

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0545

Date registered valid: 8 August 2022

Proposal: Application to discharge condition no. 4 (gates/doors etc) attached to planning permission 130680/FH/2021

Address: 11 The Grove, Manchester, M20 2RG

Ward(s): Didsbury East Ward

Applicant: Dr Aashish Velkar, 11 The Grove, Manchester, M20 2RG

Agent (if any): N/a

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **23 September 2022**

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: Not required

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

Listed building: Grade II

Conservation area: Didsbury St James Conservation Area 1970

Tree Preservation Order: N/a

The application site is a 2-storey red-brown brick semi-detached Victorian (1870) dwelling situated on the north-eastern side of The Grove, north of Wilmslow Road in the Didsbury St. James conservation area.

Description of area

The site is within a mainly residential area on the northern side of Wilmslow Road comprising Victorian properties in The Grove and at 807 and 809 Wilmslow Road, modern residential at the former MMU campus to the north and east and inter-war semi's north and east of Didsbury Park.

South of The Grove is Fletcher Moss Park with the listed The Didsbury Public House, Parsonage Gardens and two further public house/restaurant land uses to the south west.

Description of development

Permission was granted in January 2022 under application reference for elevational alterations to dwellinghouse including replacement of rear window with French doors in association with internal alterations, creation of new access in side boundary wall and associated soft landscaping. The applicant is now seeking to discharge condition 4 which relates to the details for doors, gates and access.

Consultations & Notification Responses

None required for this type of application.

Assessment

Condition 4 – Gates etc:

Within the approval report for 130680/FH/2021, the officer wrote:

“Visually, little of the proposed alterations will be visible outside of the site, with the exception of the gates securing the south eastern curtilage of the maintenance strip and a new front door. There are no concerns with these elements of the proposal...Gating the maintenance strip is considered essential for securing the extended garden area. Details of the gates have yet to be determined and so a condition is appended for final details to be submitted. The proposed door on the side elevation onto the eastern extended garden area is designed to fit the aesthetic of the dwelling. Details of this element of the proposal are discussed in the listed building application. For the above reasons, the proposed works are considered to have acceptable impacts on residential and visual amenity including the appearance of the conservation area.”

The applicant has submitted details showing the front and rear doors to be replaced with timber doors and frames, similar to existing, designed and produced by a heritage joiner. The external maintenance strip gates are to be timber and black steel with key locks, secured to wooden posts either side. The side access gate is to match existing in design and materials (wrought iron). Access to the maintenance strip will be provided to neighbours as and when requested. These details are acceptable and in line with the officer's advice during the negotiations for the planning permission.

Condition 4 can therefore formally be discharged, in accordance with the submitted details.

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

Condition 4 - The details of the front door, rear doors and external gates, provided by the drawings numbered '1 of 3', '2 of 3', '3 of 3' and '3)', stamped as received on the 8th August 2022, are considered to be acceptable. Therefore, providing that the development is completed

in accordance with the approved drawings, this formally discharges Condition 4 of planning approval 130680/FH/2021.

Appendix 1 – List of consultees & neighbours notified

None required for this type of application.

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