MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139428/FH/2024
Date registered valid:	4 March 2024
Proposal:	Installation of step lift to front
Address:	84 Manley Road, Manchester, M16 8ND
Ward(s):	Chorlton Park Ward
Applicant:	Mrs Hilary McNicholas
Agent (if any):	Mr Neil Brickles, Manchester City Council
Case officer:	Tracie Simpson Tel: 0161 234 4537 Email: tracie.simpson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**23rd April 2024**

Application details

Type of application: Full Householder Application
Development type: Householder
Date of site visit: 2 April 2024
Standard consultations:
No consultations have been printed and sent.
Neighbour notifications
Printed: 12 March 2024 Expired: 4 April 2024
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

The site/building relates to a large three storey semi detached property in the Chorlton Park ward area of Manchester. The site features triple brick bay windows to the front with hardstanding for off road carparking and access along the side and garden to rear. front, side and rear gardens with sunken access to the front from street level. An outbuilding is located at the rear of the garden with two storey rear outrigger to the property.

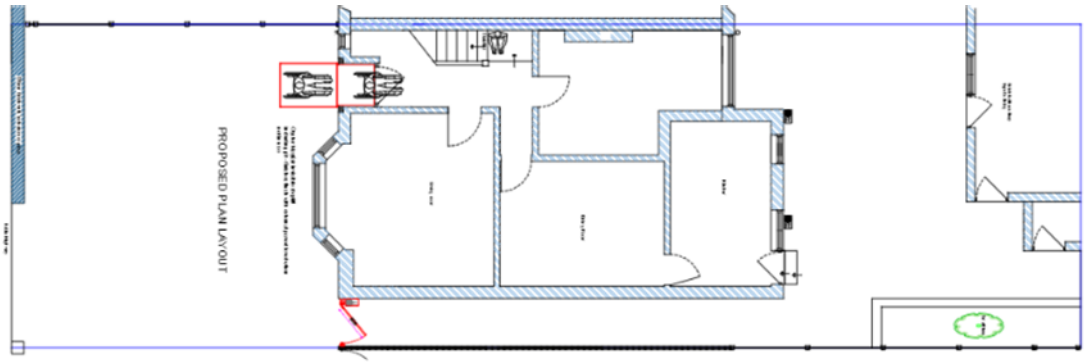
Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

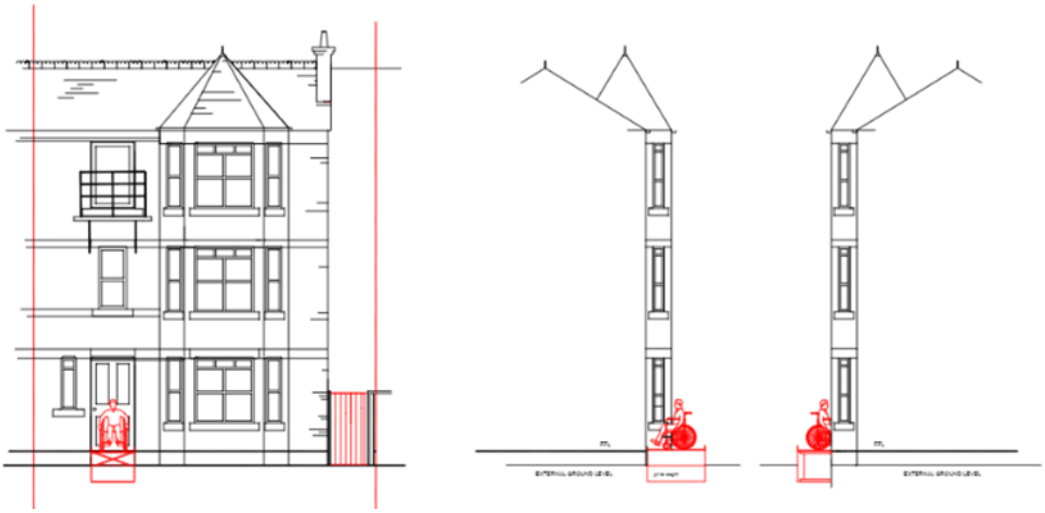
Description of area:

The area is primarily residential in nature

Description of development

The applicant is seeking planning permission for the installation of steplift to the front.





Consultations & Notification Responses

Local residents, as per Appendix 1 - No comments, objections or representations in respect of this application were received.

<u>Policy and Issues</u>

The following policies are considered relevant in the consideration of this application.

o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy 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.

- The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- Policy DM 1 - Development Management
- Policy SP1 - Spatial Principles
- Policy EN1 - Design Principles
- Policy EN 19 - Waste Management
- The National Planning Policy Framework (NPPF)

Places for Everyone

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.

The nine constituent local authorities will now consider the Inspectors' Report and the adoption of Places for Everyone, with the plan going to the Full Council meeting in Manchester on 20 March 2024. The first Council meetings to approve the plan will be Salford and Wigan (28 February).
There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a JR from the outset).

Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

The City 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.

Principle

The principal of the proposal, to install a mechanical steplift is considered acceptable to facilitate access from the pavement through to the entrance of the property.

However, consideration must be given to the proposal's appearance, impact on the character of the area and impact on the neighbouring properties' residential amenity.

History

There are no previous planning application relating to this site.

Residential / Visual Amenity

As outlined above, the submitted application relates to the proposed installation of a steplift to the front of the property. The steplift which is an Oyster Mayfair invisible steplift, would occupy a

space leading off the front entrance to the property located south of the site. The steplift would be constructed in materials which will match the existing paving and would be situated below ground within a pit hidden from street view. The finished level would be in line with the existing external paved level when not in use and would be visible only during use within the street scene.

The level steplift would provide wheelchair access into and out of the front entrance to the property and would extend 2.0m from the front elevation of the property. Given the setback from the back of footpath and boundary treatment between the application site and the adjoining semi detached property no. 86, it is not anticipated that there would be any overlooking or loss of privacy given by the proposed steplift. This is similar to no. 82 Manley Road given the gap retained to this shared boundary. Although the lift would occupy space at the front of the property, adequate amenity space will be retained.

No objections have been received from the local residents notified of this application however, it is not thought to impact the residential amenity of surrounding residents as it won't overshadow the neighbours' gardens or houses due to the distances between the properties.

The development benefits the needs of a disabled user residing at the property and requires access to and from the property, therefore in this instance the proposal is considered acceptable and therefore complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policies DC1 and DC1.5 of the Unitary Development Plan.

Design and Appearance

The proposed access step lift is of a design which would blend in well with its surroundings, particularly as it would be hidden when not in use and of matching materials. A materials condition has been attached to ensure that the specified materials are adhered to and is in keeping with the character of the street scene, pursuant with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policies DC1 and DC1.5 of the Unitary Development Plan.

Conclusion

The proposal complies with the above policies, it received no objections and the City Council recognises the importance of adapting homes to suit changing household needs and accommodate disabled residents. The step lift would improve the safety and comfort of the dwelling for the resident, allowing them to remain independent in their own home, therefore development may commence in accordance with the following conditions.

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 polices 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

Positive and proactive working Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The application has been determined in a timely manner and in accordance with the policies within the Development Plan.

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:

Received on 4th March 2024 As Drawn by Manchester Equipment & Adaptations Partnership (MEAP) Proposed Plans and Elevations

Received on 4th March 2024 Design and Access Statement

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 materials to be used on the external surfaces hereby permitted shall match those as specified on the application form in type, size, colour and texture.
Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the structure, pursuant to policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Flat 3, 19 Grosvenor Road, Manchester, M16 8JP
Flat 2, 19 Grosvenor Road, Manchester, M16 8JP
Flat 1, 19 Grosvenor Road, Manchester, M16 8JP
Flat 2, 86 Manley Road, Manchester, M16 8ND

Flat 2, 82 Manley Road, Manchester, M16 8ND
Flat 4, 86 Manley Road, Manchester, M16 8ND
Flat 3, 86 Manley Road, Manchester, M16 8ND
Flat 1, 86 Manley Road, Manchester, M16 8ND
Flat 3, 82 Manley Road, Manchester, M16 8ND
Flat 1, 82 Manley Road, Manchester, M16 8ND
71 Manley Road, Manchester, M16 8WF

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
Area Team Boundary - Name: SOUTH AREA