

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135509/FO/2022

Date registered valid: 17 November 2022

Proposal: Installation of two 4 metre high columns with Automatic Number Plate Recognition (ANPR) Cameras

Address: Didsbury Hotel, 852 Wilmslow Road, Manchester, M20 2SG

Ward(s): Didsbury East Ward

Applicant: Miss Sara Wall, Euro Car Parks

Agent (if any):

Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **11th January 2023**

Application details

Type of application:	Full Application Consent
Development type:	Minor Other
Date of site visit:	14 th December 2022
Standard consultations:	Printed: 6 December 2022 Expired: 27 December 2022
Neighbour notifications	Printed: 6 December 2022 Expired: 27 December 2022
Site notice	Posted: 13 December 2022 Expired: 3 January 2023
Press advert	Published: 13 December 2022 Expired: 3 Jan 2023
Departure from Development Plan:	No
Environmental Statement:	Not required

Description of site/building

The application site is an extended part 2, part 3-storey detached C19 Grade II Listed building in use as a public house and situated on the south side of Wilmslow Road in the Didsbury St. James Conservation Area. The building is of brick and white stucco construction with gabled slate roofs, 3no. chimneys along the main ridge and round-headed windows on the front elevation. A section of wall with parapet comes off the left-hand side beyond which is a modern single storey side extension.



Listed building:	Grade II
Conservation area:	Didsbury St James Conservation Area 1970
Tree Preservation Order:	Trees are protected under the Conservation Area.

The building is fronted by a recently completed landscaped area to the back of pavement at Wilmslow Road, works which received planning and Listed Building consent under applications 130897 and 130898.

There are two tarmac surface car parks, one on the eastern side and one at the rear. Access and egress operates on a separate in-out system whereby access is gained from a point to the east and egress from Stenner Lane which is to the west.

Description of area

The site is bounded by Fletcher Moss Park to the east, 3no. residential dwellings and the park beyond to the south, Parsonage Gardens to the immediate west and by an estate of modern dwellings to the north. Didsbury District Centre is located 500 metres to the north. The site is within the heart of the conservation area which has an arcadian character owing to the level of mature tree cover along Wilmslow Road and neighbouring parks and gardens

Description of development

The applicant seeks planning permission for the installation of two 4 metre high columns with Automatic Number Plate Recognition (ANPR) Cameras.

Consultations & Notification Responses

Local residents – No response as a result of the proposal

Didsbury Civic Society - No response as a result of the proposal

Cadent – No objection, if approved, attach informative

Policy and Issues

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. National Planning Policy Framework has been related to the proposed development, with particular emphasis given to the following:

Chapter 12- Achieving well-designed places

Paragraph 126 states that in 'the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve'. It further states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

Manchester Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

The following policies are relevant for this application:

Policy SP1 (Spatial Principles) - sets out the key spatial principles which will guide the Strategic Development of Manchester along with the Core Development principles.

Policy DM1 (Development Management) states that all development should have regard to specific issues for which more detailed guidance may be given within a supplementary planning document.

Policy EN1 (Design Principles and Strategic Character Areas) states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

Residential/Visual Amenity

The applicant is proposing to install two cameras which will be located east and south of the site close to a disabled car parking bay and car park to the rear.

The proposed alterations would allow car parking equipment to be installed that would monitor the access and egress of motor vehicles to the site. The system installed would be designed to keep a track on the number of vehicles and how they use the car park separating the users of the public house and general car parking.

It is considered that the posts proposed are located discreetly around the site some being screened by hedging and trees forming a natural backdrop. There are no intentions to fix the poles to the fabric of the listed building.

The proposed installations will cause less than substantial harm to the designated heritage assets that are the listed building and the Conservation Area, outweighed by the benefit of the proposals. Additionally, the cameras are designed to read number plates, there should be no associated impacts in terms of loss of privacy.

Overall, it is not considered that the proposed 4 metre high columns with cameras affixed would cause undue harm to the visual amenity within the area.

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

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. In this instance, no negotiations were necessary but appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan, policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

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 17th November 2022 numbered ELE-01 REV 03 Proposed Signage Elevation no. 1

Received 17th November 2022 numbered ELE-02 REV 01 Proposed Sign Elevations

Received 17th November 2022 numbered SIG-04 REV 05 Proposed Signage Plan

Received 17th November 2022 Design and Access Statement

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.

Informatives

1) LSBUD Ref: 27904227 Your Ref: 135509/FO/2022 (DE) DBYD MP-LP High Risk

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at plantprotection@cadentgas.com or on 0800 688 588 quoting your reference at the top of this letter.

Appendix 1 – List of consultees & neighbours notified

Didsbury Civic Society

1 Skylark Close, Manchester, M20 2FQ
3 Skylark Close, Manchester, M20 2FQ
2 Skylark Close, Manchester, M20 2FQ
High Bank, Stenner Lane, Manchester, M20 2RQ
Flat At, Ye Olde Cock Inn, 848 Wilmslow Road, Manchester, M20 2RN
Flat At, Didsbury Hotel, 852 Wilmslow Road, Manchester, M20 2SG
844 - 846 Wilmslow Road, Manchester, M20 2RN
Ye Olde Cock Inn, 848 Wilmslow Road, Manchester, M20 2RN
Fernbank, Stenner Lane, Manchester, M20 2RQ

Appendix 2 – Planning constraints

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