

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132525/LP/2021

Date registered valid: 20 January 2022

Proposal: Certificate of lawful proposed development for the installation of a rear dormer

Address: 154 Oswald Road, Manchester, M21 9GJ

Ward(s): Chorlton Ward

Applicant: Mr & Mrs Mott, 154 Oswald Road, Manchester, M21 9GJ

Agent (if any): Ms Sarah Bolsover, Smashbox Architecture, 97 Alderley Road, Wilmslow, SK9 1PT

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18th February 2022

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

Date of site visit: Not required for this type of application

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

The property that is the subject of this application for a certificate of Lawful Development is a 2 storey brick built bay fronted end of terraced dwellinghouse. There are gardens to the front, side and rear, with vehicular access being taken off the side road which is Kensington Road, and pedestrian access off the frontage on Oswald Road. There is a gated alleyway which runs to the rear and alongside Oswald Road and Kensington Road. The property is located within the Chorlton ward of the City.

The boundary treatment to all three sides is a low brick wall with box hedge above.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature

Description of development

The proposal is for the erection of an 'L' shaped dormer that would be sited along both the main house roof and the original outrigger roof. There are windows proposed in the rear elevations of both the sections of dormer which would look over the applicants own rear garden. Additional natural light is being provided by 4 Velux windows. The materials to be used on the walls and the cheeks of the dormer extension would match those of the existing roof, with the window frames being in a grey aluminium.

Consultations & Notification Responses

No consultations are required for this type of application.

Issues

Policy

The Town and Country Planning, Schedule 2, Part 1, Class B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 constitutes permitted development in relation to roof extensions and alterations:

- Class B - additions etc to the roof of a dwellinghouse
- Class C - other alterations to the roof of a dwellinghouse

Assessment

The proposed dormer is to be sited within the rear roof slope to create additional living accommodation within the loft space. The property is not within a conservation area nor is the property listed. The dormer would not exceed the highest point of the roof and would be set back from the eaves on the rear elevation, set in from the party wall and the roof edge to the other side. The side elevations would not contain any windows. The additional roof space created would be under 40 cubic metres which is the threshold for a terraced property.

The materials proposed would match the existing dwellinghouse, with hanging tiles to the dormer cheeks and face to match the roof, with a flat GRP roof and aluminium windows. The proposed rooflights within the roof of the dormer (4 no) would project no greater than 150mm beyond the plane of the roof slope. Therefore, the proposed dormer and elevational alterations accord with the regulations set out in the General Permitted Development Order (2015) and is deemed permitted development not requiring planning permission. In addition to this, given the precedence in the area and suitable design and materials of the proposal, it is not considered the dormer would negatively impact upon the visual amenity of the house or area nor the residential amenity of the surrounding occupiers.

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

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

0) Approve on the basis that the proposed rear dormer shown on drawing numbered
PI01-Location plan
PL05 Proposed first floor plan
PL06 Proposed second floor plan
PL07 Proposed elevations received by the City Council as Local Planning Authority on 20th
January 2022, constitutes permitted development in accordance with Schedule 2, Part 1, Class
B and Class C of the Town and Country Planning (General Permitted Development) (England)
Order 2015 (as amended).

Appendix 1 – List of consultees & neighbours notified

Non required for this type of development

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
Area Team Boundary - Name: SOUTH