MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	126161/FH/2020
Date registered valid:	13 February 2020
Proposal:	Installation of railings to existing front boundary wall, together with raising the height of existing brick piers to 1.8 metres, erection 1.8 metre high timber fencing with railings on top to neighbouring boundaries at front of property and installation of 2no. 1.8 metre high metal gates
Address:	13 & 15 Sunny Bank Road, Manchester, M13 0XF
Ward(s):	Rusholme Ward
Applicant:	Mr Cristian Butaliu 15 Sunny Bank Road, Manchester, M13 0XF
Agent (if any):	
Case officer:	Linda Marciniak Tel: 0161 234 4636 Email: l.marciniak@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	21 April 2020



Application details

Type of application: Full Householder Application
Development type: Householder
Date of site visit: None
Standard consultations: Printed: 18 February 2020 Expired: 10 March 2020
Neighbour notifications Printed: 18 February 2020 Expired: 10 March 2020
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
Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

Description of site/building

The application site concerns 2 adjacent semi-detached Victorian dwellings situated on the eastern side of Sunny Bank Road, a short cul-de-sac of similar dwellings in Longsight. The dwellings have small palisade gardens at the front bounded by a dwarf brick wall with copers and brick gate piers. There is an open passageway between the two properties giving each occupier shared access to the rear gardens. Parking is on street at the two dwellings.

Description of area

The application site is located just south of Dickenson Road where the character is largely residential. North of Dickenson Road is Longsight market and the Longsight District Centre located a short distance to the north-east which offers a range of retail, commercial and leisure land uses. It is also close to both the A6 Stockport Road which offers regular bus services between Manchester and Stockport and Levenshulme railway station which gives access to the airport.

Description of development

The application, which has been amended since first submission, proposes to add railings and brick gate piers with gates to a height of 1.8 metres to the front elevation of no.15 and a timber fence with railings on top to a height of 1.8 metres between nos. 13, 15 and 17 together with 1.8 metre high gates at the passageway between nos.13 and 15.

The application was amended to remove weld mesh fencing between the two properties.

Consultations & Notification Responses

Neighbour notifications – No comments received.

Highway Services – No objection. Comments:

Highways are accepting in-principle of the proposals, subject to the following: -

The proposed access gate within the front boundary wall must be inwardly opening; -
The proposed access gate should be visually permeable; -
All construction materials must be stored off the highway; and –
The applicant shall note that any construction activity which may impact the adopted highway will need to be discussed and agreed in advance with the Council's Highways Applications and Network Resilience team (Tel. 0161 234 5004).

Issues

Policy

Manchester Core Strategy
Policy DM1 (Development Management) this policy states all development should have regard to the following specific issues:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques.

As set out within the issues section of this report below, the application proposals are considered to accord with policy DM1 of the Core Strategy.

The National Planning Policy Framework (Revised and updated 2019)
The NPPF 2019, represents the overarching planning policy framework in England. As with previous versions, it places an emphasis on the three dimensions to sustainable development: economic, social and environmental. These underpin the roles within the planning system:

- An economic role, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- A social role, supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the communities needs and support its health, social and cultural well-being; and
- An environmental role, contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate The NPPF states that where proposed development accords with an up-to-date Local Plan it should be approved.

Issues
The principle of installing boundary fencing and gates to a residential property in a mixed residential / commercial area, are acceptable subject to their impacts on visual amenity and pedestrian and highway safety.

Visual Amenity
The site is located within a residential area south of a busy commercial District Centre. Along Sunny Bank Road, there are a range of boundary treatments most dwellings retaining the original dwarf brick wall with copers on top, but some having large hedging whilst others have removed walls to create a small parking area or added solid boundaries between neighbours.



The majority of properties, including nos.13 and 15 retain the original dwarf walls at the front and these are proposed to remain at both properties with the addition of black cast iron railings to a height of 1.23 metres on top of the 570mm high wall at no.15. There are no proposals to amend the front boundary to no.13.

The gates piers are also proposed to be extended to a height of 1.8 metres with a black cast iron railing-type gate, 1.8m high x 90cm wide.

At present there is no intervening fencing between nos. 13 and 15 and only a partly demolished wall and hedging between nos.15 and 17. The applicant has amended the proposal to remove 1.8 metre high weld mesh fencing proposed for each side boundary which are now proposed to be defined and secured by 1.5 metre high timber panel fencing with 300mm of black cast iron railings on top.

The final installation is a pair of cast iron gates 1.8 metre high x 80cm wide which will enclose the open passageway to the rear, giving each occupier at 13 and 15 independent access.

The boundary treatments are considered acceptable in this location where there are some examples of tall hedging and one example of solid timber panel fencing erected inside of the dwarf to a height of 2 metres. The materials are commonly found in the local area and are capable of being well-maintained.

The applicant proposes shrub planting on the intervening fencing which will help to soften the overall impact of the solid timber fencing but this in any case is an acceptable height of 1.5 metres with 300mm of railings on top which will mitigate the impression of a heavily defended dwelling. The height and design will also permit surveillance over to each neighbouring garden whilst those at the front will permit surveillance of the street.

The site is also within a high crime risk area, the applicant stating that he has been subject to several burglaries and so a more robust boundary treatment can be justified. Secured by Design development guidance for homes (v2 2019) states that:

Gates to the side of the dwelling that provide access to rear gardens or yards must be robustly constructed, be the same height as the fence (minimum height 1.8m) and be capable of being locked (operable by key from both sides of the gate). Such gates must be located on or as near to the front of the building line as possible (paragraph 10.4) and that, *vulnerable areas, such as exposed side and rear gardens, need more robust defensive barriers by using walls or fencing to a minimum height of 1.8m […]. Trellis topped fencing can be useful in such circumstances. Additional deterrent features such as increasing the height of fencing or planting thorny shrubs may be considered as an alternative* (paragraph 10.5).

The proposal will create a neat and well-defined boundary which has the advantage of being easily maintained which will be of benefit to the street scene. A condition is appended requiring the development to be implemented in accordance with the materials and finishes as agreed in the revised plans.

Pedestrian and highway safety
The proposal will not impact to any extent on pedestrian and highway safety. The front boundary affords intervisibility with no overhang of the footway. Gates on the front boundary are inward opening and visually permeable as recommended by Highway Services who have assessed the proposal and not raised any concerns on grounds of pedestrian and highway safety.

An informative is appended at the end of this report to advise of the need to maintain a safe environment for pedestrians during construction with materials stored off the footway.

Other matters
As the proposal affects neighbouring occupiers' land, Notice no.1 was served on each occupier drawing their attention to the proposal. No comments were received in response to this or to the statutory neighbour notification of the application.

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 polices 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 local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and recommends approval the application for the reasons

outlined in the delegated report. The application was subject to a minor revision to the choice of boundary fencing to each side and the appropriate conditions have been attached. The scheme is considered to be in accordance with the guidance contained within policies SP1 and DM1 of the Core Strategy.

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:

The application form, Location Plan and Article 13 Notices (for nos. 13, 15 and 17 Sunny Bank Road all received o the 13 February 2020;
Block Plan, Site Plan, Location plan and covering letter all received on the 10 February 2020;
Drawings: D1, D2 Rev 3 and D3 Rev 3 all received by email on the 21 April 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 boundary fencing hereby approved shall be implemented using the materials and finishes annotated on plan refs: D2 Rev 3 and D3 Rev 3 received by email on the 21 April 2020.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

Informative
All construction materials must be stored off the highway.

Any construction activity which may impact the adopted highway will need to be discussed and agreed in advance with the Council's Highways Applications and Network Resilience team (Tel. 0161 234 5004).

Appendix 1 – List of consultees & neighbours notified

Highway Services

14 Beresford Road, Manchester, M13 0WP
6 Sunny Bank Road, Manchester, M13 0XF
13 Sunny Bank Road, Manchester, M13 0XF
8 Sunny Bank Road, Manchester, M13 0XF
Flat 2, 11 Sunny Bank Road, Manchester, M13 0XF
Flat 1, 11 Sunny Bank Road, Manchester, M13 0XF
17 Sunny Bank Road, Manchester, M13 0XF
20 Beresford Road, Manchester, M13 0WP
18 Beresford Road, Manchester, M13 0WP
16 Beresford Road, Manchester, M13 0WP
13 Sunny Bank Road, Manchester, M13 0XF
15 Sunny Bank Road, Manchester, M13 0XF

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
Area Team Boundary - Name: SOUTH