

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131296/FO/2021

Date registered valid: 9 August 2021

Proposal: Installation of replacement wooden decking

Address: Flat 10 , 30 Dudley Road, Manchester, M16 8DT

Ward(s): Whalley Range Ward

Applicant: Ms Catherine Dyson, 11 Fielden Avenue, Manchester, M21 9QB

Agent (if any): N/a

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

Recommendation: Approve

Date of recommendation: 4 October 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: Photos received with application

Standard consultations: Printed: 16 August 2021 Expired: 6 September 2021

Neighbour notifications: Printed: 16 August 2021 Expired: 6 September 2021

Site notice: Posted: 20 August 2021 Expired: 10 September 2021

Press advert: Published: 24 August 2021 Expired: 14 September 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order: Not applicable

The application relates to a ground floor flat within Alnwick House, which was converted in the early '00s (069285/FO/2003/S1). The flat has a north-west facing rear garden and timber decking. The building itself is a large stone villa, set back from the street within landscaped grounds, with steep roofs, front gables and large bays.

Description of area

Dudley Road is residential in nature and forms part of Whalley Range Conservation Area, which is characterised by large villas within grounds and interspersed with more modern infill developments.

Description of development

The applicant wishes to replace the existing raised timber decking to the rear with like-for-like due to the current state of disrepair.

Consultations & Notification Responses

Local residents, as per appendix 1 and via site notice – No comments received.

Whalley Range Forum – No comments received.

Whalley Range Conservation Area Group – No comments received.

Policies

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

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan but certain policies are still considered of relevance:

- Policy DC1 - Residential Extensions
- Policy DC18 - Conservation Areas

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles
- Policy EN3 – Heritage

The National Planning Policy Framework (NPPF, 2018)

- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

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

Issues

Principle – The principle of replacing existing decking for a ground floor residential flat is acceptable, however consideration must be given to the proposals siting, scale and massing, appearance and impact upon existing levels of residential and visual amenity.

Siting, scale and massing – The decking is sited at the rear of the property, projecting from the original rear wall, facing north-west. The decking is not be visible from the public highway, therefore the location is acceptable. The new decking would replace existing like-for-like, projecting 2.36m to the rear (4.2m including the stairs), with a width of 5.3m, a platform height of 1.36m and a maximum height to the handrails of 2.44m. The existing decking was installed when Alnwick House was renovated and subdivided in the early '00s, under planning ref 069285/FO/2003/S1, and has been in situ ever since, along with the decking for 3 other flats within the property. It has since fallen into disrepair and therefore needs to be replaced for the safety of the tenant of the flat. Hence the siting, scale and massing of the proposal is acceptable, pursuant to policies SP1, DC18 and DM1.

Design and impact upon visual amenity and conservation area – The proposal would be constructed of timber to match existing, along with galvanised posts underneath set in concrete pads for added strength. The deck would occupy the width of the flat, with timber handrails and stairs down to the garden. The works would be subservient and in-keeping with the conservation area. It is not considered to harm the visual amenity of the property, due to its siting within a rear courtyard, or area as it would not feature within the street scene and complies with the policies contained within the Core Strategy, including DM1, SP1 and EN3. The proposal is considered to cause less than substantial harm to the Whalley Range Conservation Area and would not significantly alter the character of Alnwick House nor Dudley Road.

Residential amenity – As the deck would replace an existing deck which has existed for many years at this address, the works are not considered to affect existing levels of residential amenity enjoyed by the surrounding residents, pursuant to policies DM1, DC1 and SP1. In

addition to this, no objections were received in relation to the neighbour consultation or site notice.

Conclusion – The proposal complies with policies DM1, SP1 and EN3 of the Core Strategy, saved policies DC1 and DC18 of the UDP and the NPPF. No objections were received and the design is not thought to significantly harm the existing levels of residential amenity currently enjoyed by neighbouring occupiers and is considered to cause less than substantial harm to Whalley Range Conservation Area and the visual amenity of the flat or wider building. The proposed works are therefore deemed acceptable and may commence in accordance with the following conditions and approved drawings.

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 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 and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

Condition(s) to be attached to decision for approval

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 two drawings titled 'Replacement decking, balustrade and stairs', both stamped as received by the City Council as Local Planning Authority on 9th August 2021.

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) The materials to be used on the external surfaces of the development hereby permitted shall match those specified on the submitted application form.

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 extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Whalley Range Forum
Whalley Range Conservation Area Group

Flat 9, 30 Dudley Road, Manchester, M16 8DT
Flat 13, 30 Dudley Road, Manchester, M16 8DT
Flat 11, 30 Dudley Road, Manchester, M16 8DT
Apartment 6, 28 Dudley Road, Manchester, M16 8DT
Apartment 3, 28 Dudley Road, Manchester, M16 8DT
Flat 8, 30 Dudley Road, Manchester, M16 8DT
Flat 14, 30 Dudley Road, Manchester, M16 8DT
Flat 12, 30 Dudley Road, Manchester, M16 8DT
Apartment 7, 28 Dudley Road, Manchester, M16 8DT
Apartment 5, 28 Dudley Road, Manchester, M16 8DT
Apartment 4, 28 Dudley Road, Manchester, M16 8DT
Apartment 2, 28 Dudley Road, Manchester, M16 8DT
Apartment 1, 28 Dudley Road, Manchester, M16 8DT

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 - Whalley Range Conservation Area 1992
Area Team Boundary - Name: SOUTH