

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136912/FH/2023
Date registered valid: 9 May 2023
Proposal: Installation of step lift to front of property.
Address: 97 Esmond Road, Manchester, M8 9LX
Ward(s): Cheetham Ward

Applicant: Ms Olena Firmanczuk
Agent (if any): Technical Officer Darren Smith, Manchester City Council
Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE
Date of recommendation: 03.07.2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 21 July 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 16 May 2023 Expired: 6 June 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 two storey terraced property within the residential neighbourhood of Cheetham Ward, Manchester. The property benefits from hard landscaping to the front amenity space with concrete steps up to the front door. A low masonry wall occupies the front boundary with timber fencing and vegetation screening occupying the shared boundary treatment.

The remaining of the area is residential in nature with houses of similar style and size.

Description of development

The application seeks planning permission for the installation of a step lift to the front elevation of the property.

Consultations & Notification Responses

Local residents were notified however none responded.

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 a mechanical chair lift to the front elevation. This is considered acceptable in principle as many people prefer to alter and adapt their homes rather than 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 the visual amenity of the area and impact on the neighbouring properties' residential amenity.

Residential and Visual Amenity

The chair lift would be positioned within the front amenity space and as such would be visible from Esmond Road and by the immediate neighbours. The chair lift would run alongside the shared boundary with no. 66 Woodlands Road and given the boundary treatment and the small scale development, impacts would be minimised.

Additionally, there is sufficient space to the shared boundary with no. 96 Esmond Road that it would not create an overbearing feature for the adjoining neighbours. The proposal would be visible within the streetscene, however there is sufficient distance to properties across the road to minimise any potential significant residential amenity.

The chairlift would 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 materials to be used are aluminium, stainless steel and toughed safety glass. These materials are considered appropriate for the proposal and a materials condition has been attached to ensure the materials are adhered to.

The chair lift would measure approx. 2.2metres in height, 1.681 metres in width and 0.975metres in depth with upper and lower gate and straight handrails. The proposal would involve a thick concrete slab at internal floor level measuring approx. 1.8metres length and 1.1metres wide and would be incorporated into the plinth.

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 and topography of the front amenity space attached to the property, a chair lift would be considered the most appropriate form of level access. As such, the chair lift is considered appropriate in its size, setting and form, pursuant to Policy DC1 of the UDP.

Bin Storage

The current bin storage is located where the proposed chair lift will be sited and therefore since this will be moved along the front elevation, a bin storage condition will be applied to any approval. The proposal would leave the bins along the front elevation and contribute to an increase in the visual amenity of the local area.

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: Approve

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: Proposed Front Elevation ref. 3

Drawing: Location Plan

Drawing: Ground Floor Layout ref. 2

All stamped as received by the City Council as Local Planning Authority on 09 May 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.

Appendix 1 – List of consultees & neighbours notified

95 Esmond Road, Manchester, M8 9LX
106 Esmond Road, Manchester, M8 9LZ
104 Esmond Road, Manchester, M8 9LZ
68 Woodlands Road, Cheetham, Manchester, M8 0NF
Top Flat, 68 Woodlands Road, Cheetham, Manchester, M8 0NF
66 Woodlands Road, Cheetham, Manchester, M8 0NF

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA