

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134219/FO/2022
Date registered valid: 19 July 2022
Proposal: Erection of 2.4m high boundary fencing and gates
Address: Birchall Way, Manchester, M15 6DU
Ward(s): Hulme Ward
Applicant: Manchester Metropolitan University C/o Agent
Agent (if any): Miss Jennifer Chatfield, Deloitte LLP, The Hanover Building,
Corporation Street, Manchester, M4 4AH
Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 7 September 2022



Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 21 July 2022

Standard consultations: Printed: 20 July 2022 Expired: 10 August 2022

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

Site notice: Posted: 21 July 2022 Expired: 11 August 2022

Press advert: Published: 26 July 2022 Expired: 16 August 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to an area of land currently used by MMU, which includes a carpark and offices for their staff. Previously this strip of land featured a sliding entrance gate, a length of low fencing, 5 flagpoles and an advertisement totem, which have all recently been removed.

Description of area

The site lies adjacent to Princess Road and the cycleway, south of Epping Walk footbridge and across the highway from the Birley Fields campus to the west. To the south lie residential dwellinghouses and to the east lies a community centre and primary school, hence the nature of this area of Hulme is predominantly class C and F.

Description of development

The applicant is seeking permission to install replacement fencing and gates, with a height of 2.4m, along the Princess Road boundary of the site for security purposes.

Consultations & Notification Responses

Local residents via site notice – No comments received.

Highway Services – *Highways have no objections regarding the proposed erection of a 2.4 metre high mesh fence. It is understood that the proposals would not have an impact on the approved pedestrian/vehicular access, parking, circulation or the external highway network. The automated gated access points are inward opening and will not impact on the adopted*

footway or highway which is acceptable to Highways.

Detail should be sought from the applicant in relation to any proposed construction or fitout arrangements, where there is an impact on the highway. The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams.

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 11th July 2012:

- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles
- Policy EN1 - Design Principles

The National Planning Policy Framework (NPPF 2012, amended in 2021)

- Chapter 12 – Achieving Well-Designed Places

For reasons to be outlined below, it is considered the proposal accords with the principles of these policy documents.



Issues

Principle – The principle of erecting new fencing along a site's boundary, adjacent to a public footpath/cycleway and busy road in order to improve security, is acceptable. However, consideration must be given to the proposals siting, scale, design and its impact upon existing levels of amenity and safety.

Siting and scale – The 2.4m high fencing would be erected along the western boundary of the carpark, sited approximately 1-1.5m from the public highway (the segregated cycleway and footpath of Princess Road). The fencing would be approx. 1.8m higher than the existing low railing, but would lie behind planting, well away from the road itself. It would not obscure any

views or cause any highway safety issues. The location, siting and scale of the fencing is considered appropriate, in line with policies DM1, SP1 and the NPPF.



Design, appearance and visual amenity – The proposed fencing would be ‘V’ weld mesh fencing in green, with an electronic inward-opening gate at the entrance to the site. There already exists green metal fencing at the entrance, which currently has an electronic sliding gate. The replacement fencing provides an improved security to the site, which the agent explains within the cover letter, has been an issue for MMU recently, given the very low railing previously separating the site from the public footpath. The site is not listed nor is it sited within a conservation area. It is considered the boundary treatment would be in-keeping with the existing university campus across the road and other education settings and would be constructed of appropriate materials. Due to the existing planting and location, the fence is not considered to form a prominent feature within the Princess Road streetscene. For the reasons above the fencing is not considered to have a significant impact upon Birchall Way or the wider area’s visual amenity, pursuant to policies DM1, SP1 and EN1 and the NPPF.

Conclusion – No comments or objections have been received from local residents, the proposal complies with policies DM1, SP1, EN1 and the NPPF. Additionally it is not considered to significantly harm the residential or visual amenity of the area, therefore the development may commence in accordance with the following conditions and the approved drawings.

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

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 drawings and documents:

- Application form
- Location plan
- Drawing: 01_Proposed plan

All stamped as received by the City Council as Local Planning Authority on the 30 June 2022.

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.

Informatives

1) The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via email - highwaylicences@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services

Appendix 2 – Planning constraints

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

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: SOUTH AREA