

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132306/FO/2021

Date registered valid: 29 November 2021

Proposal: Increase in height of existing boundary wall to 2m in height and introduction of brick piers and railings

Address: Salaam Community Association, 42 Raby Street, Moss Side, M16 7DJ

Ward(s): Moss Side Ward

Applicant: Mr Smail Derouiche, 42 Raby Street, Manchester, M16 7DJ

Agent (if any): N/a

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24 January 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 13 January 2022

Standard consultations: Printed: 1 December 2021 Expired: 22 December 2021

Neighbour notifications: Printed: 1 December 2021 Expired: 22 December 2021

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two storey detached building which is currently used as a community centre (change of use ref 098015/FU/2011/S1). The building features white render and a flat roof and the plot includes a thin strip of hardstanding to both the Raby Street and Whitnall Street elevations, with a low brick wall.

Description of area

Raby Street, in Moss Side, is predominantly residential in nature. The wider area features schools, places of worship and corner shops and most of the housing is arranged in terraces and semis. The area benefits from its proximity to Alexandra Park and the supermarket and services along Hulme High Street.

Description of development

The applicant is seeking permission to increase the height of an existing boundary wall by approx. 1.3m with railings and gates, to provide improved security.

Consultations & Notification Responses

Local residents, as per appendix 1 – No comments received.

Highway Services – No objection to the proposal but asked for informatives to be attached.

Parks & Events – No comments received.

Greater Manchester Police – To the initial design the officer sent the following objection:

I do not consider the proposed wall and railing to be appropriate in this location for the following reasons:

- In places, the render finish to the existing wall is in a poor state or repair resulting the wall being off a low quality appearance.*
 - The proposed additional 300mm of brick and 1000mm rail on top, with 2000mm high gates to secure the openings in the wall will create an unnecessarily tall and overbearing boundary around the site, one that will be incompatible with its location on the corner of two, largely residential streets, where street edge boundaries are defined with walls and railings that have combined height of not more than 1000mm.*
 - Combining the existing rendered wall with new brickwork and ironwork will, in my view, result in a boundary that will be of a poor visual quality.*
 - The application form makes reference to the proposed wall and railings addressing littering, trespass and security issues.*
 - Over recent years, there have been modifications to the building, specifically, the removal of roller shutters and iron bars on doors and windows, that have resulted in improvements to its appearance. This suggests that security is not a pressing issue.*
 - The proposed wall and railing will not address littering problems as the railings will allow litter to continue to be able to be dropped through the bars.*
 - I accept that the proposed boundary will make it more difficult for trespassers to use the walkway between the building and the boundary, but so would a modest wall and railing if designed appropriately.*
 - I consider a more appropriate boundary to the site would be one that is less visually assertive and matches the residential boundaries opposite, i.e. a 1000mm wall with powder-coated steel railing infill and gates. In addition, I respectfully suggest the existing wall is removed and a new boundary is erected.*
- To conclude, I wish to object to the application but would be happy to support a boundary of a lesser height, around 1000mm, and greater overall quality.*

Following the submission of the revised design the officer commented:

Thank you for your efforts in persuading the applicant to alter the proposals.

I've reviewed the revised plans and consider them much more appropriate.

Assuming these revised drawing will supersede those submitted previously, I'm happy to support the application.

Policies

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

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles
- Policy EN1 - Design Principles

The National Planning Policy Framework (NPPF, 2021)

- Chapter 8 – Promoting Healthy and Safe Communities
- Chapter 12 – Achieving Well-Designed Places

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

Issues

Principle – The principle of replacing a wall around a community centre, to improve security and appearance, is acceptable, however consideration must be given to the proposals siting, scale, design and its impact upon existing levels of visual amenity and safety. Due to the nature, scale and location of the works, residential amenity is not considered an issue.

Siting, scale and appearance – The applicant wishes to replace the existing dilapidated low brick wall along the site's perimeter with a slightly taller brick wall with powder coated steel railings and gates to provide improved security. The wall would be 1.125m in height and 0.2m in depth, topped with railings and brick piers. The wall would be sited 1.75m from the side elevation and 1.9m from the front elevation, leaving a gap of 4.7m to the edge of the road on Whitnall Street and 4.1m from the edge of the road on Raby Street, in line with the adjacent building's frontage. The location, siting and scale of the wall is considered appropriate, in line with policies DM1, SP1 and the NPPF. GMP objected to the initial design, which included a 2m high wall with railings, raised from the existing wall which was to be part retained. This was deemed overbearing and inappropriate, hence negotiations took place to reduce the height and improve the quality of the build. The building is not listed nor is it sited within a conservation area. It is considered the boundary treatment would be in-keeping with the existing street scene, as the surrounding residential estate and nearby park and school all feature brick and railing boundary treatment. The existing wall is in a poor state of repair, hence the revised proposal should improve the visual amenity of the site and wider street scene for the benefit of the community, pursuant to policies DM1, SP1 and EN1 and the NPPF.

Highways and safety – MCC Highway Services were consulted on the application and had no objection to the works in principle but asked that the treatment over 0.6m should be visually permeable. Given 1m (visually impermeable) can be erected without permission under Permitted Development, this is deemed acceptable. In this case, aside from the brick piers, the treatment above 0.6m is visually permeable railings. In addition to this, the wall would be set 4m+ back from the road, therefore cars will still have a good field of vision when approaching this particular junction.

Conclusion – No objections have been received from local residents, the proposal complies with policies DM1, SP1, EN1 and the NPPF. Additionally it is not considered to harm the residential or visual amenity of the area, therefore the development may commence in accordance with the submitted drawings and the following conditions.

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

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 and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

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 drawings titled 'Proposed fence', 'Isometric view and section' and 'Proposed plan', stamped as received by the City Council as Local Planning Authority on the 13th March 2022.

Reason - To ensure the development is carried out in accordance with the approved plans, pursuant to Policies SP1 and DM1 of the Core Strategy.

Informative(s)

1) For the avoidance of doubt, all external entrance gates/doors (with the exception of fire doors) should be inwardly opening in order to prevent obstruction on the adjacent footway.

Refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

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 Contact Manchester 0161 234 5004.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Parks & Events
Greater Manchester Police

27 Raby Street, Manchester, M16 7DJ
25 Raby Street, Manchester, M16 7DJ
13 Raby Street, Manchester, M16 7DJ

9 Raby Street, Manchester, M16 7DJ
7 Raby Street, Manchester, M16 7DJ
5 Raby Street, Manchester, M16 7DJ
3 Raby Street, Manchester, M16 7DJ
1 Raby Street, Manchester, M16 7DJ
77 Alexandra Road, Manchester, M16 7HA
Flat 12, 40 Raby Street, Manchester, M16 7GH
Flat 11, 40 Raby Street, Manchester, M16 7GH
Flat 10, 40 Raby Street, Manchester, M16 7GH
Flat 9, 40 Raby Street, Manchester, M16 7GH
Flat 8, 40 Raby Street, Manchester, M16 7GH
Flat 7, 40 Raby Street, Manchester, M16 7GH
Flat 6, 40 Raby Street, Manchester, M16 7GH
Flat 5, 40 Raby Street, Manchester, M16 7GH
Flat 4, 40 Raby Street, Manchester, M16 7GH
Flat 3, 40 Raby Street, Manchester, M16 7GH
Flat 2, 40 Raby Street, Manchester, M16 7GH
Flat 1, 40 Raby Street, Manchester, M16 7GH
69 Alexandra Road, Manchester, M16 7HA
63 Alexandra Road, Manchester, M16 7HA
21 Raby Street, Manchester, M16 7DJ
15 Raby Street, Manchester, M16 7DJ
Salaam Community Centre And Masjid, Mazda House, 40B Raby Street, Manchester, M16 7DJ
7 Whitnall Street, Manchester, M16 7EB
5 Whitnall Street, Manchester, M16 7EB
3 Whitnall Street, Manchester, M16 7EB
1 Whitnall Street, Manchester, M16 7EB
73 Alexandra Road, Manchester, M16 7HA
71 Alexandra Road, Manchester, M16 7HA
67 Alexandra Road, Manchester, M16 7HA
65 Alexandra Road, Manchester, M16 7HA
61 Alexandra Road, Manchester, M16 7HA
59 Alexandra Road, Manchester, M16 7HA
23 Raby Street, Manchester, M16 7DJ
17 Raby Street, Manchester, M16 7DJ
11 Raby Street, Manchester, M16 7DJ
70 Raby Street, Manchester, M16 7DJ
19 Raby Street, Manchester, M16 7DJ

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