

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133777/FO/2022
Date registered valid: 6 June 2022
Proposal: Installation of dropped kerb to facilitate access to driveway
Address: 359 Cheetham Hill Road, Manchester, M8 0SF
Ward(s): Cheetham Ward

Applicant: Amina Sheikh, 359 Cheetham Hill Road, Manchester, M8 0SF
Agent (if any): Mohammad Kazim, 33 Hawkeshead Road, Manchester, M8 0QZ
Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 25.07.2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Standard consultations:

Printed: 10 June 2022 Expired: 1 July 2022

Neighbour notifications

Printed: 10 June 2022 Expired: 1 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Site/Area

The application property relates to a mid-terraced brick built property within the Cheetham ward of Manchester. The property benefits from a paved front garden that is utilised as off street car parking. There is a small yard to the rear that leads by a gate onto a gated alley way. The properties whilst appearing 2 storey, have a third storey within the roof , and many of the neighbouring properties have extended at both ground level and within the roof space by dormer extensions.

Description of development

Installation of a dropped kerb to create a means of access.

Consultations & Notification Responses

Highways Comments:

The adopted highway at the front of the property would require a dropped kerb for access to the driveway. The applicant will 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.

Highways would not support any greater than a double dropped kerb.

There are no boundary treatments submitted. For the avoidance of doubt, all external entrance doors (with the exception of fire doors) should be inwardly opening in order to

prevent obstruction on the adjacent footway.

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

Policy

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

Principle

It is considered that the main issue associated with this application is parking provision. The principle is considered acceptable.

The application is seeking approval to enable the provision of a vehicular cross over to access the paved element of the front garden. The dwellinghouse fronts onto Cheetham Hill Road, which is a busy north south radial route, providing a key linkage between the City Centre and

North Manchester. As such on-street car parking is limited in regard to availability. Furthermore, the adjoining properties along Cheetham Hill Road have existing dropped kerbs.

In regard to the proposed dropped kerb, it is acknowledged that in regard to the off street parking provision, it is typically preferred that vehicles access and egress whilst remaining in a forward gear. It is, however, considered acceptable on this occasion given the precedent set by adjacent properties which also rely on vehicles accessing/egressing in reverse gear and have dropped kerbs to facilitate this approach.

Work to provide the dropped kerb would be undertaken by the Highways Authority and to their standard. Highways has assessed the application and has no objection to the creation of a vehicle crossing.

No trees are affected by this proposal.

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/agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the 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 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:

Drawing: Location Plan stamped as received by the City Council, as local planning authority on 25 May 2022

Drawing: Site Plan stamped as received by the City Council as Local Planning Authority on 06 June 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.

Informatives

1.The adopted highway at the front of the property would require a dropped kerb for access to the driveway. 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.

2.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 Email - highwaylicences@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services

361 Cheetham Hill Road, Manchester, M8 0SF
357 Cheetham Hill Road, Manchester, M8 0SF
Flat 2, 359 Cheetham Hill Road, Manchester, M8 0SF
Flat 1, 359 Cheetham Hill Road, Manchester, M8 0SF
270 Cheetham Hill Road, Manchester, M8 8JB
355 Cheetham Hill Road, Manchester, M8 0SF
272 Cheetham Hill Road, Manchester, M8 8JB

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
Area Team Boundary - Name: NORTH