

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132370/LP/2021
Date registered valid: 1 December 2021
Proposal: Certificate of Lawful Development for Proposed Dormer to rear
Address: 158 Egerton Road North, Manchester, M16 0DB
Ward(s): Chorlton Ward

Applicant: Mr & Mrs Charnock, 158 Egerton Road North, Manchester, M16 0DB
Agent (if any): Mr Robert Spencer, RS Design Consultancy, 281 Leyland Road,
Penwortham, Preston, PR1 9SY
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 26th January 2022

Application details

Type of application:	Certificate Lawful Development Proposed
Development type:	Certificates of lawfulness
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 site relates to a two storey mid terraced property in the Chorlton ward area of Manchester.

Listed building:	Not applicable
Conservation area:	Not applicable
Tree Preservation Order:	Not applicable

Description of area

The area is residential in nature located close to Chorlton District Centre.

Description of development

A certificate of proposed lawful development is sought for the installation of a rear roof dormer to facilitate additional living accommodation within the roof-space.

Consultations & Notification Responses

Not required for this type of application.

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

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. A window is proposed on the rear elevation with no side windows. The additional roof space created would have an approximate volume of c23 cubic metres, which is well below the permitted threshold for terraced properties.

The materials proposed would match the existing dwellinghouse, with Vertical hung grey Marley tile to the dormer cheeks and face to match the roof, with a flat GRP roof and window frame and fenestration to match existing. Therefore, the proposed dormer accords 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

1) Approve on the basis that the proposed rear dormer shown on the drawing numbered: PD-01-Rev A received by the City Council as Local Planning Authority on the 11st December 2021, constitutes permitted development, in accordance with Class B, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Appendix 1 – List of consultees & neighbours notified

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