals would give rise to less than substantial harm to Victoria Park Conservation Area and the magnitude of harm would be sit at the lower scale of harm.

Impact on the Grade II Listed buildings Ward Hall, Maryland and Firwood

Ward Hall (Grade II Listed Building)



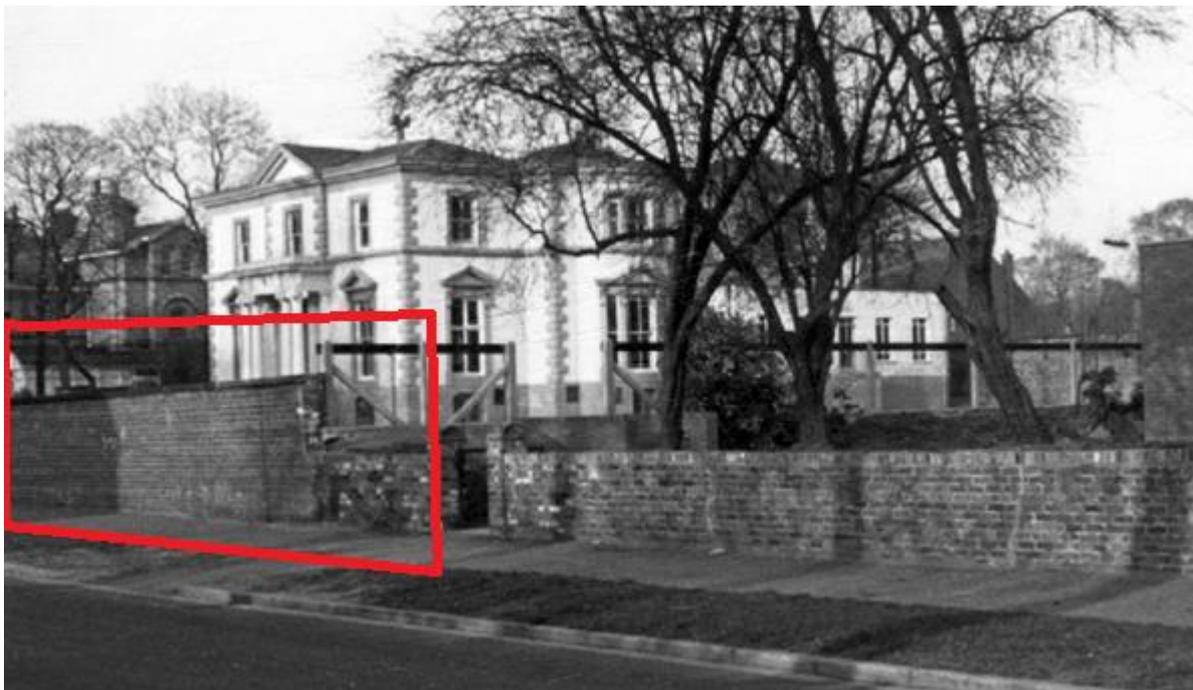
Ward Hall was a Villa constructed circa 1840 but now in use as part of the wider Xaverian Campus. Ward Hall was subject to refurbishment works and extensions relatively recently.

The front boundary wall has stone copings and a low metal railings attached to the top with hedge and tree planting at a higher level behind. Greygarth Hall another listed building immediately neighbours Ward Hall to the north. The brick wall is approximately 1.3 metres in height at its lowest point (although higher where it bounds with Greygarth Hall) and the proposals would increase the overall height of the boundary to 2.4 metres with a further 1.1 metres of railings attached to the top of the wall. The gate posts would be extended upwards to enable new 2.4 m gates to be installed, these posts are not original and it is understood were installed as part of the refurbishment and extension works to Ward Hall.



View looking southwards along Lower Park Road, the boundary wall and railings to Ward Hall is on the left of the picture

A photograph from 1976 appears to show a much higher boundary wall to the front of Ward Hall than the current wall (see below). It is considered that the inclusion of higher railings and gates than those currently in situ would not harm the setting of Ward Hall which could still be appreciated from Lower Park Road albeit through the railings and hedgerow at the front of the site.



Ward Hall (1976) – Higher boundary wall present to the front of the Listed Building

Firwood (Grade II Listed Building)

Firwood is a fine example of an ornate Victoria Park villa dating from the later period of villa development in Victoria Park, subsequently extended on several occasions to accommodate educational use. It is a good example of a high-status residence in Manchester from the second half of the nineteenth century which gives it a high historical value. It is thought to be the only surviving Alfred Waterhouse villa in the City. The main building is set approximately 18 metres from the boundary wall with the entrance gates set 23 metres to the north of the building. The proposed railings would be installed to the top of the boundary wall to a maximum overall height of wall and railings of 2.4 metres. The railings would extend to the left of the gates by the extent shown in the photograph below, whilst to the right the railings would extend the full length of the boundary wall to the front of the Marylands building. The original stone gate posts are to be retained with new steel gate posts set behind to take the proposed 2.4 m high ornamental steel gates.



The red lines mark the extent of the proposed railings and gates to be installed

As the boundary walls and gate posts to the front of the Listed Building appear to be original their retention is welcomed. The installation of railings to the top of these walls will require careful consideration and it is considered that a method statement for these elements would be required if the proposals are considered acceptable in other respects. This part of the proposals have been amended since the original submission and the reduction in the amount of railings proposed to the front of the Listed Building is welcomed.

It is considered that whilst there would be some impact to the setting of the Listed Building this is considered to be less than substantial harm and the public benefit outlined by the applicant to ensure security for the users of the educational facilities on the site outweighs this identified harm.

Marylands (Grade II Listed Building)

Marylands is a very good example of an ornate Victoria Park villa dating from the later period of villa development in Victoria Park. The building was originally constructed as a grand residential villa for a high status resident and the merchant's villa and both the external and some internal ornamentation reflect this. The building has a variety of ornamentation including brick banding, stylised Lombard friezes,

decorated heads; columnar stone mullions, carved heads, tall ridge chimneys and interior features as such it has a high aesthetic value.

The listed building is bounded by a brick wall, hedging, stone gate posts and black tall (2.7m) weld mesh fencing to Regent Place. The proposals seek the removal of the weld mesh fence and replacement with ornamental steel railings to the same height together with the installation of railings to the boundary walls and new gates and posts to the entrance all to give an overall height of 2.4 metres. The existing historic gate posts would again be retained as part of the proposals.



Entrance gates and posts and boundary walls to the front of Marylands



Boundary wall and existing high weld mesh fence (edged red) to Marylands on Regent Place

Whilst the setting to the Listed Building would be altered as a result of the proposals the inclusion of ornamental railings is not considered to give rise to unacceptable impacts on the Marylands Listed Buildings, the removal of more industrial style weld mesh fencing and gates and replacement with steel railings would be beneficial to the setting of the Listed Building and provide a more appropriate response to this aspect of Marylands. The inclusion of railings would not completely obscure views of Marylands from public vantage points and are considered to be an appropriate balance between the identified safety and security needs of the applicant and the designated heritage asset.

As set out above whilst there are identified impacts on the setting of the identified Listed Buildings these impacts are considered to give rise to less than substantial harm. This identified harm is considered to be outweighed by the public benefit derived from the proposals to ensure the continued safety and security of the users of the educational facilities on the Xaverian Campus.

Trees

The proposals are accompanied by an Arboricultural Method Statement. As the proposals seek, in general, to install railings to existing walls impacts on trees are anticipated to be related to the potential need for pruning of branches that may be in close proximity to the proposed boundary treatments. The statement concludes that only minor alterations would be required to existing trees on site and no trees would need to be removed, as such no significant arboricultural impact is anticipated.

It is considered that the proposals would not give rise to unacceptable impacts on trees on the site. The amended proposals and extent of proposed railings have reduced potential impacts to vegetation/hedging on site and subject to any approval a condition is proposed to be attached to ensure a detailed method statement for works including the installation of any gate or fencing posts is submitted for approval prior to any works commencing on site.

Design

The applicant has provided a precedent image of the type of ornamental metal railings and gates proposed to be installed, the railings would be painted black. It is considered that the details indicated are an acceptable design for the Conservation Area. In order to ensure that the quality and style of railing to be installed reflects the Conservation Area it is proposed to attach a condition to any decision for the final detailed design of the railings and gates to be submitted for approval.

Safety and Security

The applicant has submitted a supporting statement which is set out earlier in this report that indicates the need for the proposed boundary treatments to reduce the risk posed by the potential activities of others that might threaten the health, safety and welfare of the College community. The College indicate that whilst there are clear benefits to securing the College's site for the purpose of ensuring the security of property this is not the primary intention of this application.

The proposals have been assessed by GMP Design for Security who raise no objections to the proposals from a safety and security point of view, the applicant had amended the proposals to take on board previous comments to ensure any railings installed were flush with the front face of any masonry to avoid the creation of footholds.

The provision of a safe and secure site for the users of the College Campus is considered to be a material consideration. The provision of a safe and secure campus would assist the College to meet its obligations to staff and pupils and is considered to derive public benefit to enable the College to continue its occupation of its campus and the Listed Buildings within it.

Conclusion

The application proposals have been fully assessed and are considered to be acceptable. Some harm has been identified to Victoria Park Conservation Area and the three Listed Buildings on the Xaverian Campus against the requirements set out in the National Planning Policy Framework the harm identified is considered to be

less than substantial and is outweighed by the public benefit derived from the application proposals. Conditions are proposed to be attached to any approval of the proposals to ensure that the final design of gates and railings reflects the Conservation Area and matters relating to ensuring the installation of the gates and fences does not impact on trees within the site. It is considered that the proposals accord with policies SP1, EN3 and DM1 of the Core Strategy, saved Unitary Development Plan policies DC18 and DC19 together within paragraphs 192,193,194,196 and 200 of the NPPF.

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 Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing 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. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

Article 35 Declaration

The application has been considered in a positive and proactive manner as required by The Town and Country Planning (Development Management Procedure) (England) Order 2015 and any problems arising in relation to dealing with the application has been communicated to the applicant.

Condition(s) to be attached to decision for approval

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Proposed Boundary Treatment 5154-PAL-XX-XX-DR-A-1101 rev F prepared by Pozzoni received by the City Council as local planning authority on the 28th January 2020

Railing Details - 1/3 5154-PAL-XX-XX-DR-A-1103 Rev C; Railing Details - 2/3 5154-PAL-XX-XX-DR-A-1104 Rev C; Railing Details - 3/3 5154-PAL-XX-XX-DR-A-1105 Rev C all received by the City Council as local planning authority on the 28th January 2020

Arboricultural Method Statement and Construction Document prepared by Christians Environmental May 2019 ref XCII-AMS-001 received by the City Council as local planning authority on the 16th May 2019

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) Prior to the installation of any railings or gates on site samples, specifications, and detailed designs of each element of the approved development including the method of affixing them to any existing boundary wall shall be submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) Notwithstanding the approved documents and drawings prior to the installation of any gate, post or railing hereby approved a detailed arboricultural method statement for any works in the vicinity of trees or their root protection areas on the site shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the approved details.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies SP1 and DM1 of the Core Strategy.

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: 123188/FO/2019 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:

**Highway Services
Rusholme & Fallowfield Civic Society
Greater Manchester Police**

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Highway Services
Rusholme & Fallowfield Civic Society
Greater Manchester Police
MCC Neighbourhood Services (Arborists)

Relevant Contact Officer : Robert Griffin
Telephone number : 0161 234 4527
Email : r.griffin@manchester.gov.uk

