

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131518/NMC/2021

Date registered valid: 31 August 2021

Proposal: Non Material Amendment to planning permission 121390/FO/2018 consisting of changes to the boundary treatment facing Elm Road (addition of a pedestrian gate and fencing).

Address: 17 Elm Road, Manchester, M20 6XD

Ward(s): Didsbury West Ward

Applicant: Mrs Anne Trumper, 19 Elm Road, Manchester, M20 6XD

Agent (if any):

Case officer: Jennifer Connor
Tel: 0161 234 4545
Email: jennifer.connor@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 28 September 2021

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

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/area

The site is land being developed out for the accommodation of a detached dwelling within the grounds of the neighbouring property. The area is predominantly residential and is part of Blackburn Park Conservation Area.

Listed building: Not applicable

Conservation area: Blackburn Park Conservation Area 1979

Tree Preservation Order: Trees protected by virtue of location in Conservation Area

Description of development

Non Material Amendment to planning permission 121390/FO/2018 consisting of changes to the boundary treatment facing Elm Road (addition of a pedestrian gate and fencing).

Consultations & Notification Responses

None

Issues

The alterations would see the inclusion of a pedestrian access gate. It is not considered that this would materially alter the consent previously granted. There would be a small amount of hedge lost, a pathway would run through the landscaping to the front door. The alterations would be in keeping with the consent granted and would not adversely impact upon the tree.

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

Condition(s) to be attached to decision for approval

1) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Boundary Treatments - front 001 P1

Received by the local planning authority dated 31 August 2021.

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.

1) The proposed amendment relates to changes to the boundary treatment facing Elm Road (addition of a pedestrian gate and fencing).

2) Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority. The City Council is satisfied that the proposed changes will have no material impact upon the previously approved scheme and the works will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development.

Appendix 1 – List of consultees & neighbours notified

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
Conservation Area - Blackburn Park Conservation Area 1979
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Area Team Boundary - Name: SOUTH