

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137448/FO/2023
Date registered valid: 30 June 2023
Proposal: Landscaping works in the vicinity of the Didsbury War Memorial to create a garden of contemplation
Address: Didsbury War Memorial, Wilmslow Road, Manchester, M20 2DN
Ward(s): Didsbury West Ward

Applicant: Mr Mike Christie, Didsbury Civic Society
Agent (if any):
Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 24.10.2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 20 July 2023

Standard consultations:

Printed: 6 July 2023 Expired: 27 July 2023

Neighbour notifications

Printed: 6 July 2023 Expired: 27 July 2023

Site notice

Posted: 10 July 2023 Expired: 31 July 2023

Press advert

Published: 11 July 2023 Expired: 25 July 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Blackburn Park Conservation Area 1979

Tree Preservation Order: Not applicable

Description of area

The application site is the Grade II War Memorial located to the Wilmslow Road frontage of the Grade II Listed Didsbury Library. There are other Grade II listed buildings close to the application site including: Emmanuel Church on Barlow Moor Road; 694 Wilmslow Road and number 6 Barlow Moor Road. The War Memorial and the other listed buildings are located within Blackburn Park conservation area was designated a conservation area by the City Council in December 1979, and comprises the area bounded by Barlow Moor Road, Palatine Road, Lapwing Lane and Wilmslow Road. The memorial was erected in honour of the 174 Didsbury servicemen who gave their lives in the First World War and was unveiled on the 4th July 1921 by Edward George Villiers Stanley 17th Lord Derby, and dedicated by the Rector of St James Church, Didsbury, Reverend Charles Cecil Ellis. Additional names were added to commemorate the 67 from the village who died in the Second World War, following that conflict. The memorial was listed in 1994 and in 2005 was refurbished.

The memorial is made mainly of soft white Portland Stone which stands in a small fenced, and gated garden area at the end of a short entrance path. There are two small lawns flanking the three stepped stone base. Which is surmounted by a tall two stage plinth square on plan, dying back via offsets to a pedestal bearing the shaft topped by a small cross Fleury. The upper stage of the plinth bears the rectangular bronze name plates on each side on which the names of the fallen are inscribed. The plates were also workshop treated during the period of cleaning. The

pedestal is decorated with carved wreaths and coats of arms with tall flambeaux being carved in low relief on each side of the cross shaft.

Application proposals

The application proposals are for phased works to improve the setting of the cenotaph through landscaping works on the fenced land around this feature. The garden design is a result of a local competition and seeks to enhance the setting of the cenotaph and create a garden of contemplation that is more readily able to be used by the local community.

The proposals incorporate areas for seating, paving utilising yorkstone and resin bound gravel, limestone gravel strips are also included to create a base for walk on planting and ensuring drainage to the paved areas. Seating is to be a stone based with some use of recycled plastics for benches and bench backs. The proposals have been designed to improve accessibility to this area of amenity space within Didsbury district centre by including a 1m minimum width to proposed paths.

Consultations & Notification Responses

The application has been subject of notification of nearby properties and has also been advertised by way of notice in the Manchester Evening News and site notice. No responses were received.

MCC Highway Services - The proposed landscaping works and public realm creation are contained within private land and would not impact upon the adopted highway. As such Highways would have no objection to the proposed scheme.

Manchester Heritage Advisory Panel - The Panel welcomed improvements to the area around the memorial but felt that the design was over complicated and should follow a more restrained approach.

The Panel stated that the shapes and patterns and different features created some awkward junctions and interfaces which didn't respect the simple form of the memorial.

The Panel felt that the design was competing too much with the memorial and looked confused. They suggested a more simplified approach would be more respectful in this case

Policy

Relevant policies within the Development Plan for the consideration of the application proposals are:

Manchester Core Strategy
SP1 - Spatial Principles
DM1 - Development Management
EN3 - Heritage

Saved Unitary Development Plan
DC18'Conservation Areas'
DC19'Listed Buildings'

National Planning Policy Framework
Paragraphs: 10 &11 (presumption in favour of sustainable development); 199-202 & 207 (conserving and enhancing the historic environment).

Issues

Principle - The principle for public realm improvements is generally considered acceptable, in this instance due to the sites location adjacent and within the setting of the grade II Listed War Memorial and Library building and being within the Blackburn Park conservation area further consideration of impacts on these designated heritage assets is required.

Impacts on Designated Heritage Assets - The proposals are located within the setting of the Didsbury War memorial (Grade II) and Didsbury Library (Grade II). The application is accompanied by a commensurate Heritage Statement.

As well as the Listed Buildings on and adjacent the site, the proposals also lie within the Blackburn Park Conservation Area. As such consideration on all designated heritage assets is considered below.

The public realm improvements have been designed to improve the accessibility and usability of the area which is predominantly only used at limited times through the year as part of Armistice day memorial events and christmas lights and tree switch on. The layout and design which was part of a winning entry in a local competition and has considered the use of traditional materials (york stone paving) together with more contemporary surface materials to ensure durability and low maintenance requirements to take forward a 'ripples' concept of the garden of contemplation. The works are intended to expand the use of this area beyond just the formal events currently held around it in November and December. The design has been simplified since original submission to take on board comments received from the Heritage Advisory Panel. As such the works are considered to represent a positive impact and improved setting to both the listed War Memorial and library building and would both enhance and preserve the character of the conservation area.

Other matters - It is recognised that public realm may attract anti-social behaviour and like the current situation this would need to be part of the wider management of public spaces within the district centre. The proposals seek to utilise robust natural materials in the main and are considered acceptable in these regards.

Maintenance of the public realm and aspects of the phasing of works have been discussed with the applicant who is not the landowner. The landowner is fully aware of the works and the extent of these in terms of its ongoing maintenance and management of public realm, separate agreements would be required between the landowner and applicant to facilitate the proposed works.

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 application has been determined in a positive and proactive manner. In this instance any issues that have arisen have been discussed with the applicant and appropriately worded conditions have been attached to the permission.

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:

- Garden of Contemplation at Didsbury Cenotaph 4/10/2023 revisions Surface plan/elevations prepared by Peter Clare as received by the City Council via email on the 22.10.2023
- Garden of Contemplation at Didsbury Cenotaph Post May 17th 'Surface Details' revisions prepared by Peter Clare as received by the City Council via email on the 21.08.2023

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 the installation of the hard landscaping and any seating hereby approved, samples and specifications of all materials to be used shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Neighbourhood Team Leader (Arboriculture)

Royal Commission Historical Monuments & Threatened Buildings

TESCO Express, 653A Wilmslow Road, Manchester, M20 6QZ

Flat At, Station Hotel, 682 Wilmslow Road, Manchester, M20 2DN

Didsbury Library, 692 Wilmslow Road, Manchester, M20 2DN

The Head Of Steam, 653 Wilmslow Road, Manchester, M20 6QZ

LA CANTINA, 653B Wilmslow Road, Manchester, M20 6QZ

663A Wilmslow Road, Manchester, M20 6RA

5 Norgate Street, Manchester, M20 2DG

688 Wilmslow Road, Manchester, M20 2DN

684 - 686 Wilmslow Road, Manchester, M20 2DN

663 Wilmslow Road, Manchester, M20 6RA

661 Wilmslow Road, Manchester, M20 6RA

659 Wilmslow Road, Manchester, M20 0RA

698 Wilmslow Road, Manchester, M20 2DN

696 Wilmslow Road, Manchester, M20 2DN

694 Wilmslow Road, Manchester, M20 2DN

O'Neills, 655 - 657 Wilmslow Road, Manchester, M20 6RA

661A Wilmslow Road, Manchester, M20 6RA

Station Hotel, 682 Wilmslow Road, Manchester, M20 2DN

9 Norgate Street, Manchester, M20 2DG

7 Norgate Street, Manchester, M20 2DG

3 Norgate Street, Manchester, M20 2DG

1 Norgate Street, Manchester, M20 2DG

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

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA