

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141542/JO/2024
Date registered valid: 20 November 2024
Proposal: Variation of condition 2 attached to planning permission 134762/JO/2022 to allow new pathways for level access
Address: Mary Seacole Gardens, 8 Catesby Road, Manchester, M16 7ET
Ward(s): Moss Side Ward

Applicant: Ms Cym Dsouza, Arawak Walton Housing Association
Agent (if any): Mrs Vicky Saunders, Bernard Taylor Partnership Ltd
Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 15.01.2025

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Other

Date of site visit: 12.12.2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 25 November 2024

Expired: 16 December 2024

Site notice

Posted: 12 December 2024

Expired: 5 January 2025

Press advert

Published: 3 December 2024

Expired: 24 December 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order: N/A

Description of site/building

The application site is a modern 3-storey purpose-built block of flats and 3no. houses situated on the corner of Catesby Road and Withington Road in the Whalley Range Conservation Area. The eastern boundary is formed by Sedgeborough Road and to the south by the side elevation of a terrace of Victorian villas.

The buildings have a U-shaped plan form that is made up of 4no. separate blocks, the longest sections being Blacks 2, 3A and 3B fronting onto Withington Road. Access and parking are taken off Catesby Road with residents' and visitor parking in a central courtyard and 2no. communal bin storage areas; in the north and in the south eastern sides of the site.

The property is of red-orange brick construction with brown uPVC windows and doors and is bounded to the east by a mix of Palisade fencing and steel railings. The Withington Road elevation is formed of angled and vertical paling fencing with vegetation over.

The site is within a mainly residential area comprising a mixed typology of large Victorian villas sub-divided into flats, modern purpose-built flats and both inter-war and C20 infill housing. Trees and hedges form the boundaries of the majority of development. Few original boundary walls have been retained to the older dwellings.

Planning approval was granted under permission reference 132225/FO/2021 for the erection of 4no. new entrance porches to existing flat blocks and 2no. new enclosed bin stores to replace existing bin stores. All external windows and doors were to be replaced and improvements made to the existing boundary treatments.

A subsequent variation of condition application reference 134762/JO/2022 was approved for the omission of the previously approved projecting porch and replacement with a flush, fully glazed doors within the existing entrance opening.

The current application seeks variation of the previous approvals for the installation of access ramps to three of the blocks to ensure they comply with building regulations. All of the proposed ramps would be formed within existing grassed areas located to the front of the blocks that require the accesses, no trees would be impacted by the works. The ramped paths would all have a shallow gradient of 1:25 or gentler and would be formed from resin bonded gravel with concrete path flag edge.



Ramp locations edged red

Consultations & Notification Responses

A site notice was posted, an advertisement placed in the Manchester Evening News and neighbouring properties were notified. No responses were received.

Issues

Policy

The National Planning Policy Framework (NPPF)

The NPPF was revised and published in December 2024. The NPPF states that the planning system must contribute to the achievement of sustainable development. These are encapsulated into three categories: economic, social and environmental. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Chapter 16 - Historic Environment - concerns the historic environment. It advises that great weight should be given to the conservation of designated heritage assets, including Conservation Areas, and that any harm that would result from proposed development should be balanced against the public benefits that would arise. For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Relevant saved UDP and Core Strategy Policies (2012)
Core Strategy policies EN3, EN9, EN15, DM1 and SP1
Saved UDP policies DC1 and DC18.1

Places for Everyone Joint Development Plan Document (March 2024)
Policy JP-P1 Sustainable Places

Issues

Principle - The proposed variation seeks to install level access pathways into the three buildings as the currently entrances would provide stepped access provision.

The proposal would include ramps to 1:25 gradient or gentler with a width of between 900 and 965mm, the surfacing would be resin bound grey surfacing and would be positioned to allow appropriate graded level access to the three buildings. The principle of the provision of level access is in general supported. Further consideration is required in respect of the visual amenity impacts of the ramps, the useability of the ramps proposed together with potential impacts on the conservation area.

Visual Amenity - It is considered that there would not be any harmful impacts on the visual amenity or character of the area from the proposed amendment to the previously approved scheme. The interventions would not be readily visible from the wider area being mainly internal to the application site.

Impact on the Conservation Area - As the entrance ramps are set within the site it is not considered that there would be any greater impacts on the character of the Conservation Area than the previously approved scheme, the ramps would be a low level intervention and would not be readily discernible from the wider streetscene. As such it is not considered that the proposals would give rise to harm to the Whalley Range Conservation Area.

Residential Amenity- It is noted that the ramps would be positioned in the most logical position to gain level access, however this would take those using the paths closer to ground floor residential windows and opportunities to look into these windows. Whilst there may be a perception of loss of privacy it is noted that paths to the front of the buildings do currently exist and the paths would be used by occupiers of the buildings and properties that have windows on this aspect. It is not considered that the relationship of the ramped paths would warrant refusal of the proposals which in general seek to enhance access into the buildings.

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

The application has been determined in a positive and proactive manner. In this instance a decision has been issued within statutory timescales.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development hereby approved shall be carried out in accordance with the following drawings and documents received on the 12th of November 2021, or as stated below:

110.1 - Block 4 Proposed Ground Floor Plan

115.1 - Block 4 Existing & Proposed Elevations (Opt 1)

Design and Access Statement prepared by BTP Architects dated November 2021

All as received on the 12th November 2021

124.1 - Proposed Boundary Treatments Plan received on the 11th of January 2022

105.3 - Proposed Site Plan (Opt 1)

106.3 - Block 1 Proposed Ground Floor Plan

107.2 - Block 2 Proposed Ground Floor Plan

108.2 - Block 3A Proposed Ground Floor Plan

109.2 - Block 3B Proposed Ground Floor Plan

111.4 - Block 1 Existing & Proposed Elevations (Opt 1)

112.3 - BLOCK 2 - Existing & Proposed Elevations (Opt 1)

113.4 - BLOCK 3A - Existing & Proposed Elevations (Opt 1)

114.4 - BLOCK 3B - Existing & Proposed Elevations (Opt 1)

130 - Communal Entrance Door & Canopy Pattern Details

All as received by the City Council as local planning authority on the 23rd August 2022

MS-BTP-00-ZZ-DR-A-3928_263

MS-BTP-00-ZZ-DR-A-3928_261

As received by the City Council as local planning authority on the 19th November 2024

MS-BTP-00-ZZ-DR-A-3928_260.1

MS-BTP-00-ZZ-DR-A-3928_262.1

As received by the City Council as local planning authority on the 20th November 2024

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 of the adopted Core Strategy for the City of Manchester.

2) The materials to be used on the development hereby approved shall be implemented in accordance with the details as set out on the approved drawings and application form noted in Condition 2 of this Decision Notice.

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 pursuant to policies SP1 and DM1 of the adopted Manchester Core Strategy and to the guidance contained within the National Planning Policy Framework.

3) 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 Core Strategy.

4) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

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.

Appendix 1 – List of consultees & neighbours notified

Flat 5, 93 Withington Road, Manchester, M16 8EE
Flat 4, 93 Withington Road, Manchester, M16 8EE
Flat 3, 93 Withington Road, Manchester, M16 8EE
Flat 2, 93 Withington Road, Manchester, M16 8EE
Flat 1, 93 Withington Road, Manchester, M16 8EE
Flat 18, William Coates Court, Carlton Road, Manchester, M16 8BD
Flat 17, William Coates Court, Carlton Road, Manchester, M16 8BD
Flat 16, William Coates Court, Carlton Road, Manchester, M16 8BD
Flat 15, William Coates Court, Carlton Road, Manchester, M16 8BD
William Coates Court, Carlton Road, Manchester, M16 8BD
Flat 1, William Coates Court, Carlton Road, Manchester, M16 8BD
14 Catesby Road, Manchester, M16 7ET
Flat 2, Greame House, Catesby Road, Manchester, M16 7ET
83 Sedgeborough Road, Manchester, M16 7EF
77 Sedgeborough Road, Manchester, M16 7EF
Flat 3, 16 Catesby Road, Manchester, M16 7ET
Flat 3, William Coates Court, Carlton Road, Manchester, M16 8BD
Flat 2, William Coates Court, Carlton Road, Manchester, M16 8BD
6 Elm House, 2 Carlton Road, Manchester, M16 8BB
4 Elm House, 2 Carlton Road, Manchester, M16 8BB
1 Elm House, 2 Carlton Road, Manchester, M16 8BB
Flat 5, 75 Withington Road, Manchester, M16 7EX
Flat 6, 75 Withington Road, Manchester, M16 7EX
Flat 5, 6 Catesby Road, Manchester, M16 7ET
Flat 2, 6 Catesby Road, Manchester, M16 7ET
Flat 4, 4 Catesby Road, Manchester, M16 7ET
Flat 6, 2 Catesby Road, Manchester, M16 7ET
Flat 3, 2 Catesby Road, Manchester, M16 7ET
12 Catesby Road, Manchester, M16 7ET
10 Catesby Road, Manchester, M16 7ET
Flat 4, Greame House, Catesby Road, Manchester, M16 7ET
Flat 3, Greame House, Catesby Road, Manchester, M16 7ET
Flat 1, Greame House, Catesby Road, Manchester, M16 7ET
Flat 2, 75 Withington Road, Manchester, M16 7EX
89 Sedgeborough Road, Manchester, M16 7EF
71 Sedgeborough Road, Manchester, M16 7FR
87 Sedgeborough Road, Manchester, M16 7EF
85 Sedgeborough Road, Manchester, M16 7EF
81 Sedgeborough Road, Manchester, M16 7EF
79 Sedgeborough Road, Manchester, M16 7EF
75 Sedgeborough Road, Manchester, M16 7EF
73 Sedgeborough Road, Manchester, M16 7EF
Flat 4, 16 Catesby Road, Manchester, M16 7ET
Flat 2, 16 Catesby Road, Manchester, M16 7ET
Flat 1, 16 Catesby Road, Manchester, M16 7ET
Flat 9, William Coates Court, Carlton Road, Manchester, M16 8BD
Flat 8, William Coates Court, Carlton Road, Manchester, M16 8BD
Flat 7, William Coates Court, Carlton Road, Manchester, M16 8BD
Flat 6, William Coates Court, Carlton Road, Manchester, M16 8BD
Flat 5, William Coates Court, Carlton Road, Manchester, M16 8BD

Flat 4, William Coates Court, Carlton Road, Manchester, M16 8BD
Flat 14, William Coates Court, Carlton Road, Manchester, M16 8BD
Flat 12, William Coates Court, Carlton Road, Manchester, M16 8BD
Flat 11, William Coates Court, Carlton Road, Manchester, M16 8BD
Flat 10, William Coates Court, Carlton Road, Manchester, M16 8BD
8 Elm House, 2 Carlton Road, Manchester, M16 8BB
7 Elm House, 2 Carlton Road, Manchester, M16 8BB
5 Elm House, 2 Carlton Road, Manchester, M16 8BB
3 Elm House, 2 Carlton Road, Manchester, M16 8BB
2 Elm House, 2 Carlton Road, Manchester, M16 8BB
Flat 1, 6 Catesby Road, Manchester, M16 7ET
Flat 3, 75 Withington Road, Manchester, M16 7EX
Flat 1, 4 Catesby Road, Manchester, M16 7ET
Flat 1, 2 Catesby Road, Manchester, M16 7ET
Flat 4, 75 Withington Road, Manchester, M16 7EX
Flat 1, 75 Withington Road, Manchester, M16 7EX
Flat 6, 6 Catesby Road, Manchester, M16 7ET
Flat 4, 6 Catesby Road, Manchester, M16 7ET
Flat 3, 6 Catesby Road, Manchester, M16 7ET
Flat 6, 4 Catesby Road, Manchester, M16 7ET
Flat 5, 4 Catesby Road, Manchester, M16 7ET
Flat 3, 4 Catesby Road, Manchester, M16 7ET
Flat 2, 4 Catesby Road, Manchester, M16 7ET
Flat 5, 2 Catesby Road, Manchester, M16 7ET
Flat 4, 2 Catesby Road, Manchester, M16 7ET
Flat 2, 2 Catesby Road, Manchester, M16 7ET

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Conservation Area - Whalley Range Conservation Area 1992

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA