

Application Number:	23/01080/HOUS
Location:	38 Pennine Drive Milnrow Rochdale OL16 3HL
Proposal:	Erection of boundary fence exceeding 1m and sliding gate
Applicant:	Mr Jordan Saywood
Case Officer:	Hamish Rigg
Recommendation:	Refuse

DELEGATION	Applicant a Council Member or officer?	NO
	Contrary to previous decision?	NO
	Called in or Planning Panel objection?	NO

COMMENTS	Planning Panel comments received?	NO
	Neighbour comments received?	NO

CONDITIONS	Pre-commencement conditions proposed?	NO
	Pre-commencement conditions agreed (or notification period expired)?	NO

Location

The application relates to 38 Pennine Drive, a two-storey, semi-detached property in Milnrow. The property sits on the corner at the junction of Pennine Drive and Severn Drive. The surrounding area is predominantly residential, comprising detached and semi-detached housing of a similar design and material palette. The street scene is characterised by a sense of openness and green space, partially due to generously proportioned driveways and soft/ open border treatments.

The adjoining property to the north is no.40 Pennine Drive. The east facing rear boundary of the curtilage shares a border with the side of no.1 Severn Drive. A separate garage building and driveway, within the host property's curtilage, lies adjacent to the border with no.1 Severn Drive. The south facing elevation overlooks the dwelling's garden space and the public highway of Severn Drive. The west facing principle elevation overlooks the public highway of Penning Drive.

Description of Proposal

Permission is sought for the erection of a boundary fence along the western and southern boundaries of the curtilage adjacent to the pavement on Pennine Drive and Severn Drive. Permission is also sought for an electric sliding gate in front of the existing garage building and driveway on Severn Drive. The fence would be

comprised of vertical timber panels intermittently partitioned by brick pillars, sitting atop a low-lying brick wall. Along Severn Drive, the proposed fence reaches a maximum height of 1.7m from ground level, where it meets no.1 Severn Drive. The fence becomes gradually shorter moving towards the junction with Pennine Drive, measuring a minimum 1.3m from ground level. Along Pennine Drive the height of the fence is approx. 1.2m, and includes a matching wooden gate for pedestrian access.

Relevant History

22/00532: Detached garage following demolition of existing garage – Granted STC

Township/Member comments

None

Consultee responses

Highways And Engineering

Received 25/10/2023:

The main concern regarding this application is the impact that the fence would have on visibility for vehicles and pedestrians on the adopted highway at the junction of Pennine Drive and Severn Drive and around the new gated entrance.

The application site is on the junction of Pennine Drive and Severn Drive and we must consider the height of the proposed fence and any impact it has on junction visibility. Having assessed the junction arrangements and the expected amount of traffic using it the impact of the fence on junction visibility would not warrant an objection.

We do however have concerns about the fence around the existing driveway. The height of the fence and the lack of an adequate visibility splay as part of the new arrangements raises road safety concerns for Highways. Any vehicle entering or leaving the driveway would be unable to see a pedestrian on the footway and vice versa which increases the potential for vehicle/pedestrian conflict in this area. Drivers of vehicles reversing out of the driveway onto Severn Drive would not be able to see vehicles within the carriageway until the vehicle they are driving is half way across the road itself which raises the potential for vehicle to vehicle conflict.

At this stage we cannot support this application because of its detrimental impact on road safety.

Representations

Letters of notification were sent 25/10/2023 to surrounding properties. No objections were received.

Policy

National

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Local

Saved Rochdale Unitary Development Plan (UDP) 2006:

G/D/1 Defined Urban Area

Adopted Rochdale Core Strategy (CS) 2016:

The Rochdale Core Strategy was adopted on 19th October 2016. The following policies are relevant:

P3 Improving Design of New Development

DM1 General Development Requirements

T2 Improving Accessibility

Appendix 5 Schedule of Parking Standards

Supplementary Planning Documents (SPD): Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016).

Amendments

None Applicable

Assessment

Design: DM1 and P3

Policies P1, P3 and DM1 of the Council's adopted Core Strategy requires development proposals to adhere to high quality design and enhance the borough's identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general. In addition, paragraphs 126 of the National Planning Policy Framework (NPPF) state that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 130 goes onto state that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. Paragraph 134 states that development that is not well designed should be refused.

In light of the above, the proposed fence is not considered to be of an appropriate design, nor complimentary to its surroundings. The boundary fence would present a hard edge to the public realm and would be a significantly overbearing and dominant feature within the street scene. Whilst it is appreciated that other boundary treatments do exist within the street scene it is noted that they are less than or equal to 1m in height if constructed from hardwearing materials or otherwise comprised of soft landscaping.

The proposed fence would be a jarring contradiction to the surrounding street scene, particularly where it reaches a height of 1.7m. The brick and wooden materiality of the fence would only exacerbate its prominence and incongruity within the street scene and would subsequently comprise an unduly harmful feature.

The design of the proposal is therefore not acceptable and does not accord with policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Amenity: DM1 and SPD

The Council's adopted Core Strategy policy DM1 states that proposals need to demonstrate that they do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy. Furthermore, policy DM1 of the Core Strategy requires development proposals to demonstrate that they will not have a negative impact upon the amenities of future residents and occupiers. Paragraph 5.1 of the SPD states that extensions 'should be carefully designed to protect the amenity of the occupants of adjoining properties.' Additionally, the National Planning Policy Framework (NPPF) advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Regarding the above, the proposed fence would not contribute to unacceptable overshadowing impact or loss of outlook. Therefore, the proposal would not unduly impact on the amenity of the occupants of neighbouring properties in accordance with policies DM1, the SPD and the NPPF.

Highways and Parking: DM1 and T2, Appendix 5

Policy DM1 of the adopted Core Strategy demands that new developments "provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location". Furthermore, policy T2 requests that new development prioritises "the safety, accessibility and amenity of those who live or have business in the area".

In view of policies DM1 and T2, the Council's Highways and Engineering Department were consulted. Their main concern related to the impact upon visibility for pedestrians and vehicles. At the junctions between Pennine Drive and Severn Drive, the impact upon visibility was not deemed harmful enough to warrant an objection. However, the proposed fence around the driveway overlooking Severn Drive, combined with the proposed sliding gate raised concern that vehicles leaving or entering the driveway would not be able to see pedestrians, and vice versa. Therefore, the Highways and Engineering Authority were unable to support the application. By virtue of the objections raised, the proposed fence is unacceptable and not in accordance with policies T2 and DM1.

Recommendation: Refuse

1. By reason of its excessive scale, prominent siting on a corner plot and materiality, the proposed boundary treatments would comprise a conspicuous and unduly dominant feature which would fail to sit sympathetically with the otherwise open and verdant character of the street scene. The development proposals would fall well short of the expectations of being well-designed and as such fails to comply with the requirements of Policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.
2. By reason of its siting and scale, the proposed boundary treatments would restrict visibility between vehicles utilizing the proposed driveway and

pedestrians and vehicles along Severn Drive giving rise to an unacceptable risk to pedestrian and motorist safety. The proposals therefore fail to comply with the stringent requirements of Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure Statement

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.

Officer's notes

For the avoidance of doubt, the application relates to the following drawings:

- Site and gate plans: JS HOUSE- 005
- Existing site plans: JS HOUSE- 006
- Location plan: PP-12500435v1

	Date	Officer
Report Completed	02/11/2023	Signed: Hamish Rigg
Authorisation	13/12/2023	Signed:

Report Author Hamish Rigg