

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133475/FH/2022

Date registered valid: 5 May 2022

Proposal: Erection of 2.4 metre high timber fencing and gate around rear garden perimeter

Address: 3 Folkestone Road, Manchester, M11 4LQ

Ward(s): Clayton & Openshaw Ward

Applicant: Mrs Paula Mackinnon Mack 4 Limited on Behalf Of One Manchester Ltd 52 Cornwall Street, Openshaw, Manchester, M11 2PS

Agent (if any): Mrs Paula Mackinnon Mack 4 Ltd 52 Cornwall Street, Openshaw, Manchester, M11 2PS

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 27 June 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 1 June 2022

Standard consultations:

Printed: 11 May 2022 Expired: 1 June 2022

Neighbour notifications

Printed: 11 May 2022 Expired: 1 June 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

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of site / building / area

3 Folkestone Road is a semi-detached property situated close to the junction of North Road, within a predominantly residential area of the Clayton and Openshaw ward of Manchester. The property benefits amenity space to the front, side (with gated access) and rear, including concrete post and timber frame panel fencing to the rear garden boundary, approximately 1.8 metres high.

Description of development

Consent is sought for 2.4 metre high timber fencing and gate around rear garden perimeter.

The proposed new 2.4 metre high timber fencing would commence from the rear building line of the original dwellinghouse, and project approximately 21 metres along the side boundary with no. 5 Folkestone Road; approximately 11.5 metres along the side boundary with no. 1 Folkestone Road; approximately 11.6 metres along the rear boundary with no. 111 North Road; and approximately 4.2 metres along the rear boundary with Sandgate Avenue. It would incorporate a gated access adjacent to the common shared boundary with no. 5 Folkestone Road. The proposed materials and finishes would comprise of anti-climb vertical timber fencing

boards, concrete base and pillars. It is also proposed to remove the existing grass, paving flags and hedges in the rear garden, and the earth levelled and covered with artificial grass. In addition, the existing 3 trees at the bottom of the garden as shown on submitted information would have the top branches retained, and the lower branches would be removed up to 3m maximum.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No objections, comments, or representations were received.

2. Environmental Health

No comments regarding application on this occasion.

POLICIES

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

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

2. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 - It is the key document in Manchester's Local Development Framework. The Core Strategy 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. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies are relevant to the proposed development:

- Policy DM 1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)
- Policy T2 (Accessible areas of opportunity and need)

3. Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.

- Saved Policy DC1 for Residential Extensions is still considered of relevance.
- Policy DC1.5 relating to applications from disabled people who may require particular adaptations to their homes.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods.

The following paragraphs are of particular relevance:

- i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals. It is considered that these design principles have been satisfactorily incorporated into the development.
- ii. Section 8 Community Safety and Crime Prevention - Relates the importance of creating safe environments through the incorporation of informal surveillance and crime prevention measures as an integral part of new development. These objectives have been related to the assessment of the proposed design and layout of the development.

ISSUES

Principle of development

The principle of the proposal is considered acceptable. Notwithstanding this, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and Visual Amenity

Impact of works (Erection of 2.4-metre-high timber fencing and gate around rear garden perimeter) - The existing timber fence along the rear elevation is approximately 1.8m high, which is in line with permitted development limitations. It is intended to increase the height of the existing rear garden boundary fence and incorporate a gated side access adjacent to the

common shared boundary with no. 5 Folkestone Road to a maximum height of 2.4m. The increase in height is considered proportionate given the surrounding context, and acceptable in the location proposed. It is also proposed to remove the existing grass, paving flags and hedges in the rear garden, and the earth levelled and covered with artificial grass. In addition, the existing 3 trees at the bottom of the rear garden as shown on submitted information would have the top branches retained, and the lower branches would be removed up to 3m maximum. It is not considered that the development would result in undue visual impacts or highway safety impacts or be out of character with the street scene and the wider neighbourhood, pursuant with Core Strategy policies DM1, SP1 and EN1 and saved UDP policies DC1 and DC1.5.

Works to Trees - the works proposed to the trees would lead to clear stems to a height of 3m. The trees are not subject to Tree Preservation Orders and are located in the garden and not visible in the street. The proposed works are considered to be acceptable in that the work would reduce the potential for the trees to provide a method to gain access over the proposed fence.

Impact of works (Design and appearance) - In design terms, it is intended to use facing materials comprising of anti-climb vertical timber fencing boards, concrete base and pillars, 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, although 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.

Impact of works (Car Parking) - The existing arrangement would be unaffected.

Impact of works (Waste Management) - The existing arrangement would be unaffected. Refuse bins can still be stored within curtilage, screened behind boundary treatment.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (July 2021); policies SP1, DM1, EN1, T2 and EN19 of The Manchester Core Strategy Development Plan Document (July 2012); saved policy DC1 of the Unitary Development Plan (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

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, the local planning authority had no concerns to raise with the agent but have attached the relevant conditions.

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:

- Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 08 April 2022.
- Location Plan with application site edged in red, received by the City Council as the Local Planning Authority on 08 April 2022.
- Existing and Proposed Rear Garden Plan, Drawing No. 058-002, Revision A, received by the City Council as the Local Planning Authority on 08 April 2022.
- Proposed Rear Garden Plan, Drawing No. 058-002, Revision A, received by the City Council as the Local Planning Authority on 05 May 2022.
- Supporting Information - anti-climb fencing details, received by the City Council as the Local Planning Authority on 05 May 2022.
- Supporting Information, received by the City Council as the Local Planning Authority on 11 May 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 in the development hereby approved shall match those as shown on the photographic image of the fencing and gate design received on 5th May 2022.

Reason - To ensure that the appearance is not adversely affected by the materials to be used in its construction, pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

313 North Road, Clayton, Manchester, M11 4LB
311 North Road, Clayton, Manchester, M11 4LB
309 North Road, Clayton, Manchester, M11 4LB
7 Folkestone Road, Manchester, M11 4LQ
4 Folkestone Road, Manchester, M11 4LJ
5 Folkestone Road, Manchester, M11 4LQ
1 Folkestone Road, Manchester, M11 4LQ
8 Folkestone Road, Manchester, M11 4LJ
6 Folkestone Road, Manchester, M11 4LJ
2 Folkestone Road, Manchester, M11 4LJ

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH