

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141145/FH/2024
Date registered valid: 3 October 2024
Proposal: Installation of EV charger
Address: 24 Fairview Avenue, Manchester, M19 2AN
Ward(s): Rusholme Ward

Applicant: Mrs Hannah Kelly
Agent (if any):
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 26th November 2024



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 5 November 2024

Standard consultations:

Printed: 15 October 2024 Expired: 5 November 2024

Neighbour notifications

Printed: 15 October 2024 Expired: 5 November 2024

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

The site/building relates to a two storey semi detached C3 property in the Rusholme ward area of Manchester. The property is of red brick with large bay windows to the front, canopy covered front entrance with decorative stain glass window panes. Boundary treatment appears original with red brick wall and coping stones. Parking is located on street.



Listed building: Not applicable

Conservation area: Not applicable

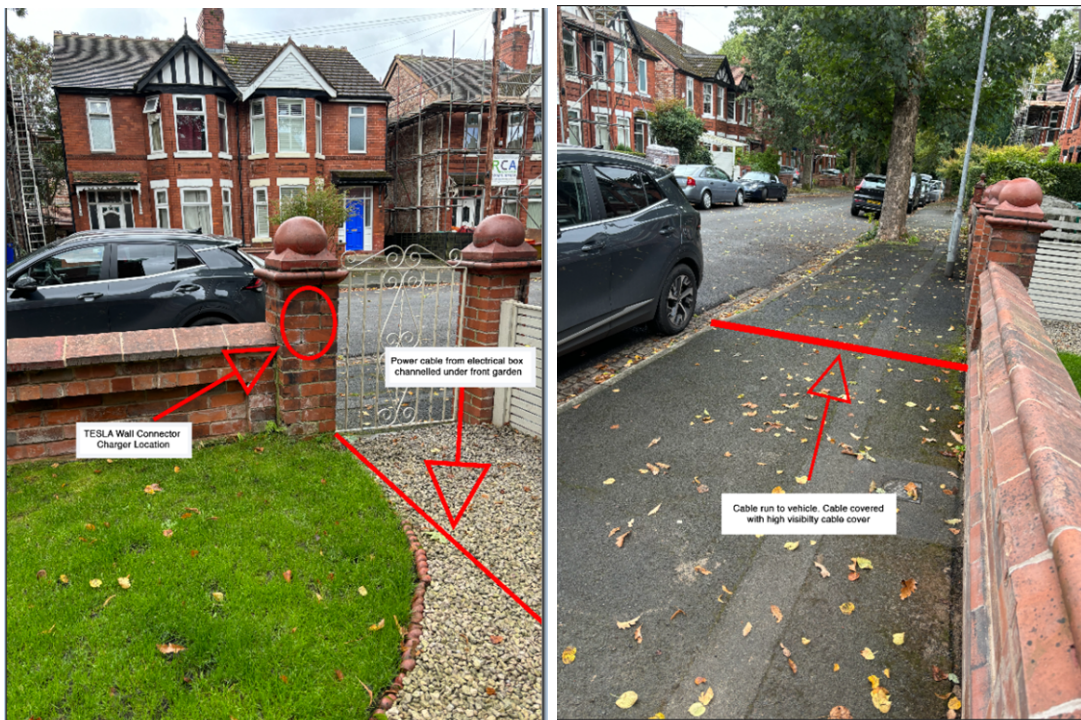
Tree Preservation Order: Not applicable

Description of area

Fairview Avenue lies within a predominantly residential area South of Manchester

Description of development

The applicant is seeking planning permission for the installation of an electric vehicle charger which would be located on the front gate post within the curtilage of the property.



Consultations & Notification Responses

Neighbouring residents were notified however, no objections or representations have been made as a result of this proposal.

Highways – have no objection to the proposal subject to the use of appropriate use of matting on the adopted highway to maintain pedestrian movement. 'An informative has been attached for guidance.

Policy and Issues

The following policies are considered relevant in the consideration of this application.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy T1 Sustainable Transport

Places for Everyone Plan (2022 - 2039)

We have assessed the proposal against the following policies of the Places for Everyone Plan.

JP-S1: Sustainable Development

JP-P1 Sustainable Places

This policy outlines how we aim to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy, and varied places.

The National Planning Policy Framework (December 2023)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking". (Paragraph 11)

Paragraph 8 – Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- an economic objective
- a social objective and
- an environmental objective

The following specific policies are considered to be particularly relevant to the proposed development

- Chapter 8. Promoting healthy and safe communities
- Chapter 12. Achieving well-designed and beautiful places

We consider this proposal to accord with the principles of this policy.

Principle

The principle of installing an electric vehicle charger to the rear of the brick pillar of the pedestrian entrance gate to provide vehicle charging facilities is considered to be acceptable and will directly contribute towards the aim of facilitating modes of transport which reduce carbon emissions as stipulated in policy T1 of the Core Strategy. However, consideration must be given to the proposals impact upon existing levels of visual amenity and public safety.

Visual Amenity

Considering the scale of the proposed charger unit measuring 250mm (H) x 155mm (W) x 110mm (D) and it's positioning approximately 1.0m above ground level, it is considered that the installation of such a unit would not cause any harm to the visual amenity of the area. Particularly as it would be hidden from within the street scene situated at the rear of the brick pillar and therefore the proposal would accord with policies DM1 and EN1 of the Manchester Core Strategy.

Public safety

The charging unit will be installed behind the front boundary wall withing the site curtilage of the property. The power cable will run from the electrical box within the property and will be channelled beneath the front garden emerging below the location of the Tesla Wall Connector.

This is considered to be acceptable and would not pose any risk to public safety as it would sit behind the wall when not in use.

Manchester City Council Highways Services have published guidance in relation to the safe use of cables across the public highway which should be adhered to as stated in the informative attached with this decision notice.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 problems arising in relation to dealing with the planning application. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

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 this 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:

- a. Drawing - Location Plan - 3rd October 2024
- b. Supporting information & Photos - 3rd October 2024

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM1, SP1 and EN1 of the Core Strategy.

Informatives

1) Residents are recommended to park adjacent to the location of the charging point and use matting on the adopted highway to maintain pedestrian movement. Once the vehicle has been charged, residents will be required to remove the matting and remove the EV charger cable away from the highway.

An EV charging cable protector will be provided for use on the adopted highway.

The matting/cable protector should be non-slip and suitable for outdoor use. It should have contrasting colour markings for visibility. It should have sloped, anti-trip sides, and be of a tough construction.

Further information for residents on EV charging can be found on Manchester City Council's website using the below links: - Electric Vehicle charging | Electric Vehicle charging | Manchester City Council -Electric vehicle charging - guidance for residents | Electric Vehicle charging | Manchester City Council

Appendix 1 – List of consultees & neighbours notified

Highway Services

26 Fairview Avenue, Manchester, M19 2AN
23 Fairview Avenue, Manchester, M19 2AN
22 Fairview Avenue, Manchester, M19 2AN
18 Fairview Avenue, Manchester, M19 2AN
21 Fairview Avenue, Manchester, M19 2AN
20 Fairview Avenue, Manchester, M19 2AN
19 Fairview Avenue, Manchester, M19 2AN
17 Fairview Avenue, Manchester, M19 2AN

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA