

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137177/FO/2023
Date registered valid: 5 June 2023
Proposal: Erection of 1.9 metres high replacement entrance gates
Address: Lawnhurst , 826 Wilmslow Road, Manchester, M20 2RN
Ward(s): Didsbury West Ward

Applicant: Hawthorn Thwaite Plantview Limited
Agent (if any): Mr Jason Cartwright P4B Architecture Ltd
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 31st July 2023



Application details

Type of application:	Full Application Consent	
Development type:	Minor Other	
Date of site visit:	27 June 2023	
Standard consultations:	Printed: 8 June 2023	Expired: 29 June 2023
Neighbour notifications	Printed: 8 June 2023	Expired: 29 June 2023
Site notice	Posted: 27.06.2023	Expired: 18.07.2023
Press advert	Published: 13 June 2023	Expired: 27 June 2023
Departure from Development Plan:	No	
Environmental Statement:	Not required	

Description of site/building

The site is situated west of Wilmslow Road within the Didsbury St. James Conservation area and relates to the access gates located at the front of apartments no. 826 along Wilmslow Road. The boundary treatment consists of brick wall with metal railings and metal access gates of a solid appearance blocking views into the site behind it.



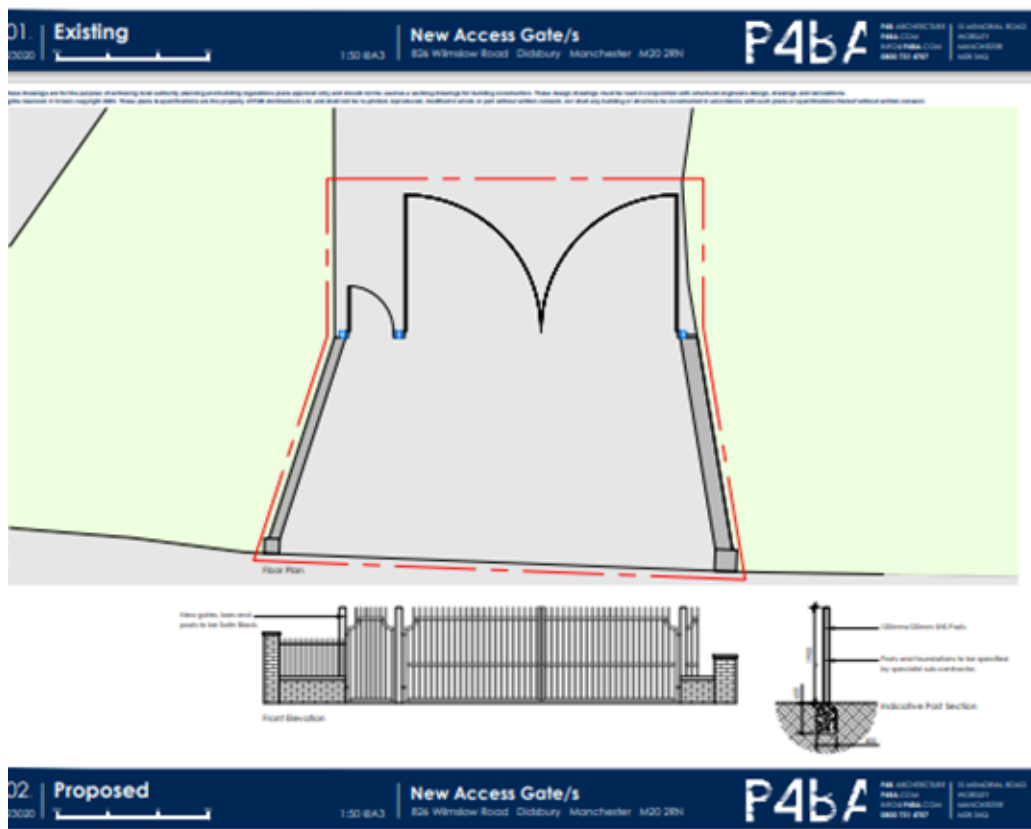
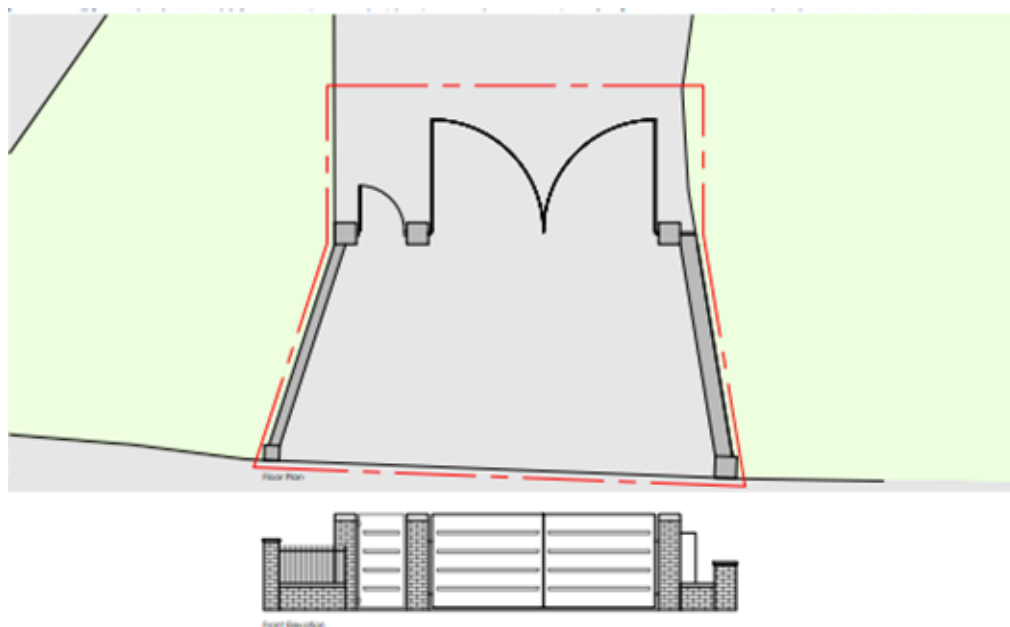
Listed building:	Not applicable
Conservation area:	Didsbury St James Conservation Area 1970
Tree Preservation Order:	Not applicable

Description of area

This is primarily a residential area in character located within close proximity to Didsbury District Centre.

Description of development

The applicant proposes the erection of 1.9 metres high replacement entrance gates



Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations in respect of this application were received.

Highway Services – no comments received as a result of this proposal.

Heritage & Urban Design – Replacement of the gates are supported in principle. Brick pillars should however be retained or replaced with similar and to match examples to the front boundary. Also recommend that the design is revised/simplified to better match the existing railings – again to achieve consistency across the frontage. The material and RAL finish should be confirmed as part of the PP or details conditioned.

Didsbury Civic Society – no comments received as a result of this proposal.

Policy and Issues

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

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy 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.
- o DC18 for Conservation Areas
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 – Design Principles
- o Policy EN 3 Heritage
- o Policy EN19 Waste
- o The National Planning Policy Framework (NPPF)

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

Principle

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered acceptable and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposal is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

History

Previous applications relating to this site as follows:

132990/TCA/2022 - Recv: 21.02.2022 - No objection - 09.03.2022

Works to tree - proposed pruning works to Ash tree (T1), , Remove large limb (shown on LHS) back to main stem as catches on taller vans when in leaf. , , Lift lower branches on limb (shown RHS) to 3.5m droops low when in leaf.

104596/TCA/2014/S2 - Recv: 07.01.2014 - Application Approved - 24.01.2014

Works to trees - proposed pruning works to a Atlas cedar, Sycamore and Ash tree

086670/TCA/2008/S2 - Recv: 14.05.2008 - Application Approved - 01.07.2008

Remove 2 Ash and 3 Holly trees

067674/FO/SOUTH2/03 - Recv: 04.04.2003 - Application Approved - 29.05.2003

Change of use from offices to 12 self-contained flats with formation of associated car parking spaces and insertion of five dormer windows

069472/FO/2003/S2 - Recv: 01.10.2003 - Application Refused - 26.11.2003

Erection of 2 no. detached two storey four bedroomed houses

055366/FO/SOUTH1/98 - Recv: 09.10.1998 - Application Approved - 17.12.1998

Change of use from school to offices with alterations to access onto site and extension of parking at rear of estate

027113 - Recv: 09.07.1986 - Application Approved - 01.10.1986

CITY COUNCIL DEVELOPMENT Extension rear of aged persons home to form disabled and aged persons toilet facilities

041502 - Recv: 11.05.1992 - Application Approved - 09.09.1992 - Lawnhurst,, Wilmslow Road, Didsbury, DIDSBURY,
Change of use from a nursing home to a day school

Residential Amenity

The characteristics of the properties along this road vary from large detached Victorian dwellings to semi detached properties with apartments sporadically placed along the road. Boundary treatment to the front of the application site is partially brick wall and railings with brick columns and some landscaping. The applicant proposes the erection of 1.9 metres high replacement entrance gates.

The proposal includes the removal of the existing gates and associated brick columns. The plan is to install 1.9m high posts in place of the existing columns, which would be Satin Black and the replacement of the gates which would match the existing railings along the frontage. The diameter of the posts would be 120mm x 120mm. Given the solid appearance of the existing gates, it is considered that the replacement gates would offer an acceptable visual appearance, particularly as there would be clearer views into the site behind, thus creating an openness to the site within the streetscene.

The gates would be visible from the public highway and therefore would form a feature within the street scene. It is, however, considered that the character of the area would not be visual impacted by the proposal, particularly given that there is a similar feature at the neighbouring property already visible within the street scene. The appearance is therefore considered to be acceptable and its impact upon visual amenity is considered negligible.

It is felt that the proposal can be acceptably accommodated at the application property and is considered that the proposal would not interfere with the existing characteristics of the area.

Siting, scale and massing

The proposed siting and scale of the proposed gates is not believed to give rise to an overbearing impact upon the residential amenity enjoyed by the occupiers of the surrounding properties. It is therefore considered that the scale and siting of the proposal is satisfactory and accords with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

The design of the proposal is in keeping with the existing and surrounding properties in the area and in terms of the materials, these match the existing property, and would be Satin black metal vehicular gates and pedestrian gate with associated Satin black metal 120mm x120mm posts. All bars & frames are to be satin black. All posts & gates are to be 1900mm in height. These are considered an acceptable choice of materials. The design is detailed as what is normally expected of such a structure and would not adversely impact upon residential amenity or the character of the area.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Impact on the Didsbury St James Conservation Area

The proposal is considered to provide less than substantial harm that is outweighed by the benefits of the scheme.

The proposal would be located in a suitable position and would not interfere with the existing characteristics of the conservation area. Material choice would be an acceptable selection for the conservation area.

On balance, it is believed that the proposal would enhance the character of the Conservation Area which is considered accords with Core Strategy Policy EN3 and saved Unitary Development Plan policy DC18.

Parking

There is off street parking provided to the front of the apartments which are unaltered by the proposal and therefore accords with the with policy DM1 of the Core Strategy.

Conclusion

The proposal is considered to be acceptable in this location in terms of design, scale and siting , without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, and there are no material considerations of sufficient weight to indicate otherwise.

It is considered that the proposal would not give rise to any undue loss of amenity, loss of light or loss of privacy to neighbouring occupiers, therefore, the proposal is considered to accord with saved UDP policy DC1, policies SP1 and DM1 of the Core Strategy.

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

Positive and proactive working - Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. No significant problems have arisen during the consideration of this application.

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:

Received on 5th June 2023 plan ref: 02 Proposed Plan and Elevation

Heritage Statement Received on 58th June 2023

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 (and colouration) of the gates ,railings and associated posts hereby permitted shall match those as specified on the application form in terms type, size, colour and texture.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the structure, pursuant to policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Heritage & Urban Design
Didsbury Civic Society

816A Wilmslow Road, Manchester, M20 2RN
824C Wilmslow Road, Manchester, M20 2RN
824A Wilmslow Road, Manchester, M20 2RN
824B Wilmslow Road, Manchester, M20 2RN
822 Wilmslow Road, Manchester, M20 2RN
Flat 12, Lawnhurst, 826 Wilmslow Road, Manchester, M20 2RN
Flat 11, Lawnhurst, 826 Wilmslow Road, Manchester, M20 2RN
Flat 10, Lawnhurst, 826 Wilmslow Road, Manchester, M20 2RN
Flat 9, Lawnhurst, 826 Wilmslow Road, Manchester, M20 2RN
Flat 8, Lawnhurst, 826 Wilmslow Road, Manchester, M20 2RN
Flat 7, Lawnhurst, 826 Wilmslow Road, Manchester, M20 2RN
Flat 6, Lawnhurst, 826 Wilmslow Road, Manchester, M20 2RN
Flat 5, Lawnhurst, 826 Wilmslow Road, Manchester, M20 2RN
Flat 4, Lawnhurst, 826 Wilmslow Road, Manchester, M20 2RN
Flat 3, Lawnhurst, 826 Wilmslow Road, Manchester, M20 2RN
Flat 2, Lawnhurst, 826 Wilmslow Road, Manchester, M20 2RN
Flat 1, Lawnhurst, 826 Wilmslow Road, Manchester, M20 2RN
824 Wilmslow Road, Manchester, M20 2RN
First Floor, 820 Wilmslow Road, Manchester, M20 2RN
Ground Floor, 820 Wilmslow Road, Manchester, M20 2RN
Broome House, 779 Wilmslow Road, Manchester, M20 2BH

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 AREA