

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128750/LO/2020
Date registered valid: 10 December 2020
Proposal: Installation of 1no. vehicular gate and associated railing line to rear of property on The Grove, together with the installation of 1no. pedestrian gate at south west corner of property
Address: 807 Wilmslow Road, Manchester, M20 2QR
Ward(s): Didsbury East Ward

Applicant: Ms Helena Gilbert 807 Wilmslow Road, Manchester, M20 2QR
Agent (if any): Mr Kamal Benissad 27 Field Street, Manchester, M43 6AP
Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 3 February 2021



Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 28 January 2021

Standard consultations: Printed: 15 December 2020 Expired: 5 January 2021

Neighbour notifications: Printed: 15 December 2020 Expired: 5 January 2021

Site notice: Posted: 21 December 2020 Expired: 11 January 2021

Press advert: Published: 22 December 2020 Expired: 12 January 2021

Departure from Development Plan: No

Environmental Statement: Not required

Listed building: Grade II

Conservation area: Didsbury St James Conservation Area 1970

Tree Preservation Order: Didsbury St James Conservation Area 1970 (no specific TPO trees on the site)

Description of site/building

The site is an imposing Victorian semi-detached dwelling situated on the corner of Wilmslow Road and The Grove in the Didsbury East ward.

The Grade II listed 2-storey property dates from approximately 1870 and is in brown brick with red brick detail, sandstone dressings and applied half-timbering to steep gabled roofs. A distinctive 3-storey tower is located on the left-hand corner of the Wilmslow Road elevation.

The property is bounded by a 3-metre-high privet and ivy hedge which, on the Wilmslow Road elevation sits above a low stone wall with railings concealed within. This hedge extends across the vehicular entrance to The Grove where it is mirrored by a hedge of the same height, composition and density, forming a pleasing entrance to The Grove with the original stone gate piers on display.

The site is only secured on the Wilmslow Road elevation where there is a lightweight 1.8-metre-high pedestrian gate. Otherwise, vehicular access to the rear of the site is via an open driveway off The Grove.

Description of area

The property forms part of a group of Grade II listed buildings within The Grove which all exhibit similar features and set within the wider Didsbury St. James conservation area. The properties are in a North German vernacular style reflecting the origins of the community for whom they were originally built and represent a rare surviving example of domestic architecture in the emerging cosmopolitan economy of C19 Manchester.

Description of development

The application proposes three elements: a pair of vehicular gates within the driveway on The Grove elevation; a pedestrian gate on the south-western corner of the property, and railings within the hedge on The Grove elevation. The application was amended to set back the vehicular gates into the driveway.

The application is accompanied by a Heritage Statement, Railing Fixing Method Statement and Arboricultural Method Statement. An application for planning permission for these works has also been submitted under application reference: 128749/FH/2020.

Consultations & Notification Responses

Neighbour notifications - Support:

A neighbour comments that he supports this application noting that the steps taken to protect the trees and hedges are very welcome, and the new gates will give the desirable extra security which the applicant is seeking.

Issues

National Planning Policy Framework (revised February 2019). The revised NPPF continues to place emphasis on the three strands of sustainable development encompassing a social, environmental and economic role. Chapter 16 (paragraphs 184-202) of the NPPF sets out the government's priorities for conserving and enhancing the historic environment. In relation to decision-making, paragraph 192 of the Framework requires local planning authorities to assess applications taking account of the following:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

It is considered that the proposed works within this application would meet this government objective.

Unitary Development Plan

DC19.1 – Listed buildings

Manchester Core Strategy

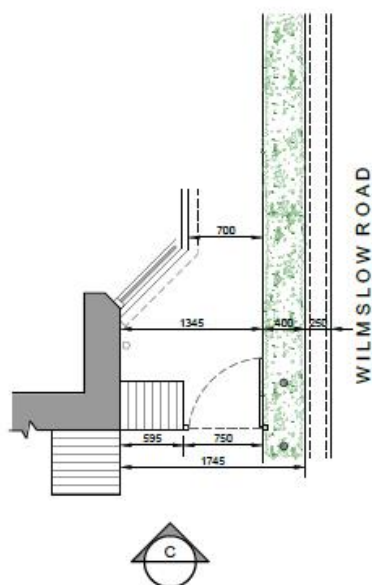
EN3 – Heritage

DM1 – Development Management

SP1 – Spatial Principles

Impact on Listed Building and conservation area

The application proposes a modest scale of external works to enhance the security of the site.



PROPOSED PLAN 1:50 @ A1



In detail, the garden which is on the corner of Wilmslow Road and The Grove is the main garden at the property and, being close to the corner of Wilmslow Road and only secure on this

elevation, is otherwise open and therefore vulnerable to pedestrians entering via The Grove. The applicant would like to feel more secure when using her main garden space and has also expressed a desire to adopt a pet in future from a rescue centre which is conditional on there being a secure space in which the pet can run around.

A narrow, paved path along the front, south facing elevation, which is accessed from Wilmslow Road, gives access to the corner garden. It is proposed to install a lightweight steel pedestrian gate in this location to prevent access along this path.

The gate is 1.25m high and 750mm wide and would be attached to the base of a buttressed wall facing the Wilmslow Road elevation. This corner is buttressed on both sides creating a recess which could be a hiding place and so the gate in this location is a logical solution to increasing a sense of security.

Paragraph 193 of the NPPF (2019) requires that Local Planning Authorities give great weight to the conservation of heritage assets irrespective of the level of potential harm to its significance, be it substantial, amount to a total loss or is less than substantial whilst saved UDP policy DC19.1, requires that development proposals affecting listed buildings contribute towards their preservation and enhancement.

The impact on the listed building and its setting is considered to be negligible. The gate will be affixed to the wall by 2 steel bolts with a slim gate post located in the hedged border. This gate will have no visibility either from Wilmslow Road or within The Grove and the wider conservation area.



The vehicular gates are proposed to be set back 650mm from the 3-metre-high hedged boundary on The Grove with slim gates posts set into the hedging on either side. One small shrub, a Photinia, identified as T1 will need to be cut back to facilitate the installation. A methodology for protecting this shrub, including hand digging within the root protection zone, is included in the Arboricultural Method Statement.

The gates are of a slim steel design, 1.955m high and 4 metres wide with a bow top edge and open inwards. Originally, the proposal was to site the gates on the boundary. However, as space exists within the site to accommodate set back gates, this was a good compromise which retains the impression of openness to the property which exists throughout The Grove

The final proposal is to enclose and secure the site through the installation of 1.655-metre-high steel railings within the hedge along the boundary of The Grove. To some extent, this follows the original pattern of enclosing properties within The Grove seen in historic images where a low wall with shallow iron fence on top was used.



To facilitate installation, the hedging on The Grove will need to be cut back to approximately half its depth. Measures for protecting the hedge are also set out in the Arboricultural Method Statement.

The railings will extend for a length of 7.5 metres and will sit below the height of the original stone gatepost to which they will be affixed by 3 steel bolts as set out in the Railing Fixing Method Statement. This is the least intrusive option for securing the railings and replicates the existing method for fixing the concealed railings on the Wilmslow Road elevation.

The railings will be concealed from view within The Grove and Wilmslow Road over time as the cut hedge grows through them. This has already happened on the Wilmslow Road elevation where the railings are invisible. As the hedging is an evergreen mix of privet and ivy, the railings will be permanently hidden from view all year round once the hedging has grown back.

The proposals are considered to have a minimal impact on the heritage assets including the fabric of the listed building and in this respect, will uphold the objectives set out in the NPPF and DC19.1 towards maintaining the assets' conservation.

The gates and railings will secure the site to enable the senior householder to continue being a custodian of her home and to enjoy use of her garden with peace of mind. They will also enable her to possibly have a pet in future without the risk of running into the busy Wilmslow Road. The railings will be hidden from view, however, there will be a few seasons before they grow back through the railings and so will be visible to some extent in the conservation area initially.

Historic precedent exists for some form of solid boundary along The Grove but as that has been replaced by the characteristic 3-metre-high hedging, this is the existing character which the application seeks to preserve albeit reinforced as originally designed.

Conditions are attached for implementing the works in accordance with the submitted details in the interests of the conservation of the identified heritage assets.

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 local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy

and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the delegated report. The proposal raised no objections on consultation and one comment in support of the proposals.

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 Form 01 Dec 2020

Drawing – Location Plan and Existing Elevations 01 Dec 2020 PR011_PLA_001

Drawing - Proposed Plans and Elevations 24 Feb 2021 PR011_PLA_002 Rev D

Design, Access & Heritage Statement, 01 Dec 2020, prepared by Kamal Antony Benissad (Document ref: PR011_M202QR_Heritage Statement_revC)

Arboricultural Method Statement 10 Dec 2020, prepared by Kamal Antony Benissad (Document ref: PR011_M202QR_AMS_revA)

Railing Fixing Method prepared by Kamal Antony Benissad 10 Dec 2020 (Document ref: Pr011_M202qr_Pla_E)

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 of the adopted Core Strategy for the City of Manchester.

3. Works to the trees and hedges shall proceed in accordance with the details for the protection of trees and hedges, as set out in the Arboricultural Method Statement (Document reference: PR011_M202QR_AMS_revA, prepared by Kamal Antony Benissad). This shall include the measures identified to protect the root protection zones of trees and hedges which are to remain as part of this development, including T1 (Photinia) in the rear garden and the hedge (H1) along the boundary of The Grove, together with all other trees shown as 'retained trees' in the above document affected by the development.

Reason - To safeguard the root protection zones of retained trees on the site in the interests of residential and visual amenity pursuant to policies DC1, DC18, DM1, EN3, EN9 and EN15 of the Development Plan for Manchester.

4. In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

5. All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Didsbury Civic Society

803 Wilmslow Road, Manchester, M20 2QR
801 Wilmslow Road, Manchester, M20 2QR
5 The Grove, Manchester, M20 2RG
13 The Grove, Manchester, M20 2RG
809 Wilmslow Road, Manchester, M20 2QR
805 Wilmslow Road, Manchester, M20 2QR
9 The Grove, Manchester, M20 2RG
7 The Grove, Manchester, M20 2RG
3 The Grove, Manchester, M20 2RG
17 The Grove, Manchester, M20 2RG
15 The Grove, Manchester, M20 2RG
11 The Grove, Manchester, M20 2RG
1 The Grove, Manchester, M20 2RG

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 - Didsbury St James Conservation Area 1970
Area Team Boundary - Name: SOUTH