

Planning

Growth & Development

Delegated officer report for planning application

Application no.	133607/FH/2022
Date registered valid:	9 June 2022
Proposal:	Erection of porch to relocated front entrance and creation of new vehicular access to front boundary
Address:	170 Wythenshawe Road, Manchester, M23 0PF
Ward(s):	Northenden Ward
Applicant:	Mr & Mrs Royal 170 & 172 Wythenshawe Road, Manchester, M23 0PF
Agent (if any):	Mr P Anderton B2 Architecture Ltd 2B Beech Rd, Hale, Altrincham, WA15 9HX
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	15 July 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 15 July 2022

Standard consultations:

Printed: 14 June 2022 Expired: 5 July 2022

Neighbour notifications

Printed: 14 June 2022 Expired: 5 July 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/area

Two storey residential property dating from the 1930s which was purpose built as 2 self-contained flats. At the rear there is a single storey extension and a detached block of four garages, two of which are in use by the neighbouring property. There are gardens to the front and rear.

On the opposite side of Wythenshawe Road lies Wythenshawe Park.

Listed building: No

Conservation area: No

Tree Preservation Order: No

Description of development

The applicant is proposing to erect a porch on the front elevation and creation a new vehicular access off Wythenshawe Road, the latter of which would require some shrubs and hedging plants to be removed.

Consultations & Notification Responses

Local Residents – No comments received.

Highway Services – Have made the following comments:

- The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.
- Given that the proposed development will not result in any increase in residential units, it is accepted that no highway concerns in terms of safety or capacity are considered likely to arise.
- The current on-site parking offering is to be retained and as such, Highways have no concerns regarding vehicular build up on- street.
- The submitted information demonstrates that a vehicle can enter, manoeuvre and egress the property in forward gear. This is acceptable to Highways. The drawing demonstrates that a 2.4m x 49m visibility splay can be achieved from the driveway. This is also acceptable to Highways.

Neighbourhood Team Leader (Arboriculture) – It would appear that given the driveways position, it would not encroach into the root protection zone of the highway trees. The trees on site proposed for removal have poor form and therefore we would not seek to protect those trees. The applicant must not encroach into the root protection zone of the highway's trees should permission be granted.

Policies

Core Strategy Development Plan Document – 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. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1, Development Management – This policy states that all development should have regard to a number of specific issues, the most relevant of which in this instance are:

- 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.
- Community safety and crime prevention.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity and landscape.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.

Saved UDP Policy DC1, Residential Extensions – Policy DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- the general character of the property;
- the effect upon the amenity of neighbouring occupiers;
- the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- the overall appearance of the proposal in the street-scene;
- the effect of the loss of any on-site carparking.

Issues

Principle of the Proposal – The principle of the proposal is considered acceptable, notwithstanding this, the potential impact upon existing levels of residential and visual amenity must be assessed, along with any impact on pedestrian and highway safety.

Design and Siting – The design and siting of the porch is in keeping with the overall character of the dwelling and as such is considered acceptable.

Residential Amenity – Given the design and siting of the porch it is not considered that the proposal would lead to a loss of privacy or excessive levels of overshadowing. As a result it is not considered that the proposal would lead to an undue reduction in the current levels of residential amenity enjoyed by neighbouring residents.

The creation of the new vehicular access would not have a detrimental impact upon the existing levels of residential amenity enjoyed by neighbouring residents.

Visual Amenity – Given the design and siting of the porch it is not considered that the proposal would have an unduly detrimental impact upon the levels of visual amenity enjoyed within the vicinity of the property.

The creation of the new vehicular access would not have a detrimental impact upon the existing levels of visual amenity enjoyed along Wythenshawe Road.

Pedestrian and Highway Safety – Highways Services have confirmed that the layout, siting and associated visibility splays of the new driveway are acceptable. As a result, it is considered that the proposal would not have a detrimental impact upon the levels of pedestrian and highway safety enjoyed within the vicinity of the site.

Trees – Prior to submission the applicant cleared a number of shrubs/hedges and self-seeded trees in the vicinity of the new access point. No other trees are proposed to be felled to facilitate the new driveway. A condition requiring the existing trees to be protected is suggested in this instance.



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 to resolve any matters arising in relation to dealing with the planning 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:

- a) Drawing no. 21-61 02a, stamped as received on 7 July 2022
- b) Drawing no. 21-61 03a, stamped as received on 6 May 2022
- c) Drawing no. 21-61 04a, stamped as received on 9 June 2022
- d) Drawing no. 21-61 05a, stamped as received on 7 July 2022

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

3) The materials to be used on the external elevations shall match those on the external elevations of the existing building in colour, size and texture.

Reason - In the interests of visual amenity, pursuant to Policy DM1 of the Manchester Core Strategy.

4) 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 Manchester Core Strategy.

Informatives

1) Highways - The applicant will be required to enter into a Section 278/184 agreements for the alterations to the existing highways, and for construction of the proposed vehicular access and dropped kerbs on Wythenshawe Road and will require a crossing licence/agreement. This will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004). This will be funded at the applicant's expense.

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.

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Appendix 1 – List of consultees & neighbours notified

Highway Services

Neighbourhood Team Leader (Arboriculture)

176 Wythenshawe Road, Manchester, M23 0PF

65 Lawton Moor Road, Manchester, M23 0QA

174 Wythenshawe Road, Manchester, M23 0PF

172 Wythenshawe Road, Manchester, M23 0PF

168 Wythenshawe Road, Manchester, M23 0PF

166 Wythenshawe Road, Manchester, M23 0PF

69 Lawton Moor Road, Manchester, M23 0QA

67 Lawton Moor Road, Manchester, M23 0QA

63 Lawton Moor Road, Manchester, M23 0QA

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 (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH