

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128336/FH/2020

Date registered valid: 11 December 2020

Proposal: Erection of 1.8 metre high fencing, to match existing fencing, to secure decking area to ground floor apartment by fencing the two non-fenced sides of the decked area.

Address: 2 Radcliffe House , 401 Ashton Old Road, Manchester, M11 2DJ

Ward(s): Ancoats & Beswick Ward

Applicant: Mr Jesus Esteve Portales 2 Radcliffe House , 401 Ashton Old Road, Manchester, M11 2DJ

Agent (if any):

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 3 February 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

Printed: 14 December 2020

Expired: 4 January 2021

Neighbour notifications

Printed: 14 December 2020

Expired: 4 January 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:

Tree Preservation Order:

Description of site / building / area

The application relates to a ground floor apartment - Apartment 2, Radcliffe House, which is located along Ashton Old Road in Ancoats & Beswick ward. There is an existing external decked area at the application site which has one of the sides fenced in timber, approximately 1.8 metres high. This fence appears to be an original design feature to the ground floor apartments of Radcliffe House and the adjacent Campbell House. The application site is bounded by residential properties at Rylance Street to the west and Bell Street to the north-east. Ashton Old Road, a radial route into the city is within walking distance and the elevated railway line to the west. The surrounding area is mixed-use in character, predominantly of residential properties, however there are retail, commercial and industrial uses close by. The application site is located at the junction of Rylance Street and Ashton Old Road.

Description of development

Consent is sought for the erection of 1.8 metre high fencing, to match existing fencing, to secure an existing decking area to a ground floor apartment, apartment 2 in Radcliffe House, by fencing the two non-fenced sides of the decked area. All the proposed fence and fixings would sit directly on the current decked area, and the information submitted indicates no fixings or

fence would encroach onto the adjacent footpath or any other area not belonging to the apartment 2.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No objections, comments, or representations were received.

2. Highways

The proposed erection of fencing to secure decking will be on private land and will not front the adopted highway. It is understood that the proposals will not have an impact on circulation or the external highway network. Highways have no objections to the proposals.

3. Environmental Health

No adverse comment or objection to the application.

POLICIES

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (February 2019) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- Chapter 8: Promoting healthy and safe communities.
- Chapter 12: Achieving well-designed places.

2. The Manchester 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.'

The following policies are relevant to the proposed development:

- Policy DM 1 (Development Management)

- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)
- Policy T2 (Accessible areas of opportunity and need)

3. Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.

- Saved Policy DC1 for Residential Extensions is still considered of relevance.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods.

The following sections are of particular relevance:

i. Section 2 Design.

- Paragraph 2.14 goes on to say: it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.
- Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.
- Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well-designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

ISSUES

As previously advised, consent is sought for the erection of 1.8 metre high fencing, to match existing fencing, to secure decking area to a ground floor apartment, apartment 2 in Radcliffe House, by fencing the two non-fenced sides of the decked area. There is an existing external decked area at the application site which has one of the sides fenced off with timber material. The submitted plan would introduce 1.8 metre (same height as existing) high fencing along the 2 exposed elevations to enclose the existing decked area, using similar materials.

The proposed works would enclose the 2 exposed elevations to the existing decked area, measuring: length 2.6 metres x width 2.2 metres x height 1.86 metres.

Principle of development

The principle of the proposal to create a defensible space is considered acceptable. Notwithstanding this, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

Given the location of Radcliffe House bounded by Rylance Street, Ashton Old Road and Bell Street, the proposed works would be seen along two of these elevations - close to the junction of Rylance Street with Ashton Old Road; however there would be a significant separation and a level of screening would be provided by the existing boundary treatment, hedges and trees. The proposed fence and fixings would sit directly on the existing decked area, and the information submitted indicates no fixings or fence would encroach the adjacent footpath or any other area not belonging to the apartment 2.

The proposed scale and massing of which consent is sought, is considered proportionate given the surrounding context. In addition, the nature of development would not impinge on the adjacent footway, nor would it impact on the existing refuse management arrangements, nor would it involve any changes to vehicular access to the application site, and therefore it is considered that the scale of the development in relation to the surrounding context would be acceptable. In light of the existing context and what is already in situ, it is not considered that the development would result in undue visual impacts or highway safety impacts or be out of character with the street scene and the wider neighbourhood, pursuant with Core Strategy policies DM1, SP1 and EN1 and saved UDP policy DC1.

Design and appearance

The proposed development would be highly visible along the streetscene given the prominent location of the application site. However, in design terms, it is intended to use facing materials to match the existing and therefore in light of this factor, it is not considered that the proposed development would adversely impact on the character of the building or the general area, although a materials condition has been attached to ensure that the materials are adhered to, pursuant with the requirements of Core Strategy policies DM1, EN1 and SP1 and saved UDP policy DC1.

Car parking

The existing arrangement would be unaffected.

Waste management

The existing arrangement would be unaffected

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 proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan saved policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance, the local planning authority had no concerns to raise with the agent but have attached the relevant conditions.

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:

- Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 19 October 2020.
- Proposed Deck Plan received by the City Council as the Local Planning Authority on 26 October 2020.
- Decked Location Plan, Drawing Number A100, Revision A received by the City Council as the Local Planning Authority on 23 November 2020.
- Supporting Information, Tilted - ALTERATION REQUEST, received by the City Council as the Local Planning Authority on 26 October 2020.
- Title Plan received by the City Council as the Local Planning Authority on 26 October 2020.
- Supporting Information, Tilted - TRADITIONAL FEATHERBOARD, received by the City Council as the Local Planning Authority on 9 December 2020.

- Site Plan received by the City Council as the Local Planning Authority on 9 December 2020.

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 external facing materials to be used for the development hereby permitted shall match those of the existing fence in terms of type, colour, texture and scale, and as stated on the approved plans and documents, and the wood shall be laid on a horizontal basis to match the arrangement in the existing fencing screen.

Reason - To ensure that the appearance of the boundary treatment to be extended is not adversely affected by the materials to be used in its construction, pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

1 Wren Way, Manchester, M11 3NH
2 Rylance Street, Manchester, M11 3NP
30 Bell Crescent, Manchester, M11 3UA
30 Radcliffe House, 401 Ashton Old Road, Manchester, M11 2DJ
29 Radcliffe House, 401 Ashton Old Road, Manchester, M11 2DJ
28 Radcliffe House, 401 Ashton Old Road, Manchester, M11 2DJ
27 Radcliffe House, 401 Ashton Old Road, Manchester, M11 2DJ
26 Radcliffe House, 401 Ashton Old Road, Manchester, M11 2DJ
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6 Radcliffe House, 401 Ashton Old Road, Manchester, M11 2DJ
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3 Radcliffe House, 401 Ashton Old Road, Manchester, M11 2DJ
1 Radcliffe House, 401 Ashton Old Road, Manchester, M11 2DJ
Radcliffe House, 401 Ashton Old Road, Manchester, M11 2DJ

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH2