

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132805/FH/2022
Date registered valid: 14 February 2022
Proposal: Installation of front boundary fence to a maximum height of 1.75m
Address: 45 Sparkford Avenue, Manchester, M23 9EL
Ward(s): Brooklands Ward

Applicant: Mr Joe Clarke 45 Sparkford Avenue, Manchester, M23 9EL
Agent (if any):
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: **11th April 2022**

Application details

Type of application:	Full Householder Application
Development type:	Householder
Date of site visit:	29 March 2022
Standard consultations:	Printed: 16 February 2022 Expired: 9 March 2022
Neighbour notifications	Printed: 16 February 2022 Expired: 9 March 2022
Site notice	No site notice has been produced
Press advert	No press advert had been published
Departure from Development Plan:	No
Environmental Statement:	Not required

Description of site/building

The site relates to a two storey semi detached property in the Brooklands ward area of Manchester.



Listed building:	Not applicable
Conservation area:	Not applicable
Tree Preservation Order:	Not applicable

Description of area

The area is predominantly residential in character.

Description of development

The applicant is seeking planning permission for the installation of front boundary fence to a maximum height of 1.75m

Consultations & Notification Responses

Local residents/public opinion – No objection has been received however a local neighbour has commented as follows:

- o No objection so long as no road use view is blocked by a high fence

Highways

The position of the new fence as shown on the submitted drawing does not appear to

conflict with visibility to/from the proposed driveway access and therefore we have no objection.

Policy and Issues

The following policies are considered relevant in the consideration of this application.

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN 19 - Waste Management
- o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Residential Amenity

The application proposes the erection of a 1.7m high timber boundary fence to side and front of the property. The site currently has timber fencing and hedging to the front of the property along the boundary.

A local resident did not object to the fencing, however commented about the height. The fencing will follow the existing fencing in type and colour as outlined in the application form. The applicant is also creating a permeable driveway to the front of the property. Given the gap of the new fencing to the driveway there would be some element of openness to the front of the property without the loss of visibility accessing and egressing the site.

It is not anticipated that there would be any impacts on residential amenity. The fencing is therefore considered acceptable in light of the Core Strategy Policy DM1.

Highways

The position of the new fence as shown on the submitted drawing does not appear to conflict with visibility to/from the proposed driveway access and therefore we have no objection.

Design and Appearance

The design of the proposal is in keeping with the existing and surrounding properties in the area and in terms of the materials have stated that these will be pine fencing as specified in the application form and on the proposed photomontages. The design is detailed as what is normally expected of such an arrangement and would not adversely impact upon residential amenity or the character of the area.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Parking

Off street car parking would be created as part of the scheme finished in permeable materials.

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 a right to a fair hearing and to this end the local planning authority 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 recommendation given 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

Positive and proactive working - Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. No significant problems have arisen during the consideration of this application

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

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:

Received on 28th January 2022 Proposed Site Plan

Received on 28th January 2022 Proposed Site Plan Driveway

Received on 28th January 2022 Proposed Site Plan Removal

Received on 28th January 2022 Proposed Elevations

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) The materials to be used on the external surfaces of the fencing and driveway hereby permitted shall match those as specified in type, size, colour and texture as outlined in the application form

Reason - To ensure the appearance of the site is not adversely affected by the materials to be used in the construction of the fencing, pursuant to policy DM1 of the Manchester Core Strategy.

Informative

The applicant should be aware of Class F – hard surfaces incidental to the enjoyment of a dwellinghouse - Permitted development

F. Development consisting of—

- (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or
- (b) the replacement in whole or in part of such a surface.

F.2 Development is permitted by Class F subject to the condition that where—

- (a) the hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and
- (b) the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres, either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse

Appendix 1 – List of consultees & neighbours notified

Highway Services

3 Winterslow Avenue, Manchester, M23 9FJ
14 Winterslow Avenue, Manchester, M23 9FJ
43 Sparkford Avenue, Manchester, M23 9EL
1 Winterslow Avenue, Manchester, M23 9FJ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH