

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132478/LP/2021

Date registered valid: 13 December 2021

Proposal: Certificate of lawful proposed development for the installation of rear dormer to form additional living accommodation

Address: 6 Whalley Avenue, Manchester, M21 8TU

Ward(s): Chorlton Park Ward

Applicant: Mr Kieran Breakey, 6 Whalley Avenue, Manchester, M21 8TU

Agent (if any): Mr Dave Trudgeon, Conway Architectural Design, 6 Conway Close, Middleton, Manchester, M24 1EW

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

Recommendation: Approve

Date of recommendation: 26.01.2022

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

This application relates to a two storey mid terrace property with a two storey outrigger to the rear.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

Predominantly residential

Description of development

This application seek confirmation that the proposed dormer on the rear roof slope is permitted development.

The submitted drawings show a flat roofed dormer sitting on the rear roof slope. The dormer would have a flat roof and occupies the full width of the property. The dormer would be clad in grey composite cladding. There would be two windows in the rear face of the extension. A chimney on the rear roof slope is to be removed to facilitate the development. A stainless steel flue projecting through the roof shown on an earlier scheme has been deleted.

Consultations & Notification Responses

None necessary

Legislation

The requirements for permitted development for dormers are set out in Class B of Part 1 of Schedule 2 of the General Permitted Development Order.

Issues

In terms of size, siting, materials and volume the proposed dormer complies with part B of schedule 2 of the GPDO as amended.

Conclusion

The proposed development meets the requirements for permitted development.

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

Condition(s) to be attached to decision for approval

1 Approve on the basis that the proposed dormer as shown on drawings 521-08 revision A and 521-09 revision A received 25 January 2022 constitutes permitted development in accordance with Part 1, Schedule 2, Class B 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