

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131983/LP/2021

Date registered valid: 20 October 2021

Proposal: Lawful Proposed Development Certificate for the creation of parking for two vehicles

Address: 63 Houseman Crescent, Manchester, M20 2JD

Ward(s): Didsbury West Ward

Applicant: Mark Frossell, 63 Houseman Crescent, Manchester, M20 2JD

Agent (if any):

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 08.11.2021

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

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

This application relates to a three storey modern town house constructed as part of the redevelopment of the Withington Hospital redevelopment. As constructed the property has a tarmac hard standing at the front, a paved path, There is a hedge between the path and the drive. There is a small section of rails fronting the road.

Listed building: Not applicable

Conservation area: Albert Park Conservation Area 1988

Tree Preservation Order: Not applicable

Description of area

Residential. The adjoining property has block paved its forecourt.



Description of development

It is proposed to block pave the whole of the forecourt.

Consultations & Notification Responses

Non required.

Issues

The relevant sections of the GPDO are Part 1 Class F which relates to the construction of hard standings at the front of a residential property, Part 2 Class B means of access to a highway and Part 11 Class C which relates to the demolition of walls and railings.

Part 1 Class F

As detailed on the application forms and in the email of 5 November the hard standing would be constructed of block paving on a porous base. As such the proposed development would meet the requirements of Part 1 Class F.

Part 2 Class B

Houseman Crescent is not a classified Road and there for planning permission is not required to construct a crossing onto the road.

Part 11 Class C

The development involves the removal of a short length of railing, approximately 1 metres. This is not relevant development in accordance with section 196D of the Act and does not therefore require consent.

The permitted development rights in respect of the were not removed when permission was granted for the construction of the property.

Conclusion

The proposed development meets the requirements of being permitted development.

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

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

1) Approve on the basis that the installation of the drive as detailed in the application forms received on and email dated 5 November 2021 constitutes permitted development in accordance with Schedule 2, Part 1 Class F, Part 2 Class B and Part 11 Class C of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Appendix 1 – List of consultees & neighbours notified

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

Conservation Area - Albert Park Conservation Area 1988

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH