

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132624/FH/2022

Date registered valid: 4 January 2022

Proposal: Erection of a 1.8m high timber boundary fence to side and rear of garden

Address: 133 Kerscott Road, Manchester, M23 0QE

Ward(s): Brooklands Ward

Applicant: Mr Jonathan Saunders 133 Kerscott Road, Manchester, M23 0QE

Agent (if any):

Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 1st March 2022



Application details

Type of application:	Full Householder Application
Development type:	Householder
Date of site visit:	Google maps and street view utilised
Standard consultations:	Printed: 14 January 2022 Expired: 4 February 2022
Neighbour notifications	Printed: 14 January 2022 Expired: 4 February 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 application site is a modern two storey detached dwelling house situated on Kerscott Road within the Brooklands ward area of Manchester. The site is on a small estate of similar type dwellings with gardens to the front and rear and an access path along the side. The property is constructed of red brick under a grey tile roof. The site is open planned at the front with timber boundary treatment to the rear and some soft landscaping.



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

Description of area

The immediate surrounding area comprises houses of a similar typology, either detached or semi-detached forming part of a new build estate.

Description of development

The applicant is seeking planning consent for the erection of a 1.8m high timber boundary fence to side and rear of garden.

Consultations & Notification Responses

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

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

Highways

The applicant should verify if in-curtilage parking will remain. The dimensions of each driveway space should provide a minimum of 3.0m x 6.0m in line with MCCs standard minimum

dimensions. The applicant should be advised that the fence fronting the adopted highway should be reduced in height to no greater than 0.6m to ensure visual permeability. All boundary treatments with frontage to the adopted highway must ensure appropriate visibility and therefore be visually permeable from a height of 0.6m upwards. It is expected that refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

Pedestrian access will remain as existing, which is acceptable to Highways. The applicant should be advised that any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicenses@manchester.gov.uk

Further response from highways

The boundary looks to be visually permeable from 0.6m upwards at the point of vehicle access/egress, which is acceptable to Highways.

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 1.8m high timber boundary fence to side and rear of garden. The site currently has timber fencing to the side and rear partway along the boundary.

The applicant proposes to increase the boundary fencing along the rear of the boundary and along the side falling in line with the rear wall of the house enclosing the site to the side and rear.

The fencing will follow the existing fencing in type and colour retaining the existing driveway to the side of the property and some openness to the front of the property.

Given that the fencing is no higher than the existing fence or hedging along the shared boundary and could be installed to a height of 2 metres without requiring planning permission there are no anticipated impacts on residential amenity. The fencing is therefore considered acceptable in light of the Core Strategy Policy DM1.

Highways

Concerns were initially raised by Highways, however following further information from the applicants, highways were satisfied that the boundary is visually permeable from 0.6m upwards at the point of vehicle access/egress.

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 the fencing panels would be feather board fencing as existing 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 unaffected by the proposal as driveway access is still achieved.

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

The application has been determined in a positive and proactive manner in this instance no issue have arisen during consideration of the proposals and a decision has been issued within statutory timescales.

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 4th January 2022 Photomontages showing timber fencing

Received 25th January 2022 Proposed Site Plan showing line of fence

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 boundary treatment hereby permitted shall match those in type, size, colour and texture as specified in the application form and photomontage received 4th January 2022

Reason - To ensure the appearance of the building is not adversely affected by the materials to be used in the construction of the fencing, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

Informative

The applicant should be advised that any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicenses@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services

135 Kerscott Road, Manchester, M23 0QE
131 Kerscott Road, Manchester, M23 0QE
236 Kerscott Road, Manchester, M23 0QE
230 Kerscott Road, Manchester, M23 0QE
244 Kerscott Road, Manchester, M23 0QE
240 Kerscott Road, Manchester, M23 0QE
234 Kerscott Road, Manchester, M23 0QE
232 Kerscott Road, Manchester, M23 0QE

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH