

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130554/FO/2021

Date registered valid: 26 May 2021

Proposal: Creation of an area of hardstanding to form driveway, together the installation of new gates

Address: 3 Trowbridge Drive, Manchester, M40 0DL

Ward(s): Charlestown Ward

Applicant: Mr Alex Corder Northwards Housing 3 St Georges Ave, Altrincham, WA15 6HF

Agent (if any):

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 4 October 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 8 June 2021 Expired: 29 June 2021

Neighbour notifications

Printed: 8 June 2021 Expired: 29 June 2021

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:

Tree Preservation Order:

Description of Site/Area

The application site relates to a two storey semidetached dwellinghouse located on a culdesac within a predominately residential area in the Moston ward of North Manchester.

Description of Development

The submitted application seeks planning permission for the creation of an area of hardstanding to form driveway, together the installation of new gates.

Consultations & Notification Responses

Local residents were notified however no responses were received.

Flood risk management

Recommendation of an informative worded the following: The hardstanding constructed shall be permeable as proposed. This in accordance with Government Guidance for >5m² hard surfacing of front driveways.

Highways

The application form suggests that an area of hardstanding will be created to form a driveway. Whilst the principle of in-curtilage parking is acceptable, the applicant should verify that the length of the driveway is sufficient so that the vehicle does not overhang on the footway. Each driveway space should provide a minimum of 3.0m x 6.0m in line with MCCs standard minimum dimensions.

The adopted highway at the front of the property would require a dropped kerb for access to a driveway. If the planning application is approved the applicant would be required to enter into a section 184 agreement at their own cost. This will need discussion and agreement with the council's Highways Applications and Network Resilience team at Manchester City Council via the Contact Centre on 0161 234 5004.

The applicant may wish to consider the installation of a H-Bar marking to protect driveway access. Similarly, this should be provided in agreement with MCC Highways. It is expected that all modifications / improvements to the public highway are achieved with a maximum carbon footprint of 40%. Materials used during this process must also be a minimum of 40% recycled and fully recyclable. Developers will be expected to demonstrate that these standards can be met prior to planning conditions being discharged. The developer is to agree the above with MCC's Statutory Approvals and Network Resilience Teams post planning approval and prior to construction taking place. All boundary treatments with frontage to the adopted highway will require visual permeability from a height of 600mm upwards in order to maintain appropriate sight lines.

Gated accesses, both vehicle and pedestrian, will need to provide inward opening gates to ensure they do not impact on the adopted footway. It is expected that refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

Policies

The following policies are considered relevant in the consideration of this application.
Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan but certain policies are still considered of relevance:

- Policy DC1 - Residential Extensions

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

The National Planning Policy Framework (NPPF, 2021)

Issues

Principle - The principle of creating a driveway with a dropped kerb and installing gates, to keep a vehicle safe, is acceptable, however consideration must be given to the scale and appearance of the proposal and its effect on highway safety.

Scale and appearance - The scale and design of the driveway and gates are acceptable from a visual amenity perspective.

Siting and highway safety - Highway Services were consulted during the course of the application and requested additional information including confirmation that the driveway would meet the Council's minimum dimensions of 3.0m x 6.0m to prevent overhang of vehicle on the pavement and calcification as to whether the gates fronting the adopted highway would be visual permeable from a height of 600mm upwards in order to maintain appropriate sight lines and that the gates would open inwardly to avoid impeding on the footway. The additional information was requested and a follow up email was sent to the agent with no response.

Due to lack of information to assess the application, the City Council's is unable to support the proposal as it has not been adequately demonstrated that the size of the hardstanding and gate construction would ensure safe access and egress without creating a hazardous risk to pedestrian and highway safety. This is contrary to policies T2, SP1 and DM1 of the Manchester Core Strategy and therefore the application is recommended for refusal.

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: Refuse

Article 35 Declaration

The local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has refused the application for the reason set out below and as further detailed in the Officer's delegated report. The Council requested additional information with regards to highways safety, but received no response on both occasions. The application has therefore been determined based on the information provided against relevant policies within the Development Plan.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The application, by reason of the absence of details of the proposed gate construction and confirmation of the full size of the hardstanding, has not adequately demonstrated that vehicular access and egress can be achieved without creating a unduly harmful impact on pedestrian and highway safety. This is contrary to policies T2, SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
MCC Flood Risk Management

48 Teddington Road, Manchester, M40 0DP
5 Trowbridge Drive, Manchester, M40 0DL
28 Trowbridge Drive, Manchester, M40 0DL
50 Teddington Road, Manchester, M40 0DP
46 Teddington Road, Manchester, M40 0DP
30 Trowbridge Drive, Manchester, M40 0DL
26 Trowbridge Drive, Manchester, M40 0DL
24 Trowbridge Drive, Manchester, M40 0DL
1 Trowbridge Drive, Manchester, M40 0DL

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1