

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133595/FH/2022

Date registered valid: 10 May 2022

Proposal: Installation of raised decked patio to the rear together with the installation of a privacy screen

Address: 28 Belwood Road, Manchester, M21 9FN

Ward(s): Chorlton Ward

Applicant: Ms Johanna Pilgrim, 28 Belwood Road, Manchester, M21 9FN

Agent (if any):

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 30 June 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 17 June 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 17 May 2022 Expired: 7 June 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

This application relates to a two storey semi detached property. There are gardens to the front and rear, the rear garden being approximately 20 metres long, and the property has had a hip to gable conversion and dormer, reference 113484/FH/2016, and a single storey side and rear extension reference 129019/FH/2020. The rear extension included a raised terrace accessed from the extension by a set of steps. The terrace was not constructed.





Listed building: Not applicable

Conservation area: Not applicable

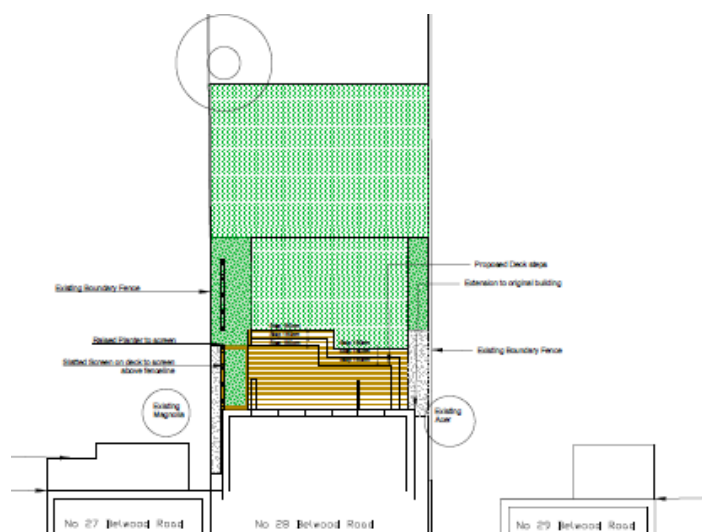
Tree Preservation Order: Not applicable

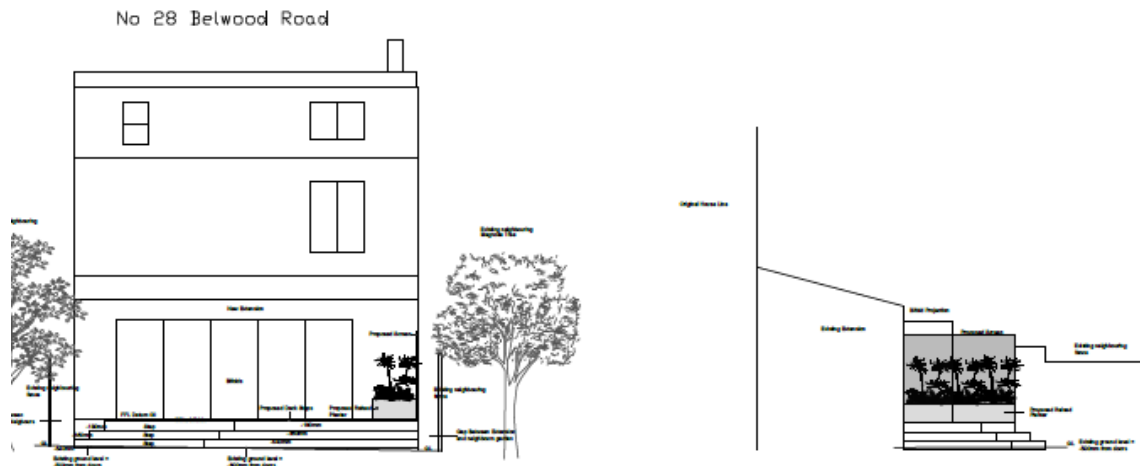
Description of area

This is a predominantly residential area. The attached property to the east is not extended and is separated from the site by a 1.8 metre high fence. To the west the property has a small rear extension and is separated by an approximately 1.6 metre high fence. To the rear are the back gardens of residential properties on Willaston Avenue, which are at a lower level.

Description of development

Consent is sought to erect a raised deck approximately 540mm above ground level to provide a flush access to the bi fold doors in the extension. There will be steps to the rear and one side of the deck which projects a maximum of 2.6 metres and a minimum of 1.6 metres. There would be a 1.8 metre high privacy screen adjacent to the boundary with the attached property. The other end of the deck would be approximately 1.5 metres from the boundary. The deck would be constructed out of either a composite material or timber.





Consultations & Notification Responses

Local Residents

No representations received.

Policy

The relevant Core Strategy policy is DM1 which seeks to protect the amenity of an area from the adverse impact of development.

Issues

Principle

The principle of a raised deck, albeit not as high was established with the granting of planning permission reference 129019/FH/2020.

Design

There are no issues with the design of the proposed decking.

Residential amenity

The elevated position of the decking could give rise to privacy issues for the properties to either side. There are no issues with the house at the bottom of the garden as these are too far away, approximately 23 metres from the edge of the deck to their rear garden boundary.

The adjoining property would be provided with a privacy screen and this is considered acceptable. The boundary with the adjacent property would be approximately 1.5 metres from the top edge of the deck. This gap coupled with the height of the boundary fence should restrict any overlooking to a point where it is not significant.

Conclusion,

The proposed decking is considered to accord with council policy and is generally acceptable.

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 issues arising from the consideration of this application.

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:

Site plan received 22 April 2022

Site layout received 22 April 2022

Elevations received 10 May 2022

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 development hereby approved shall be constructed using the materials specified in the application forms received on 22 April 2022

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) The privacy screen shown on the approved drawings 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 the adjoining property pursuant to Core Strategy policy DM1.

Appendix 1 – List of consultees & neighbours notified

7 Willaston Close, Manchester, M21 8BJ
5 Willaston Close, Manchester, M21 8BJ
3 Willaston Close, Manchester, M21 8BJ
29 Belwood Road, Manchester, M21 9FN
27 Belwood Road, Manchester, M21 9FN
51 Neale Road, Manchester, M21 9DP
1 Willaston Close, Manchester, M21 8BJ

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: SOUTH