

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137315/FO/2023

Date registered valid: 15 June 2023

Proposal: Installation of access ramp to the front elevation and creation of area of hardstanding to the front garden.

Address: 11 Gisburne Avenue, Manchester, M40 0LB

Ward(s): Charlestown Ward

Applicant: Mr Sinisa Nedeljkovic, Northwards Housing

Agent (if any):

Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 09.08.2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Standard consultations:

Printed: 23 June 2023 Expired: 14 July 2023

Neighbour notifications

Printed: 23 June 2023 Expired: 14 July 2023

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 site relates to a mid terraced, brick built, two storey dwelling within a residential neighbourhood of Charlestown, Manchester. The property benefits from a small grassed front garden and an area of hardstanding made up of differing materials adjacent to the public highway.

The remainder of the area is residential in nature and houses are of similar style and design.

Description of development

The application seeks planning permission for the installation of access ramp to the front elevation and creation of area of hardstanding to the front garden. The proposed access ramp would run from the front door across the front elevation in a northerly direction. The upper landing would have approx. dimensions of 1.63m x 1.5m, middle landing 2.5m x 1.2m and the lower landing 1.2m x 1.2m. The ramp would have approx. dimensions of Height 1.2m x Width 1.2m and a gradient of 1:12. The ground underneath the proposed ramp would be covered by paving. Prefabricated handrails would be used throughout and would be black. The materials to be used for the ramp would be concrete flags.

The area of hardstanding would replace the existing smaller area of hardstanding and grassed area with a uniformed appearance through Marshalls Driveline permeable paving.

Consultations & Notification Responses

Local residents were notified and no responses were received.

Flood Risk Management had no objections to the proposal and recommended a drainage system plan and hardstanding area of more than 5 metres be built in permeable materials. Informative be added to any approval.

Policy

The following policies are considered relevant to provide guidance and consideration to this application:

- National Planning Policy Framework (NPPF)
- Saved policy DC1 of the UDP
- DM1, SP1, EN19 of the Manchester Core Strategy

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8: Promoting health and safe communities

91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: promote social inclusion, are safe and accessible and enable and support healthy lifestyles.

Chapter 12: Achieving well-designed places

124: The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Unitary Development Plan Saved Policies

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

DC1.1 states that the Council will have regard to:

- a) The general character of the property
- b) The effect upon the amenity of neighbouring occupiers
- c) The overall appearance of the proposal in the street scene;
- d) 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.

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.

Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents,
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

Policy DM 1 Development Management- All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

- 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.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how: -Both construction and demolition waste will be minimised and recycled on site wherever possible; -The sustainable waste management needs of the end user will be met.

Issues

Principle

The submitted development application is for the installation of access ramp to the front elevation and creation of area of hardstanding to the front garden. This is considered acceptable in principle as many people prefer to alter and adapt their homes rather move, to meet the changing residential needs of families, including disabled access needs. However, consideration must be given to the proposal's appearance, impact on visual amenity of the area and impact on the neighbouring properties' residential amenity.

Residential and Visual Amenity

As mentioned above the proposed access ramp would run from the front door along the front elevation and be sited approx. metres away from the northern shared boundary with no. 12 Gisburne Avenue. Further, the extension would be adjacent to the southern boundary however given the orientation of the properties, the proposal would not create an adverse visual/residential implications for the surrounding neighbours.

The proposal would be visible from the streetscene, however the ramp would not extend to the site's front boundary line and would be sited approx. 6.7 metres from the back of the pavement. In addition, as the proposal is open in nature it is not considered an overbearing feature for the adjoined terraced properties. It is deemed that any potential implications in terms of adverse impacts to visual and residential amenity would be outweighed by the need to provide level access, pursuant to policy DC1.5 of the UDP.

Further, the introduction of a hard surfaced area to facilitate an off street car parking space is common within the local environment with many neighbouring properties having the benefit of

such a feature within their boundary curtilage. No impacts would occur in terms of loss of light and overshadowing nor privacy or overlooking implications.

The proposed hard surfacing to the entire front amenity space would be seen as an improvement to the existing poorer quality area of hardstanding which is currently made up of several different materials. Introducing this element of the proposal will introduce a uniformed approach that will allow the disabled user to easily access the property and in this case the need of the disabled user outweighs the potential harm to visual amenity, pursuant to Policy DC1.5 of the UDP.

Design and Appearance

The design of the access ramp is considered acceptable. The front amenity space is a short, splayed boundary and although the ramp would extend into the proposed hard surfacing area, there would still be sufficient space to retain the off street car parking space. The layout of the ramp is deemed acceptable and as such the form and layout of the proposal is considered acceptable, pursuant to Policy DC1.2 of the UDP.

The garden would be excavated into an area of hardstanding for the off street car parking space with approx. dimensions of Width 5.79m x Length 6.77m. The hardstanding area will be finished in permeable paving that Flood Risk Management have deemed acceptable.

The proposed materials stated above will allow for the proposal to maintain the character of the streetscene, pursuant with the National Planning Policy Framework, Core Strategies policies SP1, DM1, EN1 and Saved Policy DC1 of the Unitary Development Plan.

Considering the constrained nature of the front amenity space attached to the property, an access ramp along the front elevation would be considered the most appropriate form of level access. As such, the access ramp is considered appropriate in its size, setting and form, pursuant to Policy DC1 of the UDP.

Bin Storage

The current bin storage is located along the shared boundary and will be retained along within the front amenity space. Given the bins will be stored along the front elevation it is deemed acceptable for a bin storage condition to be applied to minimise the impact on the surrounding streetscene, pursuant to policy EN19 of the Core Strategy.

Car Parking

As mentioned above part of this application features the introduction of a hard surfaced area for the retention of the off street car parking space along the front elevation. An informative has been added to the approval decision stating that a Section 194 agreements needs to be implemented before development commences. Overall, the proposal is considered acceptable in pursuant to policy EN19 of the Core Strategy.

Conclusion

The proposed development does not create any significant impacts in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and the local area, whilst benefitting the needs of the disabled resident.

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:

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner to guide the application through all the 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 Act Planning Act 1990.

- 2) The development hereby approved shall be carried out in accordance with the following drawings and documents: Local plan and drawings numbers:

Document: Householder Application Form

Drawing: Site Plan Proposed

All stamped as received by the City Council as Local Planning Authority on 15 June 2023

Reason- 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 (2012).

- 3) The materials to be used on the external surfaces of the extension hereby permitted shall be implemented in accordance with the approved details set out in the documents and drawings as specified in Condition 2 of this approval.

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 extension, pursuant to saved policies DC1.1, DC1.2, and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

- 4) Details of a secure and ventilated bin store shall be submitted to approved by the City Council as Local Planning Authority. The approved bin store shall be implemented and be in place prior to the first use of the extension and shall be so maintained and retained at all times thereafter.

Reason - In the interests of the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

Informatives

- 1) 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 This will be funded at the applicant's expense

- 2) If the hard-surfaced to be covered is more than 5 square metres, it should be constructed of permeable materials where feasible, to comply with Government Guidance.

Use the following guidance:

<https://www.gov.uk/government/publications/permeable-surfacing-of-front-gardens-guidance>

- 3) The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

3 Gisburne Avenue, Manchester, M40 0LB
10 Gisburne Avenue, Manchester, M40 0LB
7 Gisburne Avenue, Manchester, M40 0LB
5 Gisburne Avenue, Manchester, M40 0LB
6 Gisburne Avenue, Manchester, M40 0LB
12 Gisburne Avenue, Manchester, M40 0LB
8 Gisburne Avenue, Manchester, M40 0LB
4 Gisburne Avenue, Manchester, M40 0LB
9 Gisburne Avenue, Manchester, M40 0LB

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA