

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136220/FH/2023
Date registered valid: 28 February 2023
Proposal: Installation of front boundary gates to a maximum height of 1.3 metres
Address: 3 Trowbridge Drive, Manchester, M40 0DL
Ward(s): Charlestown Ward

Applicant: Mr Ryan Lynch, Northwards Housing
Agent (if any): Mr Ryan Lynch, Northwards Housing
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 24 April 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 15 March 2023

Standard consultations:

Printed: 8 March 2023 Expired: 29 March 2023

Neighbour notifications

Printed: 8 March 2023 Expired: 29 March 2023

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of site / building / area

The application site relates to a two storey semi-detached dwellinghouse located along a cul-de-sac within a predominately residential area in the Moston ward of North Manchester.

Site History

- 130554/FO/2021, Creation of an area of hardstanding to form driveway, together the installation of new gates - Refused October 2021.

Description of Development

The submitted application seeks planning permission for the installation of front boundary gates to a maximum height of 1.3 metres.

The submitted plans would also involve the installation of a new permeable tarmac hardstanding along the front garden. Additional details were requested regarding the proposed

tarmac. Clarification and additional information have subsequently been provided by the agent,(dated, 06/04/2023). It has been confirmed that Ultraporous permeable tarmac would be used for the hardstanding.

The proposed front boundary treatment and combined double and single internal opening gates would measure approximately 4857mm wide x 1300mm maximum height. It would be constructed of steel and of wrought iron appearance and decorative ball to the top and finished with a black powder coated paint with a smooth satin finish.

In terms of the proposed hardstanding, it will be stepped away from the common boundary with no.5 Trowbridge Drive approximately 1000mm and 2136mm from the front building line of the application dwellinghouse, and project to the front boundary with the back of pavement, measuring approximately 10,464mm deep x 3847mm wide and would be constructed of Ultraporous permeable tarmac, (correspondence from agent dated, 06/04/2023).

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No objections, comments, or representations were received.

2. Highways Comments

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 width 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.

The application form suggests that the gates will have a maximum height of 1.3m and will be wrought iron. Plans show that the proposed development will provide inward opening gates.

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.

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 Contact Manchester 0161 234 5004.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

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

2. The Manchester 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.'

The following policies are relevant to the proposed development:

- o Policy DM 1 (Development Management)
- o Policy SP1 (Spatial Principles)
- o Policy EN1 (Design Principles and Strategic Character Areas)
- o Policy T2 (Car Parking)
- o Policy EN19 (Waste)

3. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 - The document aims to help to develop and enhance a unique

and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods.

The following paragraphs are of particular relevance:

- i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals. It is considered that these design principles have been satisfactorily incorporated into the development.
- ii. Section 8 Community Safety and Crime Prevention - Relates the importance of creating safe environments through the incorporation of informal surveillance and crime prevention measures as an integral part of new development. These objectives have been related to the assessment of the proposed design and layout of the development.

ISSUES

In this instance, additional details were requested regarding the proposed tarmac. Clarification and additional information have subsequently been provided by the agent, (dated, 06/04/2023).

Principle of development

The principle of creating a hardstanding 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, its effect on highway safety and the overall impact upon existing levels of residential and visual amenity.

Residential and Visual Amenity

Impact of works (Installation of front boundary gates to a maximum height of 1.3 metres, including installation of new permeable tarmac hardstanding along the front garden) - In light of the existing context, and on the basis of the correspondence from agent, (dated, 06/04/2023), the scale and design of the proposed driveway and gates are acceptable from a visual amenity perspective. The gates fronting the adopted highway would be visually 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. In addition, the nature of proposed boundary treatment would not present significant adverse impact in terms of sight lines, visual splays, and pedestrian safety given the level of proposed permeability throughout. Therefore, it is considered that the scale of the development in relation to the surrounding context would be acceptable. It is not considered that the development would result in undue visual impacts, disamenity, or highway safety impacts, nor would it be out of character along the streetscene and the wider neighbourhood, pursuant with Core Strategy policies DM1, SP1 and EN1; and saved policy DC1 of the Unitary Development Plan.

Impact of works (Design and appearance) - In design terms, it is not considered that the proposed development would adversely impact on the character of the building or the general area. Permeability, sight lines and visibility slays would be maintained. The proposal would also mirror the adjacent properties and is therefore considered acceptable in design terms; although a materials condition has been attached to ensure that the materials are adhered to, pursuant with the requirements of Core Strategy policies DM1, EN1 and SP1; and saved policy DC1 of the Unitary Development Plan.

Impact of works (Car Parking) - The proposal would create off-street car parking conforming with the Councils minimum dimensions of 3.0m x 6.0m, and therefore the application responds positively to Policy T2 and saved policy DC1.

Impact of works (Waste Management) - The existing arrangement would be unaffected.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (July 2021); policies SP1, DM1, EN1, T2 and EN19 of The Manchester Core Strategy Development Plan Document (July 2012); saved policy DC1 of the Unitary Development Plan (1995), and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan saved policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance, additional details were requested regarding the proposed tarmac. Clarification and additional information have subsequently been provided by the agent,(dated, 06/04/2023). The local planning authority had no concerns to raise with the agent but have attached the relevant conditions.

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:

- o Application for Planning Permission form, received by the City Council as the Local Planning Authority on 09 February 2023.
- o Location Plan with application site edged in red, received by the City Council as the Local Planning Authority on 28 February 2023.
- o Existing and Proposed Layout, DRAWING REV: 0, received by the City Council as the Local Planning Authority on 09 February 2023.
- o Proposed Layout, DRAWING REV: 0, received by the City Council as the Local Planning Authority on 09 February 2023.
- o Proposed Gate Design. DRAWING REV: 0, received by the City Council as the Local Planning Authority on 09 February 2023.
- o Correspondence from agent, (dated, 06/04/2023) confirming proposed hardstanding details.

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 (July 2012) and saved policy DC1 of the Unitary Development Plan (1995).

3) The external facing materials to be used on the development hereby permitted shall match those as stated on correspondence from agent, (dated, 06/04/2023), the approved plans, and submitted documents.

Reason - To ensure that the appearance is not adversely affected by the materials to be used in its construction, pursuant to policies SP1 and DM1 of the Core Strategy (July 2012) and saved policy DC1 of the Unitary Development Plan (1995).

Informatives

1) a) 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.

b) 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.

c) 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.

d) 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 Contact Manchester 0161 234 5004.

Appendix 1 – List of consultees & neighbours notified

Highway Services

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
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: NORTH AREA