

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134366/FH/2022

Date registered valid: 20 July 2022

Proposal: Installation of 1.92m high vehicular access gates and fence (0.8m in height) to existing boundary wall to the Torbay Road frontage.

Address: 40 Corkland Road, Manchester, M21 8XA

Ward(s): Chorlton Park Ward

Applicant: Mr Alex Guinan, 40 Corkland Road, Manchester, M21 8XA

Agent (if any):

Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 13.09.2022

Application details

Type of application: Full Householder Application

Development type: Householder

Standard consultations:

Printed: 25 July 2022 Expired: 15 August 2022

Neighbour notifications

Printed: 17 August 2022 Expired: 7 September 2022

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 property relates to a semi-detached property situated at the corner of the junction between Corkland Road and Torbay Road. The property benefits from a small grassed front garden with bay fronted windows along the ground and first floor. The property has benefited from a single storey rear extension with a rear dormer and boundary treatment that was approved in 2019 (application ref. 122146/FH/2018). The property is bounded by a 2 metre high trellis fence and masonry wall along the southern elevation and a masonry wall and hedge vegetation treatment along the eastern elevation.

The remainder of the area is residential in nature with houses of similar style and design within the local vicinity.

Description of development

The application seeks planning permission for the installation of 1.92m high vehicular access gates and fence (0.8m in height) to existing boundary wall to the Torbay Road frontage.

Planning History

122146/FH/2018 Erection of a single storey rear extension, together with rear dormer with Juliet balcony and erection of boundary treatment at 2.00m high. APPROVED 01.03.2019.

Consultations & Notification Responses

Local residents were notified and two response was received. It should be noted that the responses are from the same objector one to the original and one to the revised application. The objector's comments are outlined below:

- 1) Applicant has not supplied written notice of the changes to the party wall.
- 2) Safety implications as it will reduce the ability to see oncoming traffic at the junction between Corkland Road and Torbay Road.
- 3) Proposal is not in keeping with the local character with it creating an impression of hostility and exclusion.
- 4) Loss of light to my front room as a result of the proposal.

Comments on the Objection Letter: The applicant has serviced notice and applied for certificate B within the application form and therefore anything outside of this is between the applicant and the objector. Additionally, the applicant has revised the original proposal to only include the Torbay elevation boundary treatment whilst they continue discussions with the neighbour regarding the party wall issue.

Highways Comments:

- Proposal would not impact the approved pedestrian/vehicular access, parking or highway network.
- Concerns over visibility between an egressing vehicle and passing pedestrian and motorised traffic along Torbay Road. All boundary treatments with frontage to the highway must ensure visibility and be visually permeable from a height of 0.6m upwards.
- Driveway has an acceptable clearance of 3.6m to facilitate vehicle access.

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 applicant has submitted revised drawings email dated. The applicant now only seeks planning permission for the installation of 1.92m high vehicular access gates and fence (0.8m in height) to existing boundary wall to the Torbay Road frontage. The proposed timber fence would replace the existing hedge on top of the 1m masonry wall up until a height of 1.8 metres. The hedge will remain above the proposed fencing. The proposed fencing would run approx. 13.3 metres along the Torbay Road frontage culminating at the existing side gate which is to be retained at a height of 1.92 metres. Additionally, the fencing adjoining the existing side gate will be raised to 1.8metres. Therefore, there will be reduction in height of the existing boundary treatment however a more prominent structure is proposed along a dominant frontage. However, it is deemed given that the height is acceptable and comparable to many in the local vicinity, the proposed fencing would not create an overbearing feature to neighbouring properties.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity.

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, the proposed fence would fall within Permitted Development Regulations, and as such, the form and scale of the development is considered acceptable, pursuant to Policy DC1.2 of the UDP.

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.

Highways Comments

Highways have stated their concerns regarding the visual permeability of the proposed fencing above 0.6metres, however since this proposal can be achieved through Permitted Development and the pavement adjacent to the highway is rather deep it is not deemed appropriate to refuse this application based on the initial concern.

Car Parking

Car parking provision would be unaffected by the proposal.

Bin Storage

Bin storage would be unaffected by the proposal.

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 17 August 2022

Drawing- The Location Plan stamped as received by the City Council as Local Planning Authority on 20 July 2022

Drawing- Gate Proposal stamped as received by the City Council as Local Planning Authority on 20 July 2022

Drawing- Fence Proposal stamped as received by the City Council as Local Planning Authority on 12 September 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.

- 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

Highway Services

2 Torbay Road, Manchester, M21 8XD
38 Corkland Road, Manchester, M21 8XA
49 Corkland Road, Manchester, M21 8XG
47 Corkland Road, Manchester, M21 8XG
41 Corkland Road, Manchester, M21 8XG
45 Corkland Road, Manchester, M21 8XG
43 Corkland Road, Manchester, M21 8XG
42 Corkland Road, Manchester, M21 8XH
36 Corkland Road, Manchester, M21 8XA

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