

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130321/JO/2021

Date registered valid: 7 May 2021

Proposal: Variation of condition number 5 (landscaping scheme) from planning approval reference 124911/JO/2019 to allow amendments to the landscaping scheme

Address: Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW

Ward(s): Fallowfield Ward

Applicant: Mr Robert Pleasance, Onward Homes, Renaissance Court, 2 Christie Way, Manchester, M21 7QY

Agent (if any): Ms Leanne Taylor, Bernard Taylor Partnership Ltd, 486 Didsbury Road, Elizabeth House, Stockport, SK4 3BS

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23 September 2021

Application details

Type of application: Variation or Removal of Condition

Development type: Smallscale Major Dwellings

Date of site visit: 27 May 2021

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 7 May 2021 Expired: 7 June 2021

Site notice: Posted: 27 May 2021 Expired: 17 May 2021

Press advert: Published: 25 May 2021 Expired: 15 June 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order:

This application relates to a site formerly occupied by Oaklands House. Planning permission was granted in 2015 (107413/FO/2014/SI) for the erection of a four storey building, comprising 36 'extra care' apartments together with parking and landscaping. The building is almost complete and pre-commencement conditions have been discharged.

Description of area

The site is located on Wilbraham Road, close to the major junction with Wilmslow Road. The area is one of mixed uses, predominantly residential, but including religious buildings and commercial premises. The properties on either side and to the rear of the site are residential.

Description of development

The applicant varied the specified plans condition in 2018 (121377/JO/2018) to install two lifts where the originally approved drawings indicated one and then another in 2019 (124911/JO/2019) to vary the specified plans condition of the previous variation to include a boiler flue on the rear elevation. This application is to vary condition number 5 (landscaping).

Consultations & Notification Responses

Local residents and businesses, as per appendix 1 – No comments received.

Policies

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

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles

The National Planning Policy Framework (NPPF, 2021):

- Chapter 12 – Achieving well designed places

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

Issues

Principle – The application for the variation to the landscaping plan is considered to be acceptable in principle. This would see the installation of boundary treatments, new planting, lawn and trees within the grounds. The key issues for this application are the impacts on visual amenity, trees and security.

Design, trees and visual amenity – The landscaping plan includes areas of planting, native trees along the boundaries, paving, paths, planters and new/improved boundary treatments. The courtyard will include square planters for 'Community Planting of Vegetables and Bedding plants', for the residents of the facility, as well as sensory gardens. The main change to the landscaping plan is that there would be less planting and fewer trees within the front portion of the curtilage, visible from the street, due to the change in design of the building itself and its carpark. There will now be 2 medium trees (extra heavy standard, 14-16cm girth, 400-450cm high) and 3 small trees (heavy standard, 12-14cm girth, 3.5-4m high) along the front boundary, instead of 6 medium. These will be sited within raised timber planters due to the location of drains underneath and will be surrounded by turf and ornamental shrubs and herbaceous flowering plants. The proposed trees will consist of species such as Birch, Beech, Oak, Alder and Field Maple. There will also be one medium tree within the car park adjacent to the retained tree on the western boundary. Originally this plan contained 2 trees at the front and negotiations took place to increase this, with the addition of another medium at the rear, taking the total trees to 20 (17 new, 3 retained) for the site. Additional planting was also requested to soften the appearance within the street scene, hence lawn was added to the area of ground covering the attenuation tank on the eastern side of the frontage. A condition has been attached ensuring that if any tree or shrub dies within 5 years it will be replaced. The revised landscaping plan is acceptable as it will improve the visual amenity of the site within the street scene of Wilbraham Road, ensuring additional planting to soften the appearance of the building and help it assimilate with the rest of this verdant area.

Security – The plan also includes new boundary treatments. A tall red brick wall will run along the north boundary, with a fence-topped brick wall to the west and a railing topped wall to the east. The original stone wall has been retained along the front boundary, with new railings to the carpark. The rear and side boundaries are 2.1m to accord with SBD regulations, with railings and fencing to be affixed to the outer sides to prevent break-ins.

Conclusion – Overall the proposed landscaping works are considered to improve the visual amenity of the site and wider street scene and no objections have been received from the local residents or businesses notified of the application. The proposal complies with policies DM1, SP1 and the NPPF, therefore development may commence in accordance with the following conditions and approved drawings.

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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Issues have arisen during the consideration of this application and the officer negotiated with the applicant/agent to reach a satisfactory resolution.

Condition(s) to be attached to decision for approval

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:

- 101 rev K - General landscape plan, received 13th August 2021.
- 102 rev A - Hardworks, received 1st June 2021.
- 201 rev I - Planting plan, received 13th August 2021.
- 203 rev A - Boundary treatments, received 20th September 2021.
- 301 rev A - Planter and drain details, received 7th May 2021.

As well as the previously approved plans:

- 2608 S2 230 Rev 3 - Elevations sheet 1
- 2608 S2 231 Rev 3 - Elevations sheet 2
- 2608 S2 262 Rev 2 - Ground floor
- 2608 S2 263 Rev 2 - First floor
- 2608 S2 264 Rev 2 - Second floor
- 2608 S2 265 Rev 2 - Third floor

Stamped as received by the City Council as Local Planning Authority on the 25th September 2018.

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) Prior to occupation of the building, externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (L Aeq) below the typical background (L A90) level at the nearest noise sensitive location. The scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The approved scheme shall be completed before the premises is occupied.

Upon completion of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the noise criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to safeguard the amenities of the occupiers of nearby residential dwellings, pursuant to policies SP1 and DM1 of the Core Strategy.

4) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

5) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawings '101 rev K' and '201 rev I' (received 13th August 2021) shall be implemented not later than 12 months from the date of commencement of works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

6) The car parking indicated on the original approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied pursuant to Policies SP1 and DM1 of the Core Strategy.

7) The development shall only be carried out in accordance with the details within the previously approved Crime Impact Statement reference: 2014/0694/CIS/01 Rev A. Within six months of the occupation of the buildings hereby approved, written confirmation of a Secured by Design accreditation must be submitted to the local planning authority.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Flat 3, Village Gate, 15 Wilbraham Road, Manchester, M14 6EZ
Flat 4, Village Gate, 15 Wilbraham Road, Manchester, M14 6EZ
Flat 5, Village Gate, 15 Wilbraham Road, Manchester, M14 6EZ
Flat 6, Village Gate, 15 Wilbraham Road, Manchester, M14 6EZ
Flat 7, Village Gate, 15 Wilbraham Road, Manchester, M14 6EZ
Flat 8, Village Gate, 15 Wilbraham Road, Manchester, M14 6EZ
Flat 9, Village Gate, 15 Wilbraham Road, Manchester, M14 6EZ
21 Wilbraham Road, Manchester, M14 6JS
6 Wilbraham Road, Manchester, M14 6JZ
Flat 14, 12 Wilbraham Road, Manchester, M14 6JZ
Flat 15, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 16, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 17, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 18, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 19, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 20, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 21, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 22, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 23, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 24, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 25, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 26, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 27, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 28, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 29, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 30, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 31, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 32, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 33, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 2, 12 Wilbraham Road, Manchester, M14 6JZ
Flat 3, 12 Wilbraham Road, Manchester, M14 6JZ
Flat 4, 12 Wilbraham Road, Manchester, M14 6JZ
Flat 5, 12 Wilbraham Road, Manchester, M14 6JZ
Flat 6, 12 Wilbraham Road, Manchester, M14 6JZ
Flat 7, 12 Wilbraham Road, Manchester, M14 6JZ
Flat 8, 12 Wilbraham Road, Manchester, M14 6JZ

Flat 9, 12 Wilbraham Road, Manchester, M14 6JZ
Flat 10, 12 Wilbraham Road, Manchester, M14 6JZ
Flat 11, 12 Wilbraham Road, Manchester, M14 6JZ
Flat 12, 12 Wilbraham Road, Manchester, M14 6JZ
Flat 13, 12 Wilbraham Road, Manchester, M14 6JZ
Flat 1, 19 Landcross Road, Manchester, M14 6LZ
Flat 2, 19 Landcross Road, Manchester, M14 6LZ
Flat 3, 19 Landcross Road, Manchester, M14 6LZ
Flat 15, 10 Wilbraham Road, Manchester, M14 6JZ
Flat 16, 10 Wilbraham Road, Manchester, M14 6JZ
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Flat 18, 10 Wilbraham Road, Manchester, M14 6JZ
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Flat 25, 10 Wilbraham Road, Manchester, M14 6JZ
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12 Wilbraham Road, Manchester, M14 6JZ
Flat 1, Village Gate, 15 Wilbraham Road, Manchester, M14 6EZ
Flat 10, Village Gate, 15 Wilbraham Road, Manchester, M14 6EZ
Flat 11, Village Gate, 15 Wilbraham Road, Manchester, M14 6EZ
Flat 12, Village Gate, 15 Wilbraham Road, Manchester, M14 6EZ
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Flat 19, Village Gate, 15 Wilbraham Road, Manchester, M14 6EZ
Flat 2, Village Gate, 15 Wilbraham Road, Manchester, M14 6EZ
Flat 20, Village Gate, 15 Wilbraham Road, Manchester, M14 6EZ
Flat 21, Village Gate, 15 Wilbraham Road, Manchester, M14 6EZ
Flat 1, 12 Wilbraham Road, Manchester, M14 6JZ
Flat 22, Village Gate, 15 Wilbraham Road, Manchester, M14 6EZ
Flat 23, Village Gate, 15 Wilbraham Road, Manchester, M14 6EZ
11 Landcross Road, Manchester, M14 6LZ
17 Wilbraham Road, Manchester, M14 6JS
19 Wilbraham Road, Manchester, M14 6JS
13 Landcross Road, Manchester, M14 6LZ
15 Landcross Road, Manchester, M14 6LZ
17 Landcross Road, Manchester, M14 6LZ
21 Landcross Road, Manchester, M14 6LZ
23 Landcross Road, Manchester, M14 6LZ
25 Landcross Road, Manchester, M14 6LZ
27 Landcross Road, Manchester, M14 6LZ
29 Landcross Road, Manchester, M14 6LZ
31 Landcross Road, Manchester, M14 6LZ
33 Landcross Road, Manchester, M14 6LZ
35 Landcross Road, Manchester, M14 6LZ
37 Landcross Road, Manchester, M14 6LZ
39 Landcross Road, Manchester, M14 6LZ

41 Landcross Road, Manchester, M14 6LZ
43 Landcross Road, Manchester, M14 6LZ
45 Landcross Road, Manchester, M14 6LZ
47 Landcross Road, Manchester, M14 6LZ
49 Landcross Road, Manchester, M14 6LZ
51 Landcross Road, Manchester, M14 6LZ
Flat 1, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 2, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 3, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 4, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 5, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 6, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 7, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 8, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 9, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 10, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 11, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 12, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW
Flat 14, Oaklands House, 8 Wilbraham Road, Manchester, M14 6JW

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
Regulation 7 Direction (Control Advert) - Control Of To Let Boards (Fallowfield Central)
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH