

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132168/LP/2021

Date registered valid: 8 November 2021

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

Address: 35 Podsmead Road, Manchester, M22 1UZ

Ward(s): Woodhouse Park Ward

Applicant: Mr Marsh, 35 Podsmead Road, Manchester, M22 1UZ

Agent (if any): Mr Steve Mellor, Willaim McCall, The Old Post Room, 34 Chew Valley Road, Saddleworth, OL3 7DA

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

Recommendation: Approve

Date of recommendation: **23 December 2021**

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

Date of site visit: Not required

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two storey end-terrace C3 dwellinghouse of brown brick with a grey gable roof and dark grey uPVC fenestrations. The plot includes a driveway to the side and front and rear gardens.

Description of area

Podsmead Road is a residential street within the Woodhouse Park ward, close to the Wythenshawe Junction of the M56. On the west side of the road is terraced family housing and on the east side lies an open area of public greenspace. The area benefits from its proximity to the Civic Centre.

Description of development

The applicant is seeking a certificate of lawful proposed development for a rear box dormer, which would provide additional living accommodation in the form of a bedroom with an en-suite in the loft.

Consultations & Notification Responses

None required for this type of application.

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 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 0.41m from the eaves on the rear elevation and set down 0.2m from the ridge. The side elevation would not contain any windows. The additional roof space created would have an approximate volume of 26.82 cubic metres, which is well below the permitted threshold for terraced houses (40 cubic metres). The additional volume is approximately calculated as follows:

$$\begin{aligned}\text{Rear dormer volume} &= \frac{1}{2} \times (\text{width} \times \text{depth} \times \text{height}) \\ &= \frac{1}{2} \times (7.45 \times 3 \times 2.4) \\ &= \frac{1}{2} \times 53.64 \\ &= 26.82\text{m}^3\end{aligned}$$

The materials would be to match the existing dwellinghouse, with hanging grey tiles to the dormer cheeks and face to match the roof, with a flat roof and grey upvc windows. The proposed rooflights (2no) on the front slope would not project more 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 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

Condition(s) to be attached to decision for approval

Approve on the basis that the proposed dormer and rooflights shown on the drawing numbered: '10/21/144 1 of 2', stamped as received by the City Council as Local Planning Authority on the 8th November 2021, constitutes permitted development in accordance with Schedule 2, Part 1, Class B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Appendix 1 – List of consultees & neighbours notified

None

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 15M
Susceptible to Surf Water Flood (Less)
Area Team Boundary - Name: SOUTH