

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135830/FH/2022
Date registered valid: 22 December 2022
Proposal: Creation of vehicular access
Address: 51 Egerton Road North, Manchester, M21 0SN
Ward(s): Chorlton Ward

Applicant: Mr and Mrs Tor Webster
Agent (if any): Mr James Darwent Darwent Architecture Ltd
Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 13 February 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 9 Feb 2023

Standard consultations:

Printed: 16 January 2023 Expired: 6 February 2023

Neighbour notifications

Printed: 16 January 2023 Expired: 6 February 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: No

Tree Preservation Order: No

Description of site

This site relates to a two-storey red brick semi-detached residential dwelling house in the Chorlton Ward of Manchester. Bay windows are present on the front elevation with an arched entrance recessed porch. The front garden consists of tarmac and lawn and a low-level bund brick wall with brick gate piers form the front boundary.

Description of area

This is primarily a residential area in character

Description of development

Creation of vehicular access

Site History

F15341- 2-storey kitchen and bedroom extension rear of dwellinghouse Approved.

Consultations & Notification Responses

Occupiers of the surrounding properties were consulted, and no representations were received.

The Highways Team were consulted and commented vehicular access to the site will be gained from Egerton Road North. A new vehicular crossing and dropped kerb will be required to provide access to the driveway. The applicant would be required to enter into a section 184 agreement at their own cost for a vehicular or dropped crossing. An informative has been added to the consent.

Highways would not support any greater than a double dropped kerb and therefore the driveway should be positioned at an appropriate point away from any neighbouring driveway.

It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians.

The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

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.

Issues

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

RESIDENTIAL/VISUAL AMENITY

The submitted application is for the creation of hard standing and lawn to the front and the widening of the gate piers to create vehicular access.

The proposal is to marginally widen the existing pedestrian entrance to create a driveway. Currently the driveway consists of tarmac and grass. The proposal includes a similar sized lawn area and semi permeable block paving.

A single dropped kerb would be required to access the driveway. The brick wall does not exceed 600mm in height and does not include gates, on that basis the proposal would comply with the requirements for highways as the proposal does not impact on highway safety.

A Relevant informative will be applied to any approval making the applicant aware of the highways works.

DESIGN & APPEARANCE

The development is in keeping with the original property and in terms of design and appearance is of a standard construction and therefore it is considered that the proposal is acceptable in design terms.

Overall, the development creates no significant impact within the character of the street scene or within the general area in terms of visual or residential amenity and is therefore acceptable.

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 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 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:

422-PL001,
422-PL002,
422-PL005,
422-PL006, stamped as received on the 22 December 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.

Informative

1) The applicant would be required to enter into a section 184 agreement at their own cost for a vehicular or dropped crossing. This would need discussion and agreement with the council's Highways Applications and Network Resilience team at Manchester City Council Centre on 0161 234 5004.

Appendix 1 – List of consultees & neighbours notified

Highway Services

301 Brantingham Road, Manchester, M21 0GU
53 Egerton Road North, Manchester, M21 0SN
62 Egerton Road North, Manchester, M21 0SQ
60 Egerton Road North, Manchester, M21 0SQ
58 Egerton Road North, Manchester, M21 0SQ
49 Egerton Road North, Manchester, M21 0SN

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA