MANCHESTER CITY COUNCIL

Planning
Delegated Officer Report

SUMMARY OF APPLICATION DETAILS

Application reference:	PLA-2026-000453
Application type:	Demolition in a conservation area
Proposal:	Demolition of a 2.25 metre section of an existing 1.9 metre high brick boundary wall and removal of the existing gate.
Site address:	1 Blackburn Gardens Manchester M20 3YH
Ward(s):	Didsbury West
Date application valid:	22 May 2026
Applicant name:	Dr Jesus Menendez Amigo
Agent (if any):	
Case officer:	Joshua Lee
Recommendation:	Approve
Date of recommendation:	10 July 2026

DESCRIPTION OF SITE, BUILDING AND/OR AREA

The proposal is related to a three-storey late 20th Century end terrace dwellinghouse on the corner of Blackburn Gardens and Palatine Road. The property features hardstanding to the front for off street vehicle parking and garden to the side and rear.

The property is in a mostly residential part of the Didsbury West ward. The property is in the Blackburn Park Conservation Area.

DESCRIPTION OF DEVELOPMENT

The applicant is proposing the demolition of a 2.25 metre section of an existing 1.9 metre high brick boundary wall and removal of the existing gate.

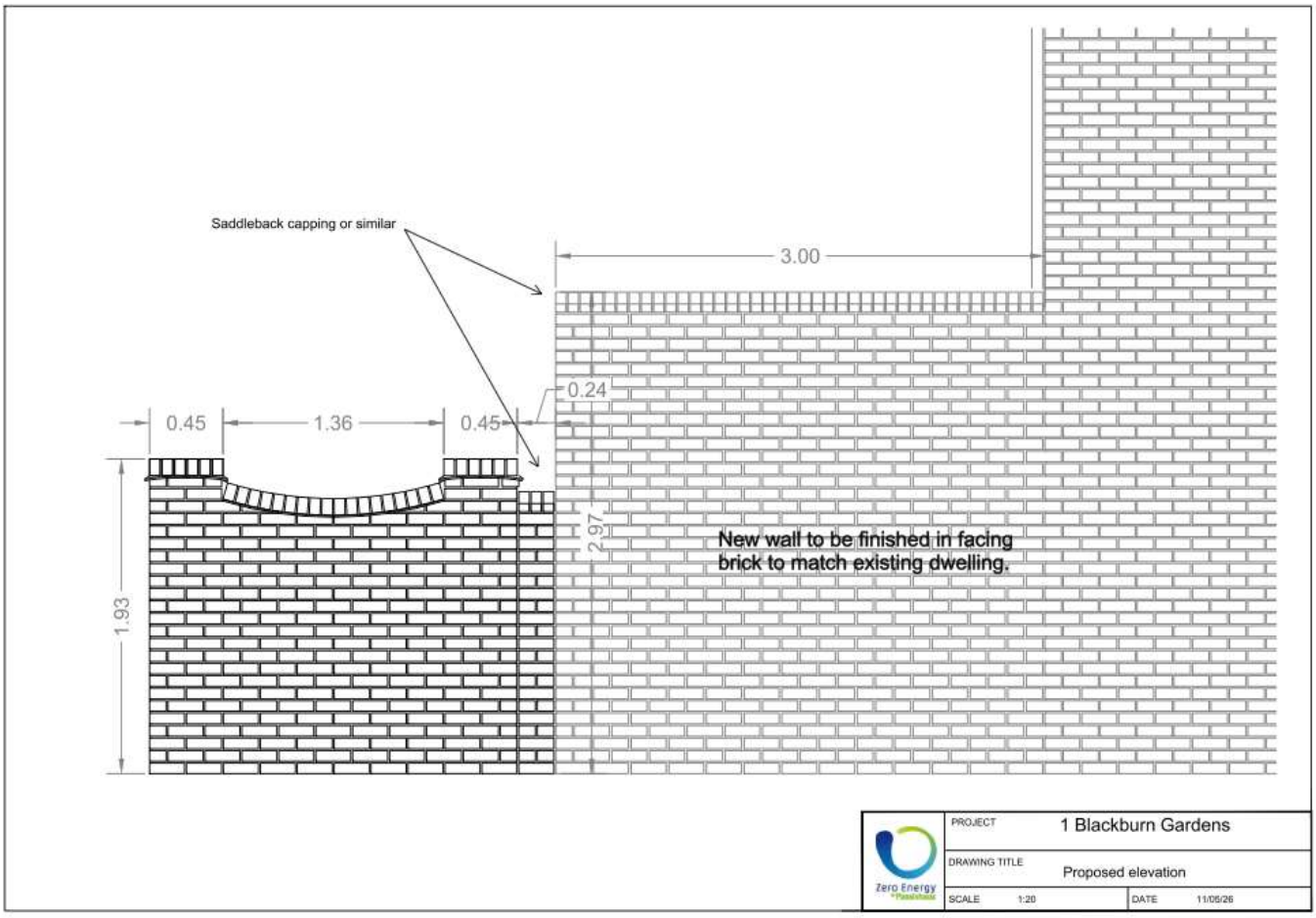


Figure 1. Proposed demolition

RELEVANT PLANNING HISTORY

Planning Application - 028422

Residential development comprising 38 dwellinghouses with 63 parking spaces and landscaping

Approve - 1987-03-12

CONSULTATION, NOTIFICATION AND PUBLICITY RESPONSES

Consultations

Manchester City Council Highway Services

Highways raise no objection in principle, noting the wall and gate works appear to be within the site, but request clarification on any impact to refuse storage; they also advise that, if basement works are proposed adjacent to the highway, structural details must be approved by MCC Bridges/Structures, and recommend a condition requiring a Construction Management Plan covering construction phasing, vehicle routing, site setup, traffic management, coordination with nearby works, and a pre-construction highway condition survey, alongside informatives to secure any necessary licences and agree temporary traffic and pedestrian management with the relevant Council teams.

Notifications and publicity

No representations received.

NEGOTIATIONS

Highway Services raised concern in relation to the removal of the gate and implications for bin storage. The applicant has confirmed that refuse bins will be stored within the main garage, and no adverse impacts are anticipated in this regard.

RELEVANT POLICIES

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, decisions on planning applications must be made in line with the statutory development plan, unless material considerations indicate otherwise.

For Manchester, the development plan comprises:

- The Core Strategy (2012–2027)
- Saved policies of the Unitary Development Plan (UDP)
- The Places for Everyone Joint Development Plan Document (2022–2039)

These documents are considered up to date and carry substantial weight in decision-making. Supplementary Planning Documents (SPDs) and other local guidance may also be relevant.

National planning policy, including the National Planning Policy Framework (NPPF), is a material consideration and provides overarching guidance.

The Government has published a consultation draft of the NPPF, intended to improve housebuilding rates through a clearer, more predictable and faster policy basis for decision and plan making. While this draft is not yet adopted, it is a material consideration.

Where applicable, the Council must give special regard to preserving the character of conservation areas and the setting of listed buildings, in line with statutory duties under the Planning (Listed Buildings and Conservation Areas) Act 1990.

The policies referenced in this report are those considered most relevant to the nature, scale and location of the proposed development as follows:

- The Manchester Core Strategy Development Plan Document 2012-2027
    - Development Management and Planning Obligations
        - DM 1 - Development Management
    - Objective 1 - Spatial Principles
        - SP 1 - Spatial Principles (Partially replaced by PfE Policy JP-S 1)
    - Objective 6 Environment
        - EN 1 - Design Principles and Strategic Character Areas
        - EN 3 – Heritage (Deletions replaced with PfE Policy JP-P2)
- Guide to development in Manchester - supplementary planning document and planning guidance, April 2007
- Extant Unitary Development Plan (UDP) –
    - Citywide Development Control Policies
        - DC18 - Conservation Areas
- Places for Everyone Plan Joint Development Plan Document 2022-2039-
    - Strategy
        - JP-Strat9: Southern Areas
    - Sustainable and Resilient Places
        - JP-S1: Sustainable Development
    - Places for People

        - JP-P1 Sustainable Places
        - JP-P2: Heritage
- National Planning Policy Framework (NPPF) December 2024–
    - Section 2 - Achieving sustainable development
    - Section 4 – Decision-making
    - Section 12 – Achieving well-designed places
    - Section 16 - Conserving and enhancing the historic environment
- National Planning Policy Framework Draft for Consultation December 2025 - National decision-making policies
    - Chapter 3 – Decision-making policies
        - DM1: Preparing development proposals
        - DM2: Information requirements
        - DM3: Determining development proposals
        - DM6: Use of planning conditions and obligations
        - DM7: Relationship with other regulatory regimes
    - Chapter 4 - Achieving sustainable development
        - S3: Presumption in favour of sustainable development
        - S4: Principle of development within settlements
    - Chapter 14 - Achieving well-designed places
        - DP3: Key principles for well-designed places
        - DP4: The Design process
    - Chapter 20 - Conserving and enhancing the historic environment
        - HE9: Conservation areas

ASSESSMENT

Principle of Development

The application seeks consent for the partial demolition of a section of the existing 1.9-metre-high brick boundary wall (approximately 2.25 metres in length) and the removal of a gate.

Planning permission is required as the works constitute the partial demolition of a structure within the Blackburn Park Conservation Area. Section 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 establishes statutory control over demolition within conservation areas and applies provisions relating to listed buildings to such cases, including Section 66(1), which requires decision-makers to give special regard to the desirability of preserving the character and appearance of the area.

The proposal does not alter the lawful residential use of the site and introduces no new built form and is therefore acceptable in principle. The submitted drawings indicate a proposed structure in the location of the section of wall to be removed. However, this structure does not form part of the current application and has not been assessed as part of this determination. As such, planning permission is sought only for the partial demolition of the existing boundary wall and removal of the gate. No permission is granted for the construction of any replacement wall, extension or other structure.

Given the site's location within a conservation area, the key consideration is whether the removal of part of the boundary wall would preserve or enhance the character and appearance of the area, having regard to the above statutory duty. This is assessed in detail below.

Subject to this assessment, the proposal is consistent with the principles of sustainable development set out in the Development Plan and the National Planning Policy Framework

Special regard to the desirability of preserving the conservation area or its setting or any features of special architectural or historic interest which it possesses.

The application proposes the removal of a 2.25 metre section of an existing 1.9 metre high brick boundary wall and associated gate on a prominent corner plot. Boundary treatments can contribute to the character

of conservation areas by defining plots and providing enclosure. However, in this instance, the wall appears to be a relatively modern feature and does not form part of the historic fabric that underpins the significance of the conservation area.

Given its limited age and contribution, the section of wall proposed for removal is not considered to make a meaningful contribution to the special architectural or historic interest of the area. The works are modest in extent and would not erode the overall pattern of development, spatial character, or appearance of the street. The surrounding area displays a range of boundary treatments and degrees of openness, and the proposal would sit comfortably within this context.

The Council's guidance for the Blackburn Park Conservation Area confirms that development will be expected to maintain the quality of the environment, with appropriate control over alterations and demolition. In this case, the limited and non-historic nature of the feature means its removal would not undermine that objective.

Having given considerable importance and weight to the statutory duty, it is considered that the proposal would preserve the character and appearance of the Blackburn Park Conservation Area. The proposal therefore accords with policies EN3 of the Core Strategy, DC18 of the UDP, JP-P2 of Places for Everyone, and Section 16 of the NPPF.

Impacts to highway safety

Highway Services have raised no objection in principle to the proposed development. It is noted that the removal of a short section of boundary wall and gate would take place within the site and would not directly affect the operation or safety of the adjacent highway.

Having regard to the modest scale of the proposal and its set-back from the highway on an unclassified road, the development is not considered likely to result in any material impacts on pedestrian or vehicular safety, traffic flow, or on-street parking. The nature of the works is limited, and any associated construction activity would be short in duration and low in intensity.

In these circumstances, it is not considered necessary or reasonable to secure a Construction Management Plan, as such a requirement would be disproportionate to the scale and nature of the development.

Concerns were also raised in relation to the removal of the gate and implications for bin storage. The applicant has confirmed that refuse bins will be stored within the main garage, and no adverse impacts are anticipated in this regard.

The proposal is therefore considered to comply with Core Strategy Policy DM1 and the National Planning Policy Framework, in that it would ensure safe and suitable access without resulting in unacceptable impacts on the highway network.

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 polices 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.

CONCLUSION

The proposal has been assessed having regard to the statutory duty to preserve the character and appearance of the Blackburn Park Conservation Area. While boundary treatments can contribute positively to the area, the section of wall proposed for removal is a relatively modern feature and makes only a limited contribution to its significance. The works are modest in scale and would not materially alter the established townscape or pattern of development. No harm to the conservation area has been identified and, in the absence of harm, there are no policy grounds to resist the proposal. The development is therefore considered acceptable and accords with the relevant policies of the Development Plan and the National Planning Policy Framework.

RECOMMENDATION: APPROVE

CONDITIONS

1. 3-year time limit

The development must be begun not later than three years beginning with the date of this permission.

Reason - Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Specified plans

The development hereby approved shall be carried out in accordance with the following drawings and documents:

The development hereby approved shall be carried out in accordance with the following drawings and documents:

a. Site location.pdf - Location Plan - The location plan - 22 May 2026

b. Block plan.pdf – Plan - Block Plan - 22 May 2026

c. Proposed elevation.pdf – Plan - Elevation (Side) – Proposed - 22 May 2026

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy and JP-P1 & of Places for Everyone.

INFORMATIVES

1. Demolition only

The applicant is advised that this permission relates solely to the partial demolition of the existing boundary wall and removal of the gate, as described in the application.

The proposed elevation drawings submitted with the application indicate the construction of a new wall as part of a rear extension. No such works form part of the development applied for or

assessed under this application, and therefore planning permission is not granted for the construction of any new wall or extension.

Should the applicant wish to carry out these works, a separate planning application may be required and should be submitted to the Local Planning Authority for consideration.