

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 135495/FH/2022

**Date registered valid:** 16 November 2022

**Proposal:** Installation of access ramp to front, with associated landings and handrails

**Address:** 8 Luxhall Walk, Manchester, M40 2SN

**Ward(s):** Miles Platting & Newton Heath Ward

**Applicant:** Mr Ian Rothwell, Northwards Housing / MCC

**Agent (if any):** Mr Ian Rothwell, Northwards Housing Ltd

**Case officer:** Katie Raw  
Tel: 0161 234 4164  
Email: [katie.raw@manchester.gov.uk](mailto:katie.raw@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 10 January 2023

## **Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 29 November 2022

### **Standard consultations:**

Printed: 6 December 2022 Expired: 27 December 2022

### **Neighbour notifications**

Printed: 24 November 2022 Expired: 15 December 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:** No

**Tree Preservation Order:** No

## **Description of area**

The application site relates to 8 Luxhall Walk within the north Manchester ward of Miles Platting and Newton Heath. The property relates to a two storey, red brick dwellinghouse which is located within a Radburn style estate, whereby the front of the properties look into a central path/courtyard. Part of the property is first floor only, creating a walkway below for residents. The proposal would be inserted in the front garden which consists of grassed areas with a central path leading to the property.

## **Description of development**

The application seeks planning permission for the installation of access ramp to front, with associated landings and handrails.

The ramp would run centrally from the front gate to the existing front porch. The ramp would have a gradient of 1:12 with 1200mm landing. The proposal would include 50mm smooth continuous galvanised handrails to both sides at 1m c/c set in concrete. Handrails to be 1000mm above landing surface and 900mm above ramp surface. Secondary safety rail to be fixed to the external side 600mm above the ramp surface. The handrails would continue past

the end of the ramp by 450mm. The handrails are stated to be finished with 1 undercoat and 2 coats of black gloss paint. The ramp and landings would be made of a flagged surface.

### *Planning history*

F00420- 2 sites fronting onto - Briscoe Lane, Newton Heath- Erection of 173 dwellings in 2 storey blocks, after demolition of existing property.  
Approved 31 July 1974.

## **Consultations & Notification Responses**

### *Local residents*

Local residents were consulted, and no responses were received.

### *Environmental Health*

Environmental Health were consulted on the application and had no comments to make.

## **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 installation of access ramp to front, with associated landings and handrails. 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, 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. As the property is to remain a single family dwelling house, it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

### *Visual /Residential Amenity*

The impact of the ramp in terms of amenity would be felt in a visual sense. The ramp would be sited where the current path to the property is located, running centrally to the front porch. As such, the proposal would be sited approximately 3 metres from the shared boundary with no.10 Luxhall Walk and 2 metres from the boundary with the communal walk way, and so would not be overbearing for the neighbours. The proposal would also be visible from the properties opposite but would be distanced by a path in-between. In addition, any minimal impact in terms of residential/visual amenity would be outweighed by the need to provide level access in this instance, pursuant to Policy DC1.5 of the UDP.

### *Design and Appearance*

The ramp would be made of concrete flags and landings and would be conditioned accordingly. Handrails would be used throughout the proposal and these would be finished in black paint. To ensure the highest quality of design, the handrails shall be conditioned to be powder coated galvanised steel and conditioned to be black as specified within the application form, to ensure the 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 ramp has a gradient of 1:12. Although the gradient of the ramp exceeds the gradient specified within DDA2, DDA2 relates to public buildings only. Part M4 (2) of Building Regulations allows a gradient of 1:12 to 1:20. As such, the proposal is considered acceptable in terms of design to offer a safe approach in and out of the property and handrails would support the disabled user as well.

The ramp is considered acceptable in its layout as the ramp would allow the grassed areas either side of the ramp to be retained, and so the design would not be considered over-engineered.

### *Car Parking*

Car parking would be unaffected by this proposal.

### *Refuse Storage*

Refuse storage would be unaffected by this proposal.

### *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 and would improve the quality of life for the 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**

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, have requested further information 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:

-Application for Planning Permission for works or extension to a dwelling, stamped as received by the City Council as Local Planning Authority on 16 November 2022.

-Drawing- Proposed- Garden Plan, numbered 002, stamped as received by the City Council as Local Planning Authority on 16 November 2022.  
-Drawing- Proposed- Side Elevation, numbered 003, stamped as received by the City Council as Local Planning Authority on 16 November 2022.  
-Drawing- Location Plan- The Location Plan, stamped as received by the City Council as Local Planning Authority on 16 November 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 throughout the proposal 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 proposed handrails shall be made of galvanised powder coated steel and shall be painted black.

Reason - To ensure that the colour and appearance of the proposed handrails and 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.

## **Appendix 1 – List of consultees & neighbours notified**

### Environmental Health

36 Surbiton Road, Manchester, M40 2UU  
6 Luxhall Walk, Manchester, M40 2SN  
8 Herondale Close, Manchester, M40 2SL  
4 Herondale Close, Manchester, M40 2SL  
10 Luxhall Walk, Manchester, M40 2SN  
4 Luxhall Walk, Manchester, M40 2SN  
2 Luxhall Walk, Manchester, M40 2SN  
34 Surbiton Road, Manchester, M40 2UU  
6 Herondale Close, Manchester, M40 2SL  
2 Herondale Close, Manchester, M40 2SL

## **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