

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132010/FH/2021

Date registered valid: 8 November 2021

Proposal: Creation of hardstanding to front of the property, installation of access ramp to side of the property and erection of boundary treatment

Address: 13 Lindale Avenue, Manchester, M40 3LX

Ward(s): Moston Ward

Applicant: Mr Sinisa Nedeljkovic Northwards Housing Unit 11 Vale Park Way, Hazelbottom Road, Manchester, M8 0AD

Agent (if any):

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 26 January 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 1 December 2021

Standard consultations:

Printed: 13 December 2021 Expired: 3 January 2022

Neighbour notifications

Printed: 13 December 2021 Expired: 3 January 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The application site relates to 13 Lindale Avenue within the Moston ward of north Manchester. It is a semi-detached, red brick property in a corner of the Lindale Avenue cul-de-sac. The property is accessible from a long narrow pathway leading up to the property, which also gives access to no.11. The amenity space to the front of the property consists of a green grassed area, although this is difficult to access with a black railing running adjacent to the front path. The side and rear of the property consists of additional green amenity space.

Description of development

The proposed development is for the creation of hardstanding to the front of the property and access ramp to the side of the property. A re-consultation was undertaken for the application since the original consultation contained a description of development which only included the hardstanding.

The hardstanding to the front of the property would create parking for both 13 and 15 Lindale Avenue. The drive would be finished with a permeable tarmac and the specification of which is included within the application submission. The total area would equate to 75m². A new path would be installed in front of the front door of no.13 to the front and side.

2.4 metre wide front double gates and posts would be fitted for the parking space for both no.13 and no.15. The divisional fencing between no.13 and no.15 would match the existing (including concrete posts, concrete base panel, 3ft timber panel). New fencing would also be inserted between the gates. Additional information was supplied by the agent on 20 January 2022 providing elevational drawings of the divisional fencing.

The access ramp to the side, made of 2 separate ramps, which would allow access to the front and rear would be constructed using a modular system. The top landing would have dimensions of 1500 x 3000mm and the length of each ramp would be approximately 3.5 metres. Handrails would be used throughout. The agent provided examples of modular ramps as additional information. The ramp would allow the disabled user to easily gain access in and out of the property from a parked car. On 20 January 2022, the agent provided additional details and elevational drawings of the ramp, which stated the gradient of the ramp was 1:12. A gate and single tread step unit would be installed which would allow access from the front path, with dimensions of 900x300mm. Hardstanding surface/concrete would be positioned under the ramp. There would be a threshold to land height of approximately 230 mm.

Materials to be used are as followed:

- Modular system, steel ramp to access front and rear of property (existing- concrete ramp)
- New double, steel, drive gates made of galvanised black powder coated steel (existing- post and panel fence to front)
- Proposed permeable surface drive / hardstanding (existing- grassed area, tarmac path and a concrete ramp).

Consultations & Notification Responses

Local residents

Local residents were consulted, and no responses were received.

Flood Risk Management Team

Flood Risk Management approve the proposal with no conditions required. The following informative was recommended within the Decision Notice. The applicant should construct the driveway with permeable surfacing in line with Government guidance. The applicant should design and construct a drainage system to prevent the increased risk of flooding on site and to offsite areas, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

Highway Services

Highways provided the following comments. Whilst the principle of in-curtilage parking is acceptable, the applicant should verify that the length of each 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. Following the re-consultation, the applicant verified the driveway measurements which were considered by Highways to be sufficient.

The adopted highway at the front of the property would require a dropped kerb for access to a driveway. Should the planning application be approved, the applicant will be required

to enter into a Section 184 agreement. This will need discussion and agreement with the council's Highways Maintenance Team via Contact Manchester (Tel. 0161 234 5004), further information can be found on the MCC internet pages:
https://secure.manchester.gov.uk/info/474/parking_at_your_home/8170/apply_for_a_dropped_kerb

The applicant is advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway. The boundary should be visually permeable from 600mm upwards at the point of vehicle egress/access, this is to ensure that child pedestrians are visible when accessing / egressing the site. During the re-consultation the applicant confirmed that all gated accesses will provide inward opening gates.

It should be ensured that all aspects of the ramp including the gradient, resting/ landing platform and handrailing is DDA compliant, as referenced within Design for Access 2 documents.

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 - highwaylicenses@manchester.gov.uk

Issues

POLICY

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions

should promote public safety and take into account wider security and defence requirements.

ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The 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. The effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Policy SP1 (Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity.

Policy EN1 (Design Principles and Strategic Character Areas); states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

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

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.5 The council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

ISSUES

Principle of development

The submitted development application is for the creation of hardstanding to the front of the property and access ramp to the side of the property. This is considered acceptable in principle as many people prefer to alter and adapt homes rather than move, to meet the changing residential needs of families. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual /Residential Amenity

Hardstanding to the front of the property:

As a result of the proposal, no.13 would lose a section of green space to the front of the property, however as stated above this green space is difficult to access due to the black railing in place. No.15 would lose a section of amenity space to the front of the property. At the time of the site visit, this amenity space was in poor condition and the property was not easily accessible from the road.

The creation of 2 driveways would allow the residents the opportunity to park their vehicles in curtilage. This would allow the disabled resident at no.13 the ability to get in and out of a car and into the property with improved ease, increasing the quality of life for the resident.

Access ramp to front and rear:

In terms of visual amenity, the proposed ramp to the front of the dwellinghouse would be visible in the streetscene and the top landing and the rear ramp would sit in the side amenity space. It is considered that the open nature of the proposed structure would reduce the potential visual impacts. A ramp already exists to the side of the property and thus nearby residents would be used to a level of built form.

In terms of residential amenity, the front ramp benefits the needs of a disabled user residing at the property, requiring access, and so would provide a positive contribution to the wellbeing of the residents.

Therefore, on balance any impacts in relation to visual amenity would be outweighed by the need for level access in this instance. The proposal is considered acceptable and complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policy DC1.5 of the Unitary Development Plan.

Design and Appearance

Hardstanding to the front of the property:

The gates to the front of the driveways and the divisional fence between the two driveways would create a sense of separation and privacy and thus relate well to the host properties and the streetscene. The gates would be made of galvanised black powder coated steel and would relate well to the gates and fences already in situ. A condition would be placed on any approval enforcing the materials chosen for the gates. Therefore, the proposal has been designed to be in keeping with the character of the existing house. It would not adversely affect the appearance of the existing dwelling.

Access ramp to front and rear:

The proposed access ramps are to be made of a modular system with metal handrails. The colouration of the handrail is not specified in writing, but plans indicate the handrails will be black. A materials condition has been attached to ensure that the specified materials are adhered to, and colouration is in keeping with the character of the streetscene, pursuant with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policy DC1 of the Unitary Development Plan. The handrails should be painted black.

The ramp is considered appropriate for its setting and follows the advice of DDA2 at the same time of considering Building Regulations Part M. DDA2 offers a practical approach to inclusive

design and ensures that the adaptations proposed are accessible in nature, but relates to public buildings only.

Car parking

2 additional car parking spaces would be provided as a result of the proposal. Highway Services have confirmed they are happy with the dimensions allocated for both spaces.

Refuse storage

The bins for no.13 at the time of the site visit were stored to the rear of the property and would be unaffected by the proposal. The bins for no.15 at the time of the site visit were stored at the front amenity space and so would be affected by this proposal. The bins could be positioned elsewhere within the front amenity space.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area.

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 officers have worked with the applicant in a positive and proactive manner by requesting further information relating to the scheme and appropriate conditions to the approval have also been attached.

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:

- Householder Application for Planning Permission for works or extension to a dwelling, stamped as received by the City Council as Local Planning Authority on 22 October 2021.
- Drawing- Proposed- Proposed Site, stamped as received by the City Council as Local Planning Authority on 22 October 2021.
- Drawing- Proposed- Front Access/ Drive, stamped as received by the City Council as Local Planning Authority on 1 December 2021.
- Drawing- Location Plan, stamped as received by the City Council as Local Planning Authority on 22 October 2021.
- Correspondence- Adaptations Team Letter to Occupant of 13 Lindale Avenue, stamped as received by the City Council as Local Planning Authority on 1 December 2021.
- Supporting Information- Porous 12PP SBN-0917, stamped as received by the City Council as Local Planning Authority on 8 November 2021.
- Supporting Information- Porous Brochure, stamped as received by the City Council as Local Planning Authority on 8 November 2021.
- Supporting Information- Porous Contractors Guide, stamped as received by the City Council as Local Planning Authority on 8 November 2021.
- Drawing- Proposed- Excellent Ramp System Plan, stamped as received by the City Council as Local Planning Authority on 20 January 2022.
- Drawing- Gates/ Fencing Elevations, stamped as received by the City Council as Local Planning Authority on 20 January 2022.
- Drawing- Existing and Proposed- Layout, stamped as received by the City Council as Local Planning Authority on 20 January 2022.
- Drawing- Visuals- Excellent Ramp System, stamped as received by the City Council as Local Planning Authority on 20 January 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 external surfaces hereby permitted shall be implemented in accordance with the approved details as set out in the application form specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of

Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

4) The boundary treatment hereby approved shall be carried out in accordance with drawing "Gates/ Fencing Elevations" stamped as received by the City Council as Local Planning Authority on 20 January 2022 and shall be installed prior to the first use of the development hereby approved. The proposed gates shall be made of galvanised black powder coated steel.

Reason - To ensure that the colour appearance of the proposed access ramp is in keeping with the surrounding area, pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1, SP1 and EN1 of Manchester's Local Development Framework: The Manchester Core Strategy Development Plan Document.

5) The development hereby approved shall be implemented in accordance with modular ramp details and boundary treatment details, as shown in:

- Drawing- Proposed- Excellent Ramp System, stamped as received by the City Council as Local Planning Authority on 20 January 2022.
- Drawing- Gates/ Fencing Elevations, stamped as received by the City Council as Local Planning Authority on 20 January 2022.
- Drawing- Existing and Proposed- Layout, stamped as received by the City Council as Local Planning Authority on 20 January 2022.
- Drawing- Visuals- Excellent Ramp System, stamped as received by the City Council as Local Planning Authority on 20 January 2022.

The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

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, in order to comply with Policies SP1, EN1 and DM1 of the Core Strategy and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

Informatives

1) The applicant should construct the driveway with permeable surfacing in line with Government guidance. The applicant should design and construct a drainage system to prevent the increased risk of flooding on site and to offsite areas, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

2) The adopted highway at the front of the property would require a dropped kerb for access to a driveway. Should the planning application be approved, the applicant will be required to enter into a Section 184 agreement. This will need discussion and agreement with the council's Highways Maintenance Team via Contact Manchester (Tel. 0161 234 5004), further information can be found on the MCC internet pages:
https://secure.manchester.gov.uk/info/474/parking_at_your_home/8170/apply_for_a_dropped_kerb

3) 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 -highwaylicenses@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
MCC Flood Risk Management
MCC Flood Risk Management
Highway Services

52 Heppleton Road, Manchester, M40 3LW
54 Heppleton Road, Manchester, M40 3LW
27 Lindale Avenue, Manchester, M40 3LX
50 Heppleton Road, Manchester, M40 3LW
9 Lindale Avenue, Manchester, M40 3LX
29 Lindale Avenue, Manchester, M40 3LX
25 Lindale Avenue, Manchester, M40 3LX
23 Lindale Avenue, Manchester, M40 3LX
21 Lindale Avenue, Manchester, M40 3LX
19 Lindale Avenue, Manchester, M40 3LX
17 Lindale Avenue, Manchester, M40 3LX
15 Lindale Avenue, Manchester, M40 3LX
11 Lindale Avenue, Manchester, M40 3LX
48 Heppleton Road, Manchester, M40 3LW
46 Heppleton Road, Manchester, M40 3LU

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 High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH1