

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138322/VO/2023

Date registered valid: 7 November 2023

Proposal: CITY COUNCIL DEVELOPMENT Alleygating scheme comprising the installation of 15no. 2.7-metre-high gates

Address: 1 Newlyn Street, Manchester, M14 7PQ

Ward(s): Moss Side Ward

Applicant: Miss Sally Coates, Manchester City Council

Agent (if any):

Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21 December 2023

Application details

Type of application: Regulation 3 Consent

Development type: Minor Other

Date of site visit: 16 November 2023

Standard consultations: Printed: 9 November 2023 Expired: 30 November 2023

Neighbour notifications: No neighbour notifications have been printed and sent.

Site notice: Posted: 16 November 2023 Expired: 7 December 2023

Press advert: Published: 14 November 2023 Expired: 28 November 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to the shared alleyways situated between the redbrick terraced properties of Boscombe Street, Newlyn Street, Chilworth Street, Arnside Street, Yew Tree Road, Parkfield Street, and Heald Place. Located in the Moss Side ward of Manchester, close to Platt Fields Park, Feel the Rhythm Pocket Park, and Heald Place Primary School, the area is predominantly residential in terms of its character and benefits from its proximity to public outdoor amenity and green spaces.

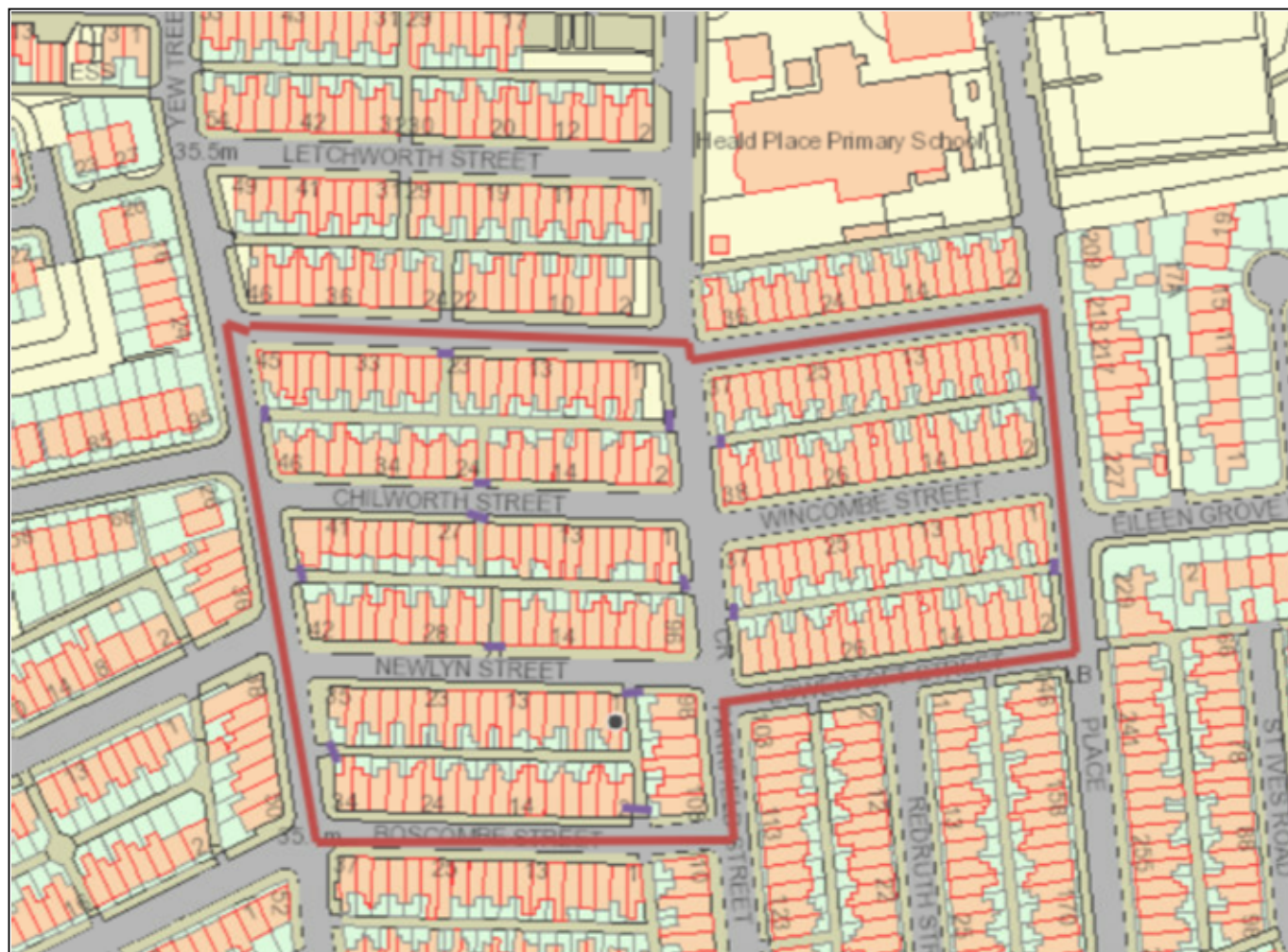


Figure 1. Location plan with site edged in red and proposed alley gate locations in purple.

Description of development

The applicant is seeking permission for a City Council alleygating scheme comprising of the installation of 15no. 2.7-metre-high gates.

Consultations & Notification Responses

One letter of support was received from one local resident in response to this application.

GMP – no comments or objections received.

Highway Services made the following comments in response to the application:

- Pedestrian access will be managed with a master key system which will benefit all users and residents located adjoining the alleyways.
- Waste collection will continue as existing which 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 have been involved in the process of Stopping Up the Highway under Section 116 of the Highways Act 1980, this has been granted by Magistrates.
- Highways have no objections.

Cadent Gas made no objection to the proposal, requesting that an informative note be attached to the decision notice.

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 the 11th of July 2012:

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles

The National Planning Policy Framework (NPPF, 2023)

- Chapter 12 – Achieving Well-Designed Places

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester’s development plan.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council’s Executive agreed the Main Modification on 4 October 2023 and endorsed an 8-week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, 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 significant weight in the planning balance.

Issues

Principle – the principle of the proposal, to install 15no. 2.7m-high inward-opening gates in association with the entrances of the shared alleyways of Boscombe Street, Newlyn Street, Chilworth Street, Arnside Street, Yew Tree Road, Parkfield Street, and Heald Place so as to improve the safety and security of the area, is acceptable. However, consideration must be given to the proposal's siting, scale, and massing, appearance, and impact upon visual and residential amenity, as well as waste storage and parking.

Siting, scale, and massing – the proposed locations of the gates are visible in figure 1, with:

- 1 gate located at the alleyway entrance along Boscombe Street,
- 2 gates located at the alleyway entrances along Newlyn Street,
- 2 gates located at the alleyway entrances along Chilworth Street,
- 1 gate located at the alleyway entrance along Arnside Street,
- 3 gates located at the alleyway entrances along Yew Tree Road,
- 4 gates located at the alleyway entrances along Parkfield Street, and;
- 2 gates located at the alleyway entrances along Heald Place.

Each gate would consist of a single gate measuring to 2.7m in height, and 1.9m in width.

Overall, the siting, scale, and massing of the proposal is considered acceptable as it would not introduce 'excessively large or bulky' additions to the application site, would not introduce an overbearing presence into the locale, and would incur considerable public benefits as a result of its implementation, including improved on-site security and safety, pursuant to policies DM1 and SP1 of the Core Strategy.

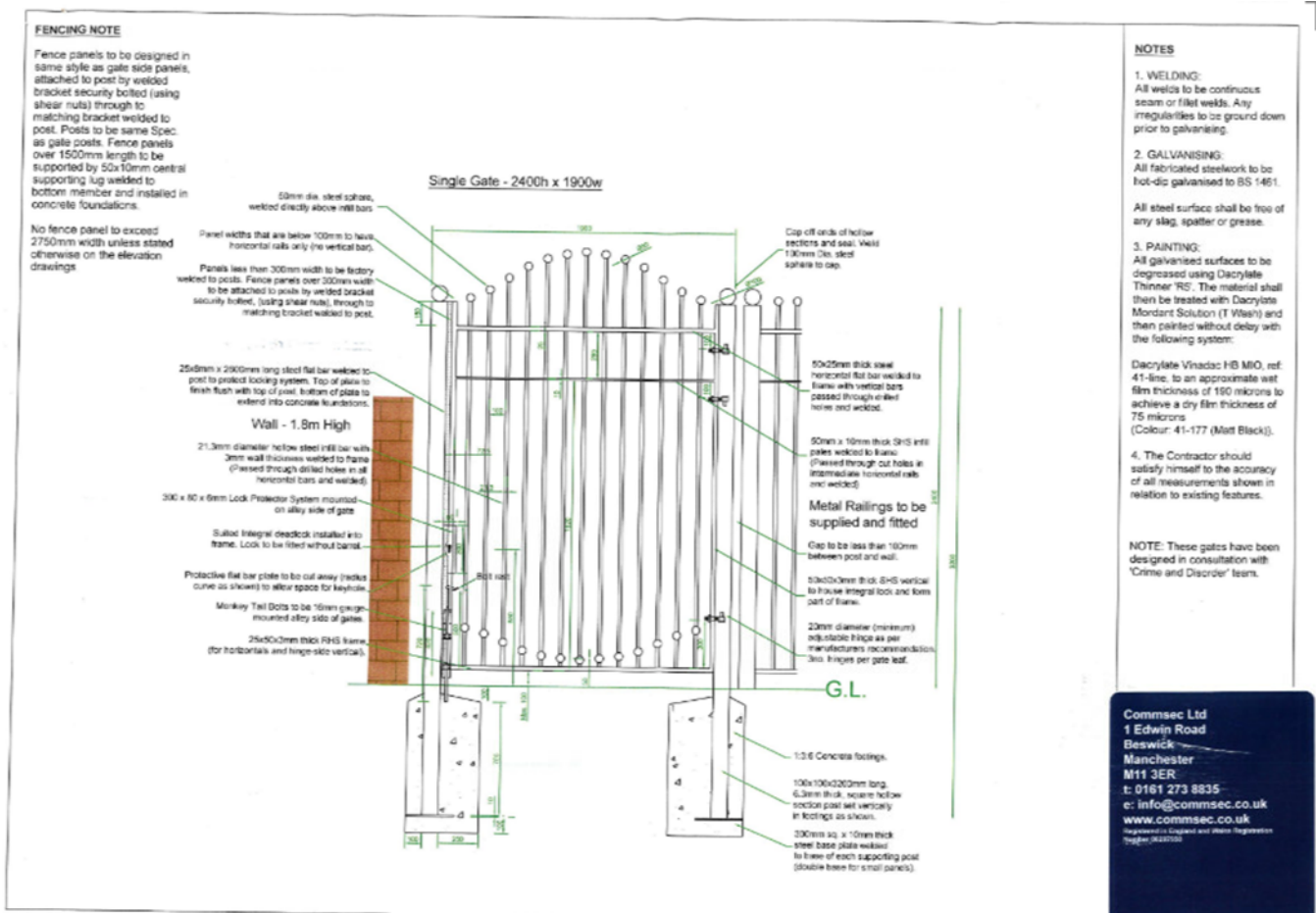


Figure 2. Submitted proposed gate details.

Appearance and visual amenity – the proposal would be a simple construction consisting of 2.7m-high galvanised steel gates, finished with black Dacrylate Vinadac.

Details of the gates include:

- Frame uprights – 50 x 50 x 3 SHS,
- Metal plate welded to relevant upright in a position to protect the locking mechanism,
- Vertical infill bars – 20 dia solid bars to be topped with solid steel sphere to top, with centre bars formed to bow top,
- Frame horizontals – 50 x 25 x 3 RHS cross members,
- Horizontal flat bar – 50 x 10, to be placed towards top of gate to reduce potential for climbing,
- Hinges – 3no. hinges per gate (15mm diameter eye bolt) to be placed to the rear/inside of the gate, where at all possible,
- Drop bolt is included,
- Locking system – pedestrian gate, Squire Euro double cylinder to be fitted into relevant SHS upright of frame, receiver plate to be fitted to gatepost to protect bolt / bolthole
- The alleygating is to be fitted by Commsec in accordance with the manufacturer's instructions.

Given that the proposal is relatively standard in terms of its design and scale for developments of this type, combined with the fact that it would be sited between the existing terraced properties, and setback from the public footpaths and highways, it is understood that the proposal would not cause significant harm to the visual amenity of the area.

Moreover, it should be noted that any perceived visual harm caused as a result of the proposal would be outweighed by the significant public benefits that the scheme would produce, including improved safety and security for the area.

The proposal therefore accords with policies DM1 and SP1 of the Core Strategy, as well as chapter 12 of the NPPF.

Residential amenity – the proposal is not believed to significantly harm the residential amenity of neighbouring occupiers as the proposed gates would be a permeable construction and would constitute relatively minor additions to the area overall. As such, the gates should not cause issues associated with overshadowing, loss of light, nor should they introduce an overbearing presence into the area.

The proposal therefore accords with policies SP1 and DM1 of the Core Strategy.

Waste storage – the area's current waste storage arrangements would be unaffected by the proposal.

Parking – the area's current parking arrangements would be unaffected by the proposal.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, siting, scale, and massing, appearance, and impact upon visual and residential amenity, waste storage, and parking as it complies with policies DM1 and SP1 of the Core Strategy, and chapter 12 of the NPPF.

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

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 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 permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following documents:

- 'Application for Planning Permission', stamped as received by the City Council as Local Planning Authority on the 7th November 2023.

- Drawing – Location Plan, with site edged in red and proposed gate locations in purple, labelled 'Crown Copyright and database rights 2023. Ordnance survey 100019568', stamped as received by the City Council as Local Planning Authority on the 13th October 2023.
- Gate specification, labelled 'Single Gate – 2400h x 1900w', stamped as received by the City Council as Local Planning Authority on the 7th November 2023.
- 'Specification for MCC STOCK GATING SYSTEM', stamped as received by the City Council as Local Planning Authority on the 7th November 2023.

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

3) The materials to be used on the external surfaces of the development hereby permitted shall match those specified on the submitted application form and approved documents.

Reason - To ensure the appearance of the site to be developed is not adversely affected by the materials to be used in the construction of the development, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

Informatives

1) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Greater Manchester Police

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA