

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133199/FO/2022
Date registered valid: 14 March 2022
Proposal: Creation of shared access
Address: 226 & 228 Errwood Road, Manchester, M19 1HX
Ward(s): Burnage Ward

Applicant: Mr Alfred Dhliwayo, 228 Errwood Road, Manchester, M19 1HX
Agent (if any): Mr Ian Stott, AJ Cocker Associates, New Century House, 176 Drake Street, Rochdale, OL16 1UP
Case officer: Jennifer Connor
Tel: 0161 234 4545
Email: jennifer.connor@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 15.09.2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 1 April 2022

Standard consultations:

Printed: 22 March 2022 Expired: 12 April 2022

Neighbour notifications

Printed: 22 March 2022 Expired: 12 April 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

Description of site/building

This application relates to the area of land between the front boundary walls of 226-228 Errwood Road and the Carriageway.



The area comprises a mud verge adjacent to the kerb, a footpath and grass verge containing a

number of trees and a footpath in front of the boundary walls to the properties.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

This is a predominantly residential area. On Errwood Road there are some speed camera markings and further down the road the grass verge is protected by kick rails.



There Are no on street parking restrictions.

Description of development

Errwood Road is a C road. This application seeks consent to construct a shared crossing linking existing hard standings within the curtilage to the highway. The Crossing would be constructed of porous ashfelt and be cranked in order to avoid the existing trees in the verge.

The relevant Core Strategy policy is DM1 which seeks to protect the amenity of an area from the adverse impact of development.

Issues

Principle

This application is for the construction of the crossing only and not the construction of the drives within the curtilage of the properties. The principle of creating a crossing over the verges and footpath is considered to be acceptable.

Design

The crossing has been designed to avoid a pair of trees in the grass verge and from a planning standpoint is considered acceptable.

Vehicle manoeuvres

Highways have expressed concern that vehicles should not reverse into Errwood Road however, it is not possible to enforce this and as the drives are existing it is possible that this happens already. Street view suggests that there are already similar crossings along Errwood Road and it would therefore be unreasonable to refuse consent.

Trees

Condition attached requiring the approval of a method statement for working close to the trees and that an arboriculturalist is on site whilst works occur.

Conclusion

Currently street view suggests that vehicles park on the grass verges which would explain their poor condition. It is considered that the development which reduce the damage to the verges which would have positive environmental benefits.

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:

D180-04 received 14 March 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.

3) The development hereby approved shall be constructed using the materials specified on the approved drawings and application forms.

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) Before the development hereby approved commences a method statement for the construction of the drive shall be submitted to and approved in writing by the City Council. The method statement will include details of how an arboriculturalist will oversee construction works to ensure the protection of trees. The development shall be carried out in accordance with the approved method statement.

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.

Informatives

1) 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.

2) 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.

Appendix 1 – List of consultees & neighbours notified

Highway Services

225 Errwood Road, Manchester, M19 1JB
223 Errwood Road, Manchester, M19 1JB
221 Errwood Road, Manchester, M19 1JB
219 Errwood Road, Manchester, M19 1JB
217 Errwood Road, Manchester, M19 1JB
215 Errwood Road, Manchester, M19 1JB
230 Errwood Road, Manchester, M19 1HX
232 Errwood Road, Manchester, M19 1HX
226 Errwood Road, Manchester, M19 1HX
224 Errwood Road, Manchester, M19 1HX

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