

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133392/FH/2022

Date registered valid: 21 April 2022

Proposal: Installation of dropped kerb to create of a means of access to driveway

Address: 163 Smedley Road, Manchester, M8 0RU

Ward(s): Crumpsall Ward

Applicant: Mr Fesar Azram 163 Smedley Road, Manchester, M8 0RU

Agent (if any): Mr Devaraja Rajan SR Engineering Services 2 Mackworth Avenue,
Littleover, Derby, DE23 3WB

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

Recommendation: Approve

Date of recommendation: 07.06.2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

Printed: 25 April 2022 Expired: 16 May 2022

Neighbour notifications

Printed: 25 April 2022 Expired: 16 May 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:

Tree Preservation Order:

Description of Site/Area

The application site relates to a two-storey semi-detached dwelling house located within the Crumspall Area of North Manchester. The property benefits from a large rear and front paved garden. The property is enclosed by combination of brick wall and timber fencing. Off road parking is provided to the front of the property, accessed off Smedley Road.

Description of development

Installation of dropped kerb to create a means of access to driveway.

Consultations & Notification Responses

Local Residents – No comments received

Highways Comments - The adopted highway at the front of the property would require a dropped kerb for access to the 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 should be advised that any boundary treatments with frontage to the adopted highway should retain appropriate visibility from a height of 600mm upwards in order to protect

sight lines. All gating which is accessed from the highway must be ensured to be inwardly opening, in order to prevent obstruction to passing footway users.

The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicences@manchester.gov.uk

Environmental Health- Have no comments about the application.

Policy

Policies National Planning Policy Framework - July 2021

The NPPF sets out the Government's priorities for the Planning system and is a material consideration in the decision-making process. It places emphasis on the three strands of sustainable development and its social, environmental and economic functions.

Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. In this case specific weight is given to the following principles and the need to:

- ii. Secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

Core Strategy 2012 - 2027 (adopted July 2012)

Manchester Core Strategy - The 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. Policies of relevance to this application are:

Policy DM1 - Development Management

All development should have regard to the following specific issues relevant to this application:-

- 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.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.

Issues

Principle

It is considered that the main issue associated with this application is pedestrian and highway safety. The principle is considered to be acceptable.

The applicant is seeking approval to enable the provision of a vehicular cross over to access the paved front garden area currently used for off-road car parking. From the site visit the front garden area is already in use as off street parking provision for the dwellinghouse, but access is not practical given the height of the kerb. The dwellinghouse fronts onto Smedley Road, which is a busy north south route into the city, and is subject to traffic regulation orders. As such on-street car parking is limited in regard to availability. Furthermore, the adjoining properties along Smedley Road have existing dropped kerbs.

In regard to the proposed dropped kerb, it is acknowledged that in regard to the off street parking provision, it is typically preferred that vehicles access and egress whilst remaining in a forward gear. It is, however, considered acceptable on this occasion given the precedent set by adjacent properties which also rely on vehicles accessing/egressing in reverse gear and have dropped kerbs to facilitate this approach.

Work to provide the dropped kerb would be undertaken by the Highways Authority and to appropriate standards. Highway officers have assessed the application and have no objection to the creation of a vehicle crossover. The paved hardstanding area to the front of the property has been there for sometime, therefore this application is focused around the installation of the dropped kerb and the associated highway safety issues.

No trees are affected by this 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 applicant/agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the 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 of three years beginning with the date of 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:

Drawing: Site Plan ref: 2022-SME-001 A stamped as received by the City Council as Local Planning Authority on 21 April 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.

Informatives

1.The adopted highway at the front of the property would require a dropped kerb for access to the driveway. 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.

2.The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicences@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Highway Services

161 Smedley Road, Manchester, M8 0RU

165 Smedley Road, Manchester, M8 0RU

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

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH1