

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141632/VO/2024

Date registered valid: 17 January 2025

Proposal: City Council Development - Installation of 2.7m high non lockable alley gates, and associated works.

Address: Arran Street Passageway, Manchester, M40 9NN

Ward(s): Moston Ward

Applicant: Mr Michael Ripley, Manchester City Council

Agent (if any):

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 11 March 2025

Application details

Type of application: Regulation 3 Consent

Development type: Minor Other

Date of site visit: 30 January 2025

Standard consultations:

Printed: 28 January 2025 Expired: 18 February 2025

Neighbour notifications

Printed: 28 January 2025 Expired: 18 February 2025

Site notice

Posted: 30 January 2025 Expired: 20 February 2025

Press advert

Published: 4 February 2025 Expired: 18 February 2025

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The application site relates to Arran Street Passageway within the north Manchester ward of Moston. The site relates to a communal open square and is bounded by properties on Brodrick Street, Arran Street and Moston Lane. Three access points to the communal open area is possible from Brodrick Street, Arran Street and Moston Lane. At the time of the site visit, the land was used for storage of bins and provides access to the rear of the immediate residential properties.

Description of area

The site is bounded by residential properties on Brodrick Street to the north, the Bowling Green to the east, residential and commercial properties to the south and Arran Street to the west.

The wider area is mainly residential with commercial uses to the south along Moston Lane.

Description of development

The current application seeks permission for City Council Development - Installation of 2.7m high non lockable alley gates, and associated works. Single gates would be inserted at Brodrick Street and at the entrance to the south of the site off Moston Lane, and a double gate would be installed on Arran Street (see Figure 1).

The walls surrounding the single gate off Moston Lane would need to be raised to a 2.1 metre height using additional courses of brickwork.

Elevational drawings of the single and double gates have been provided for review. The gates would be made of steel and painted in a matt black colouration (RAL 9005). The steel vertical bar gates include balls on the top of each vertical. The single gates would have a height of 2.4 metres but the middle point would extend up to 2.7 metres. The single gates would have a width of 1.9 metres. The double gates would have a height of 2.4 metres and a width of 2.9 metres and would involve the installation of overhang barriers.

Whilst a lock is shown on the single gate drawing, the lock would be fitted without barrel and all gates would be unlockable. A sliding pin and drop-bolts with receivers (in the open and closed positions) allow for convenient opening and closing of gates for pedestrians, from both the inside and outside of the alleyway.



Figure 1, Site Plan showing proposed works

Negotiations during the Course of the Application

During the course of the application, the description of development was amended to include the associated works to the site. Confirmation was given from the agent as to whether the gates were or were not lockable. Confirmation was provided from the agent as to whether the gates were inward opening. Confirmation for the location of the proposed single and double gates were provided. Discrepancies within the submitted Design & Access Statement were overcome, with a new Design & Access Statement supplied for review.

Planning History

No planning history exists for the alleyways subject to this application.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Highway Services

Highway Services provided the following response:

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

It is assumed waste bins will continue to be stored as existing. It is noted that waste bins will be transported via the respective alleyways to the relevant collection point, adjacent to the highway, this arrangement is acceptable to Highways. It must be ensured that there is no obstruction on the highway.

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.

In summary Highways have no objection to the creation of a Public Space Protection Order (PSPO) and for gates to be erected on the respective alleys.

Further comments dated 4 March 2025:

Thank you for confirming that the gates will open inwards, this is acceptable to Highways. Note the gates will be unlockable.

Greater Manchester Police

Greater Manchester Police were consulted and the following response was received:

GMP would prefer to see the gate lockable with keys issued to residents but accept that the gate alone provides a deterrent and is better than the alleyway being left ungated.

Greater Manchester Pedestrians Society

Greater Manchester Pedestrians Society were consulted; however no comments were received.

Issues

POLICY

The National Planning Policy Framework (December 2024)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - 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
- b) a social objective and

c) an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

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

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

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management),
Policy SP1 (Spatial Principles),
Policy EN1 (Design Principles and Strategic Character Areas).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC22.1 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.

Reasons- New development can result in the dislocation of locally valuable pedestrian routes. The Council wishes to avoid creating lengthy and unattractive diversions for pedestrians wherever this is possible. This policy will ensure that the matter is taken fully into account when applications for planning permission are considered.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance.

The following policies are relevant:
i.JP- S1- Sustainable development

ISSUES

Principle of Development

The application seeks consent for City Council Development - Installation of 2.7m high non lockable alley gates, and associated works. The works have been sought as the alleyway at Arran Street is in a poor condition, the agent reports that waste mismanagement is rife and the site is subject to Anti-Social Behaviour. As such, the gates would enclose the area and make it less attractive as a place to congregate. As such, it will result in a safer environment for those residential and commercial properties surrounding the site, as well as for the Bowling Green to the east of the site. The principle of gating alleyways is well established, and there is a number of planning applications approved for alley gating schemes across the City. The principle of the proposed development is therefore considered acceptable and the scheme would be pursuant to Policy SP1 and DM1 of the Core Strategy. However, consideration should be given to crime and safety implications, design and access.

Crime and Safety

The scheme will provide security and improve safety to the rear of the properties directly affected- of residents at Arran Street, Brodrick Street and commercial and residential neighbours along Moston Lane. Whilst the gates are unlockable and so could theoretically be opened by any passerby, GMP were consulted on the application and accepted that the installation of such gates would act as a deterrent and is better than the alleyway being left ungated.

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. As such, it is considered this application will lead to an improvement in the environment in this location. This would be pursuant to SP1 and DM1 of the Core Strategy.

Design

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

Elevational drawings of the single and double gates have been provided for review. The gates would be made of steel and painted in a matt black colouration (RAL 9005). The steel vertical bar gates include balls on the top of each vertical. The single gates would have a height of 2.4 metres but the middle point would extend up to 2.7 metres and have a width of 1.9 metres. The double gates would have a height of 2.4 metres and a width of 2.9 metres and would involve the installation of overhang barriers.

The proposed design would be of a standard gate design and with the use of the balls at the top of each vertical would create visual interest whilst acting as a deterrent to the area. The gates

would be steel and finished in a matt black colouration, this would again be of a typical alley gate and would be considered to relate well to the surrounding context. As such, the proposal is considered acceptable in form and design, pursuant to Policy DM1, SP1 and EN1 of the Core Strategy.

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 through which the applicant is pursuing. Highway Services reviewed the application and confirmed Highways have no objection to the creation of a Public Space Protection Order (PSPO) and for gates to be erected on the respective alleys.

Highways Services reviewed the application and noted that waste bins will be transported via the respective alleyways to the relevant collection point, adjacent to the highway. This arrangement is acceptable to Highways.

During the course of the application, the agent confirmed the gates would be inward opening. This detail was reviewed by Highways and was considered acceptable.

As such, the proposal is not considered to give rise to any adverse access implications, pursuant to Policy DM1 and SP1 of the Core Strategy, and policy DC22.1 of the UDP.

Other Legislative Requirements **Equality Act 2010**

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 officers have worked with the applicant in a positive and proactive manner, additional information has been provided to satisfy concerns raised and appropriate conditions have been attached to any approval granted.

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:

- Drawing- Proposed- Double Gates Drawing, stamped as received by the City Council as Local Planning Authority on 17 January 2025.
- Application Form, stamped as received by the City Council as Local Planning Authority on 27 February 2025.
- Drawing- Proposed- Plan of Double and Single Gates, stamped as received by the City Council as Local Planning Authority on 27 February 2025.
- Drawing- Proposed- Single Gate Drawing, stamped as received by the City Council as Local Planning Authority on 27 February 2025.
- Design and Access Statement v3, stamped as received by the City Council as Local Planning Authority on 4 March 2025.

3) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form, 'Drawing- Proposed- Double Gate Drawing' and 'Drawing-Proposed- Single Gate Drawing' specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Greater Manchester Police

Greater Manchester Pedestrians Society

Flat 2, 2A Arran Street, Manchester, M40 9NN

Flat 1, 2A Arran Street, Manchester, M40 9NN

8 Brodick Street, Manchester, M40 9WL

45 Brodick Street, Manchester, M40 9WL

298 Moston Lane, Manchester, M40 9WB

Flat 2, 1 Arran Street, Manchester, M40 9NN

Flat 1, 1 Arran Street, Manchester, M40 9NN

Flat 2, 331A Moston Lane, Manchester, M40 9NL

Flat 1, 331A Moston Lane, Manchester, M40 9NL

333 - 339 Moston Lane, Manchester, M40 9NL

345A Moston Lane, Manchester, M40 9NB

43 Brodick Street, Manchester, M40 9WL

351A Moston Lane, Manchester, M40 9NB

288 Moston Lane, Manchester, M40 9WB

349A Moston Lane, Manchester, M40 9NB

347A Moston Lane, Manchester, M40 9NB

286 Moston Lane, Manchester, M40 9WB

Ladbroke's, 347 Moston Lane, Manchester, M40 9NB

Flat A, 343 Moston Lane, Manchester, M40 9NB

Simpson Memorial Hall, Moston Lane, Manchester, M40 9NB

SIMPSON MEDICAL PRACTICE, 361 Moston Lane, Manchester, M40 9NB

294 Moston Lane, Manchester, M40 9WB

292 Moston Lane, Manchester, M40 9WB

4 Brodick Street, Manchester, M40 9WL

8 Arran Street, Manchester, M40 9NN

4 Arran Street, Manchester, M40 9NN

288A Moston Lane, Manchester, M40 9WB

6 Brodick Street, Manchester, M40 9WL

55 Brodick Street, Manchester, M40 9WL

51 Brodick Street, Manchester, M40 9WL

49 Brodick Street, Manchester, M40 9WL

2 Arran Street, Manchester, M40 9NN

296 Moston Lane, Manchester, M40 9WB

10 Arran Street, Manchester, M40 9NN

290 Moston Lane, Manchester, M40 9WB

284 Moston Lane, Manchester, M40 9WB

282 Moston Lane, Manchester, M40 9WB

345 Moston Lane, Manchester, M40 9NB

343 Moston Lane, Manchester, M40 9NB

341 Moston Lane, Manchester, M40 9NB

53 Brodick Street, Manchester, M40 9WL

47 Brodick Street, Manchester, M40 9WL

Advertising Right 02033094 On Gable, 341 Moston Lane, Manchester, M40 9NB

351 Moston Lane, Manchester, M40 9NB

2 Brodick Street, Manchester, M40 9WL

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH AREA