

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132732/VO/2022

Date registered valid: 22 February 2022

Proposal: CITY COUNCIL DEVELOPMENT - Alleygating scheme comprising the installation of 2.1m high alley gates together with associated 2.1m high weld mesh fencing

Address: Alleyway To The Rear Of 100-120 Wilmslow Road And To The Side Of 1 Grandale Street, 13 And 18 Eva Street And 501 Claremont Road, Manchester, M14 5NX

Ward(s): Moss Side Ward

Applicant: Miss Sally Coates, Manchester City Council Alexandra House, 133 Moss Lane East, Manchester, M15 5GX

Agent (if any):

Case officer: Jennifer Connor
Tel: 0161 234 4545
Email: jennifer.connor@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 31.05.2022

Application details

Type of application: Regulation 3 Consent

Development type: Minor Other

Date of site visit: 4 March 2022

Standard consultations:

Printed: 21 April 2022 Expired: 12 May 2022

Neighbour notifications

Printed: 21 April 2022 Expired: 12 May 2022

Site notice

Posted: 4 March 2022 Expired: 25 March 2022

Press advert

Published: 1 March 2022 Expired: 22 March 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area



This application would see the alleygating of a passageway to the rear of property fronting Wilmslow Road in Rusholme District Centre between Grandale Street to the north and Claremont Road to the south, with access to the west from Eva Street. This is a sensitive location where residential property meets commercial property.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Alleygating scheme comprising the installation of 2.1m high alley gates together with associated 2.1m high weld mesh fencing

Consultations & Notification Responses

Highway Services - Pedestrian access will be managed with a master key system which will benefit all users and residents located adjoining the alleyways.

It is assumed that waste bins will continue to be stored within rear yards and transported via the respective alleyways to the relevant collection point adjacent to the highway, this arrangement is acceptable to Highways.

The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

It is confirmed that the applicant and MCC Highways team are involved in ongoing discussions regarding the proposed Stopping up of the Highway under Section 116 of the Highways Act 1980. Highways have no objections.

Greater Manchester Police - Satisfied with the details provided and support the application.

Greater Manchester Pedestrians Society – No comments received

Electricity Northwest - Whilst there is no objections in principle, up to date records must be secured before the work on the gate begins, and that we are provided with one key that we will store securely within a local substation providing us the access we require on a 24/7 basis.

Policies

The National Planning Policy Framework 2021 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, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The Development Plan

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

Policy SP1 - sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including: creating well designed places, making a positive contribution to health, safety and well-being, considering the needs of all members of the community, and protecting and enhancing the built and natural environment.

Policy DM1 (Development Management) seeks to ensure that new development contributes to the overall aim of the Core Strategy. The issues which should be considered are those which will ensure that detailed aspects of new development complement the Council's broad regeneration priorities in particular by contributing to neighbourhoods of choice.

DM1 covers the issues which need consideration and those relevant to this scheme are considered below.

Saved UDP policy DC22.1 states In considering development proposals, the Council will have regard to the effect on existing pedestrian routes and will not normally allow development which would result in unacceptable inconvenience to local pedestrian movement.

Issues

Principle

The principle of gating alleyways is well established. The principle of the proposed development is therefore considered acceptable.

Crime and safety

The scheme will provide security and improve safety to the rear of the properties directly affected, as only the residents/businesses would have access to the alleyway. The proposal supports the City Council's objective of making places a safer place to live. The state of the environment in this location is set out in the supporting information and was noted on site, it is hoped that this application will lead to an improvement in the environment in this location.

Design

The design of the proposed alleygating is considered to be acceptable and meets the requirements of GMP.

Access

As an adopted right of way the granting of planning permission does not in itself give consent for the closure of the alley and there are formal procedures to go which the applicant is pursuing. The existence of the gate would not prevent refuse being put out as access for keyholders would remain.

The eradication of anti-social behaviour would improve the amenity for residents overlooking the alley.

Conclusion

The principle of the gate raised no objections to the planning application (there were conversations with Electricity North West with regards to the access to their substation fronting Claremont Road, the position of the alleygates was altered to address this issue and they removed their objection) and subject to the applicant going through the required steps there are no issues with the proposal in planning terms.

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 issues arising from the consideration of this application.

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:

Eva Street Proposal Supporting Information received 20 January 2022
Alleygates Specification and Fencing Quotation received 7 February 2022
Location Plan in email from Sally Coates dated 8 April 2022.

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.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Greater Manchester Police
Greater Manchester Pedestrians Society
Electricity Northwest

List of properties notified on Uniform

Appendix 2 – Planning constraints