

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136336/FH/2023
Date registered valid: 8 March 2023
Proposal: Erection of new 2.4 metre high fencing to side of dwelling
Address: 10 Searby Road, Manchester, M18 7RQ
Ward(s): Longsight Ward

Applicant: Master F Jobe
Agent (if any): Mr Tom Adshead, AG Architectural Solutions Ltd.
Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE
Date of recommendation: 03.05.2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 21 April 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 20 March 2023 Expired: 10 April 2023

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/Area

The application relates a 2 storey inter-war dwellinghouse located within a predominantly residential area of Longsight ward. The application property benefits from amenity space along the front, side and rear elevations with all round boundary treatment, approximately 1.8 metres along the rear boundary. The amenity space to the front of the house is currently in-part hard surfaced for parked vehicles, with gated access. There are existing mature conifer trees within the application site - one within the rear garden along the common shared boundary with no. 12 Searby Road, and the other within the front garden along the common boundary with no. 29 Aylesby Avenue. There are no TPOs on the trees. No. 12 Searby Road has an existing single storey rear extension sited along the common shared boundary with a rearward projection of approximately 6 metres, (ref: 114497/PDE/2016 - approved 2016). The application site is within a short walking distance from Nutsford Vale, a public recreational open space.

Description of development

Planning permission is sought for the erection of a 2.4metre high fencing to the front, side and rear of dwelling.

Planning History

134980/FH/2022 Erection of single storey rear extension to form additional living accommodation. APPLICATION APPROVED 28.11.2022

Consultations & Notification Responses

Local residents were notified however none responded.

Policy

The following policies are considered relevant to provide guidance and consideration to this application:

- National Planning Policy Framework (NPPF)
- Saved policy DC1 of the UDP
- DM1, SP1, EN19 of the Manchester Core Strategy

The National Planning Policy Framework 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. The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8: Promoting health and safe communities

91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: promote social inclusion, are safe and accessible and enable and support healthy lifestyles.

Chapter 12: Achieving well-designed places

124: The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Unitary Development Plan Saved Policies

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.

Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents,
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

Policy DM 1 Development Management- All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

- 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.

Issues

Residential and Visual Amenity

The proposed timber fencing will be situated to a section of the northern boundary, along the principal elevation and within the applicant's own curtilage (see Figure 1 below).

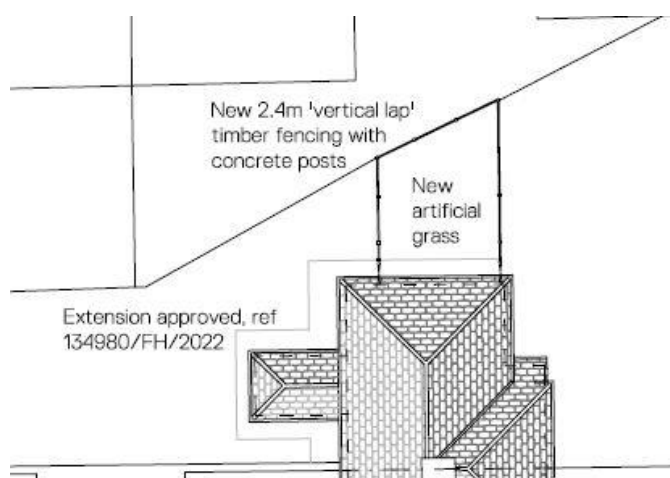


Figure 1: Proposed Site Plan

The proposed fencing will measure approx. 2.4metres in height along the principal, side and rear elevation and would replace the existing boundary wall along the frontages. The proposed fencing would run approx. 5.3 metres along the northern boundary with 29 Aylesby Avenue before terminating close to the original rear elevation of the host's dwelling. It is deemed that the height may be slightly on the larger side but given the proposal is only for a section of the northern boundary and not covering the full width of the boundary with local precedent evident of larger boundary treatment (29 & 31 Aylesby Avenue's shared boundary) it is deemed that an overbearing feature would not be significant to warrant a refusal. Further, given the siting of the neighbouring house and the orientation of the properties it is not considered that significant overshadowing impacts would occur with morning sun expected to cause additional shadowing implications to the side garden of the neighbouring dwelling but this is alleviated during the afternoon and evening sun and would not interfere with the neighbouring dwelling's rear garden.

The proposed fencing along the principal elevation would be setback from the public highway (7.5metres) and would be well hidden from the streetscene with the existing vegetation and trees acting as a natural barrier and hiding part of the fencing. Further, timber fencing is commonplace within the local area and would not be considered an incongruous feature within the streetscene and therefore the proposal is not considered to have an adverse impact upon residential or visual amenity, pursuant to policy DM1 and SP1 of the Core Strategy.

Design and Appearance

The proposal intends to use facing materials comprising timber fencing which is in keeping with other developments in the immediate area, and therefore in light of these factors, it is not considered that the proposed development would adversely impact on the character of the building or the general area. In addition, 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.

Additionally, given the proposed height of the fencing it would fail to comply with the General Permitted Development Order, and therefore planning consent is sought for this development.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is conserved acceptable.

Car Parking

Car parking provision would be unaffected by the proposal.

Bin Storage

Bin storage would be unaffected by the proposal.

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 agent/applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning applicant. No significant problems have arisen during the consideration of this application.

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 date of three years beginning with 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:

Document- Householder Application for Planning Permission for works or extension to a dwelling Town and Country Planning Act 1990 (as amended) stamped as received by the City Council as Local Planning Authority on 23 February 2023

Drawing- The Location Plan stamped as received by the City Council as Local Planning Authority on 23 February 2023

Drawing- Plans and Elevations ref. X6 DRAWING stamped as received by the City Council as Local Planning Authority on 23 February 2023

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 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 and Approved Drawings specified in Condition 2 of this approval.

Reason- To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the structure, pursuant to policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

29 Aylesby Avenue, Manchester, M18 7SF
33 Aylesby Avenue, Manchester, M18 7SF
11 Searby Road, Manchester, M18 7RQ
27 Aylesby Avenue, Manchester, M18 7RP
31 Aylesby Avenue, Manchester, M18 7SF
7 Manby Square, Manchester, M18 7RX
5 Manby Square, Manchester, M18 7RX
9 Searby Road, Manchester, M18 7RQ
12 Searby Road, Manchester, M18 7RQ

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
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA