

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133645/FH/2022

Date registered valid: 29 April 2022

Proposal: Installation of raised decked area and steps with privacy screens to rear, following removal of existing deck.

Address: 16 Burlington Road, Manchester, M20 4QA

Ward(s): Withington Ward

Applicant: Mr David Payne, 16 Burlington Road, Manchester, M20 4QA

Agent (if any): Mr Philip Payne, 39 Douglas Road, Dover, CT17 0BD

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

Recommendation: Approve

Date of recommendation: 5 July 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 15 June 2022

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 17 June 2022 Expired: 1 July 2022

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: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two storey semi-detached C3 dwellinghouse of red brick with a slate gable roof and a large ground floor bay window to the front. The property features a small existing single storey rear extension and the plot includes a driveway and front and rear gardens.

Description of area

Burlington Road is predominantly residential in nature and features a variety of house types and styles, though mainly Victorian semis, some of which are used as HMOs. The street benefits from its proximity to Withington District Centre.

Description of development

The applicant is seeking permission to replace existing decking at the rear with a larger timber deck, along with ancillary steps and privacy screens.

Consultations & Notification Responses

Local residents, as per appendix 1 (twice) – No comments received to either notification.

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Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan but certain policies are still considered of relevance: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

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

The National Planning Policy Framework (NPPF, 2018)

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 an existing external area of decking with a new, higher, area of decking with privacy screens is acceptable, however consideration must be given to the proposals siting, scale and massing, appearance and impact upon existing levels of residential amenity. Due to the siting at the rear and small scale of works, the proposal is not considered to impact upon visual amenity.

Siting, scale and massing – The existing external rear decking is 1.2m in depth and 0.66m in height. The replacement decking would have a depth/rearward projection of 2.65m, with a width of 7.68m and a platform height of 0.8m. This would form steps down from the rear extension as well as a smaller set of steps leading down to the side of the property. Due to the platform height the applicant was asked to include privacy screens, which sit along both sides of the deck at a depth of 1.87m, with a height of 1.7m from the platform and an overall height of 2.5m from ground level. The screens and decking would be sited approx. 0.25m from both side boundaries, shared with No's 14 and 18 Burlington Road. Given the overall height (2.5m) of the proposed development matches that which is allowed for outbuildings sited along a shared boundary under Permitted Development, the siting, scale and massing of the proposal is considered acceptable.

Design and appearance – The decking, steps and slatted screens would all be constructed of timber, which has been conditioned. The design and material are standard and to be expected for this type of development. They will be replacing existing timber decking, hence the visual impact of the proposal is minimal. Due to high hedging along the boundaries the works would not be readily visible from neighbouring plots, nor from the public highway.

Residential amenity – Although sited close to shared boundaries, due to the relatively small scale of works (2.5m overall height, 1.9m overall depth of screens) the proposal is not considered to cause undue disamenity. Upon visiting the site it was noted that established planting lines both boundaries, obscuring the view into neighbouring plots and ensuring screening for the decking. It is replacing an existing (lower) deck, which, although only 14cm higher in platform height, screens were considered a requirement to ensure the privacy of surrounding occupiers would not be harmed by the works. These were provided and are 1.7m high from the platform level, which is adequate. In addition to this, no objections were received in relation to either neighbour notification, therefore the proposal is considered acceptable in terms of impacts on residential amenity.

Conclusion – The proposal complies with policies DM1, DC1, SP1 and the NPPF and it is not thought to significantly harm the existing levels of residential amenity enjoyed by neighbouring

occupiers nor harm the visual amenity of the area, therefore the development is deemed acceptable and may commence in accordance with the following conditions and the 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. Minor issues have arisen during the consideration of this application and the officer has negotiated with the applicant/agent to reach a satisfactory solution.

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 revised drawing numbered 'PL03 A', stamped as received by the City Council as Local Planning Authority with the application form on the 16th June 2022.

Reason - To ensure 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 decking and screens hereby permitted shall match those specified on the revised drawing numbered 'PL03 A'.

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.

4) Prior to first use of the decking the privacy screens, shown on the approved drawing 'PL03 A', shall be installed as part of the development and shall remain in situ as long as the decking is in place.

Reason - To prevent the overlooking of adjacent properties, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

7 Brunswick Road, Manchester, M20 4GA
27 Burlington Road, Manchester, M20 4QA
29 Burlington Road, Manchester, M20 4QA
25 Burlington Road, Manchester, M20 4QA
18 Burlington Road, Manchester, M20 4QA
Flat 3, 14 Burlington Road, Manchester, M20 4QA
Flat 1, 14 Burlington Road, Manchester, M20 4QA
Flat 2, 14 Burlington Road, Manchester, M20 4QA

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
Flood Zones Type 2 (low to medium risk)
Susceptible to Surf Water Flood (Less)
Area Team Boundary - Name: SOUTH