

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133761/FO/2022

Date registered valid: 12 September 2022

Proposal: Installation of access ramp to rear, together with access alterations and the creation of a path and patio

Address: 1268 Oldham Road, Manchester, M40 2LA

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Sinisa Nedeljkovic, Northwards Housing Unit, 11 Hendham Vale Industrial Estate, Vale Park Way, Manchester, M8 0AD

Agent (if any):

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 4 November 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 29 September 2022

Standard consultations:

Printed: 15 September 2022 Expired: 6 October 2022

Neighbour notifications

Printed: 15 September 2022 Expired: 6 October 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 1268 Oldham Road within the north Manchester ward of Miles Platting & Newton Heath. The property relates to a two storey, red brick, mid terraced dwellinghouse which is sited approximately 14.3 metres from Oldham Road. Amenity space to the front of the property is bounded by low black metal railings and consists of a small, paved area. Amenity space to the rear of the property faces Troydale Drive and consists of soft green landscaping, with a concrete path leading from the gate to the back door. A small outhouse is located to the north east of the site, located against the shared boundary with no.1270 Oldham Road.

Description of development

The proposed development is for the installation of access ramp to rear, together with access alterations and the creation of a path and patio. The access ramp to the rear would be constructed using a 'modular' system and would run from the rear door along the house and would follow the shared boundary with no.1266 Oldham Road leading to a paved area where the gate and bins would be located. The difference in levels between the interior floor and pavement would be 440mm and the ramp would have a length of 6600mm. The ramp would

have a gradient of 1:15 and the landing would have dimensions of 1200 x1200mm. An access gate and step would be located on the top landing, with handrails used throughout.

The amended access alterations would include the re-positioning of the existing gate.

The creation of a path and patio is also included within this application. The new path is required as a base for the modular ramp and would provide access through the rear garden without the need to use the ramp. The new path/ patio/ bin store area would be finished with permeable tarmac, with a total area of approximately 22m².

Materials to be used for the proposal include a modular/portable system ramp and a permeable surface path/patio.

Planning history

F02196/LA- Brampton Street C.P.O. Area bounded by - Future Line of Oldham Road/Ten Acres Lane/ Bower Street/Rochdale Canal- Application for Deemed Planning Permission Erection of a total of 430 dwellings comprising - 122 one-bedroom 2 person flats, 156 two-bedroom 4-person houses, 115 three-bedroom 5-person houses, 30 four-bedroom 7-person houses (all 2-storey), 7 three-bedroom. Approved 5 March 1975.

Consultations & Notification Responses

Local residents

Local residents were consulted, and no responses were received.

Flood Risk Management Team

The Flood Risk Team were consulted and provided the following comments:
Based on the provided evidence, we recommend no drainage condition for this application. The drainage of the site can be approved and we suggest the following informative to be included within the Decision Notice: *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.*

Highway Services

Highways were consulted on the application and provided the following comments:
The proposed access ramp extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

It should be ensured that all aspects of the ramp including the gradient, resting/ landing platform and handrailing is DDA compliant, as referenced within Design for Access 2 documents.

The new gated access will have an inward opening gate which does not impinge on the adopted highway or pedestrian movements and therefore is acceptable to Highways.

It is expected that refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

Given the minimal scale of construction works involved, the level of construction vehicles are unlikely to generate any significant on-street parking demands.

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

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 rear, together with access alterations and the creation of a path and patio. 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

Access ramp to rear:

The ramp would run from the rear door along the house to reach the shared boundary with no.1266 Oldham Road and would continue to follow the shared boundary, leading to a paved area, where the gate and bins would be located. Due to the ramp being located close to the shared boundary with no.1266 Oldham Road, this neighbour would be primarily impacted by the proposal. However, due to the neighbour's outbuilding which appears to have been converted into a conservatory and due to the neighbour's layout of their rear amenity space, the ramp is

not considered to create an overbearing feature along the boundary. No adverse light or privacy implications would occur as a result of the proposal.

No.1270 Oldham Road would also see the proposal when stood in their rear amenity space. However, as the ramp would be sited 2.5 metres from the shared boundary (at the closest point) and the applicant's out house would help mitigate impact, it would not create an oppressive feature for the neighbour. In addition, any visual/residential impacts to the neighbours as a result of the proposal would be outweighed by the need to provide level access to the resident, pursuant to Policy DC1.5 of the UDP.

Although the ramp would be visible from Troydale Drive, the ramp would be sited within the curtilage of the dwellinghouse and would be partially hidden by the existing boundary treatment at the site. As such, it would not create an overbearing impact within the streetscene.

Access alterations:

The re-positioning of the existing gate would not give rise to any adverse visual/residential implications.

Creation of a path and patio:

The creation of the path is required as a base for the modular ramp. In addition, it would provide access through the rear garden without the need to use the ramp. This would benefit the residents and visitors to the property.

Design and Appearance

Access ramp to rear:

The ramp would be made of a modular system and the modular system would be conditioned accordingly. Although modular ramps are less common than ramps made from concrete flags, in this instance a modular ramp is considered acceptable. The ramp can be easily removed at the end of its use with no engineering works left. It is noted that due to the moveable and temporary structure, modular ramps may not be considered as development (under the definition of s.55 of Town and Country Planning Act 1990) and therefore may not have needed planning permission.

The layout of the ramp is considered acceptable in order to continue to use a central path and retain the areas of grassed garden at the site.

The ramp has a gradient of 1:15. Although the gradient of the ramp exceeds the gradient specified within DDA2, DDA2 relates to public buildings only. As such, the gradient is therefore considered acceptable.

Handrails would be used throughout. A materials condition has been attached to ensure the specified materials are adhered to. No colour is noted on the application and as such would be conditioned to be black and made of powder coated galvanised steel. This is 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.

Access alterations:

The amendments to access alterations are considered acceptable in terms of design and appearance.

Creation of a path and patio:

This element of the proposal is considered acceptable in size and appearance. Being made of the permeable material the Flood Risk Management Team, who were consulted on the application, did not ask for a condition and rather just for an informative to be placed on any approval granted.

As such, the design and appearance of the proposal is considered appropriate in its size and form, pursuant to Policy DC1 of the UDP.

Car Parking

Car parking would be unaffected by this proposal.

Refuse Storage

At the time of the site visit, bins were stored in the rear amenity space. The bins are marked on the plans, being relocated to make room for the amended gate location. Since the bins would be stored within the rear amenity space, despite being open to Troydale Drive, a bin store condition would not be necessary.

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 the proposal has minimal impacts in terms of residential/visual amenity, while benefitting the needs of the disabled resident.

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 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 12 May 2022.
- Drawing- Existing & Proposed- Plans, stamped as received by the City Council as Local Planning Authority on 12 May 2022.
- Drawing- Location Plan- The Location Plan, stamped as received by the City Council as Local Planning Authority on 12 May 2022.
- Drawing- Visuals, stamped as received by the City Council as Local Planning Authority on 12 May 2022.
- Supporting Information- Ramp Specification, stamped as received by the City Council as Local Planning Authority on 12 May 2022.
- Drawing- Proposed- Path Section, stamped as received by the City Council as Local Planning Authority on 12 September 2022.
- Drawing- Proposed- Ramp Elevations, stamped as received by the City Council as Local Planning Authority on 12 September 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.

Informatives

- 1) 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.
- 2) The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Appendix 1 – List of consultees & neighbours notified

Highway Services
MCC Flood Risk Management

1270 Oldham Road, Manchester, M40 2LA
1266 Oldham Road, Manchester, M40 2LA

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