

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126596/JO/2020

Date registered valid: 26 March 2020

Proposal: Variation of condition number (10 - electric vehicle charging points) attached to planning approval reference 124164/FO/2019 to reduce the number of electric vehicle charging points at the development to 2 with infrastructure for a further 8

Address: The Oaks , 22 Edge Lane, Chorlton, Manchester, M21 9JF

Ward(s): Chorlton Ward

Applicant: Mr Peter Armistead APL Flat 2, 346 Barlow Moor Road, Manchester, M21 8AY

Agent (if any): Mr Simon James Simon James Arq Ltd Flat 1 , 346 Barlow Moor Road, Manchester, M21 8AY

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

Recommendation: APPROVE

Date of recommendation: 15 May 2020

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Dwellings

Date of site visit:

Standard consultations:

Printed: 31 March 2020 Expired: 21 April 2020

Neighbour notifications

Printed: 31 March 2020 Expired: 21 April 2020

Site notice

Posted: 2 April 2020 Expired: 23 April 2020

Press advert

Published: 7 April 2020 Expired: 28 April 2020

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

This application relates to a large two storey detached villa with an elevated ground floor and accommodation in the basement and roof void. The property is currently let in four self-contained flats. There are four parking spaces in the large front garden together with a number of trees on the site boundary. There is a large rear garden with a number of shrubs and trees. Access to the site is from Edge Lane and is shared with the adjacent property a large detached house that was built in the garden of 22 Edge Lane.

Listed building: Not applicable

Conservation area: Wilbraham Road/Edge Lane Conservation Area 2005

Tree Preservation Order:

Description of area

The property is located in a predominantly residential area within the Wilbraham Road/Edge Lane Conservation Area. To the east is the other half of the semi which has been extensively extended and was previously used as a nursing home and has now been returned to single family occupancy. To the east is a three storey detached house in what was the application sites garden. To the rear of the site is a terrace of small two storey houses. There are further large residential villas facing the site across Edge Lane set behind deep gardens,

Description of development

Consent is sought to require the amendment of condition 10 which required the development to incorporate 10 EV charging points, one per space. Due to the current economic climate the

applicant originally sought to reduce this to two. The scheme has now been amended to two spaces plus the infrastructure in place for a further 8.

Consultations & Notification Responses

Local Residents

No representations received

Highways

Highways strongly prefer that charge points are introduced as per the agreed arrangements therefore offering a charge point per space, in line with EV guidance.

Environmental Health

If the spaces are unallocated then two is fine (i.e. residents can park anywhere), but if they are allocated (i.e. each apartment has a set space), then they will need 10 charging points. Charging points should be a minimum of 7kw.

Policy

Core Strategy

The relevant Core Strategy Policies are EN16, SP1 and DM1

Policy EN16 says that developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development

Policy SP1 sets down the spatial principles that will guide development in the City, including the creation of neighbourhoods of choice.

Policy DM1 Seeks to protect the amenity of an area from the adverse impact of development.

Issues

Principle

Protecting the environment is high on the Council's agenda and the provision of EV charging points is an important part of this. As the applicant does not want to dispense with the charging points but rather reduce the number the principle of the development is not necessarily unacceptable.

EV charging points.

For a development of this scale the Council would normally seek two EV charging points, and whilst the reduction from ten is significant this is offset to a degree by the provision of the infrastructure to put in additional points if required. On balance this is considered to be an acceptable compromise.

Conditions

The original conditions have been transferred to this consent and modified where the condition is discharged.

Conclusion

On balance the proposed changes to the approved scheme are acceptable.

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 in a positive and proactive manner based on seeking solutions to issues arising from the consideration of this application.

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

- 1) The development hereby approved must be begun not later than 5 September 2022.

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:

138-PL-GA1- Rev C , Received 19 November 2019

138-PL-GA2 Rev B,

138-PL-GA3-Rev B,

138-PL-GA4- Rev B,

138-PI-GL1- Rev B,

138-PL-EL1-Rev B,

138-PL-EL2 REV B,

138-PL-EL3-Rev B,

138-PL-EL4,

138-PL-RevA-EL5

138-PL-RevA-AD1.

DL03 rev C03 received 28 January 2020

Planning and Heritage Statement V2 by Bramhall Town Planning dated July 2019

Construction Method Statement by Michael Oughton Associates received on 18 November 2019.

Email from Quadrant Building Control dated 28 January 2020

Email from Simon James dated 24 April 2020

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 development hereby approved shall be constructed using materials that match those used in the original building in terms of colour, size and texture,

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) The construction of the development hereby approved shall be carried out in accordance with the Construction Method Statement by Michael Oughton Associates received on 18 November 2019.

Reason to ensure the safe development of the site pursuant to Core Strategy policy DM1

5) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with details shown on drawings 138-PL-GL1-Rev B and 138-PL-RevA-AD1. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

6) A gas protection membrane, shall be installed as part of the development in accordance with the details shown on Drawing DL03 revision C03 received 28 January 2020 and the email from Quadrant Building Control dated 28 January 2020.

Reason - The development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas, pursuant to policies DM1 and EN18 of the Core Strategy.

7) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawing ref 138-PL-GL1-Rev A, shall be implemented not later than 12 months from the date of commencement of works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

8) The details of the refuse storage arrangements shown on the approved drawings shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To ensure that there are satisfactory arrangements for the storage of refuse pursuant to Core Strategy policy DM1

9) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

10) Before the development hereby approved is first occupied the two electric vehicle charging points and infrastructure for a further eight electric vehicle charging points referred to in the email from the agent dated 24 April 2020 shall be installed and available for use.

Reason - To secure a reduction in air pollution from traffic in order to protect existing and future residents from air pollution pursuant to core Strategy policies EN16, SP1 and DM1

11) Before first occupation the high level windows in the the side elevation of the proposed extension shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

22A Edge Lane, Chorlton, Manchester, M21 9JF
Wrea Bank, 20 Edge Lane, Chorlton, Manchester, M21 9JF
23 Edge Lane, Chorlton, Manchester, M21 9JH
Flat 1, 22 Edge Lane, Chorlton, Manchester, M21 9JF
Flat 4, 25 Edge Lane, Chorlton, Manchester, M21 9JH
Flat 2, 25 Edge Lane, Chorlton, Manchester, M21 9JH
25 Edge Lane, Chorlton, Manchester, M21 1JH
Flat 4, 22 Edge Lane, Chorlton, Manchester, M21 9JF
Flat 3, 22 Edge Lane, Chorlton, Manchester, M21 9JF
Flat 2, 22 Edge Lane, Chorlton, Manchester, M21 9JF
Flat 3, 25 Edge Lane, Chorlton, Manchester, M21 9JH
Flat 1, 25 Edge Lane, Chorlton, Manchester, M21 9JH
655 Wilbraham Road, Manchester, M21 9JT
653 Wilbraham Road, Manchester, M21 9JT
69 Claridge Road, Manchester, M21 9WQ

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 - Wilbraham Road/Edge Lane Conservation Area 2005
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH