

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131293/FH/2021
Date registered valid: 13 August 2021
Proposal: Installation of rear dormer
Address: 7 Whalley Avenue, Manchester, M16 8AT
Ward(s): Whalley Range Ward

Applicant: Ms Serena Smallman & Danny Newton 7 Whalley Avenue,
Manchester, M16 8AT

Agent (if any):

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

Recommendation: Approve
Date of recommendation: 08.10.2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 8 September 2021

Standard consultations:

Printed: 19 August 2021 Expired: 9 September 2021

Neighbour notifications

Printed: 19 August 2021 Expired: 9 September 2021

Site notice

Posted: 8 September 2021 Expired: 29 September 2021

Press advert

Published: 24 August 2021 Expired: 14 September 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

This application relates to a two storey mid terraced property. There is a single storey lean to at the rear which is original. There are no extensions to the property. There is a small front garden and a yard to the rear.



Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order: Not applicable

Description of area

Whalley Avenue is a short cul de sac off Whalley Road within the Whalley Range Conservation Area. There are residential properties to either side and to the rear, The properties to the rear are similar terraced properties separated by an alley.

Description of development

Consent is sought to install a flat roofed dormer on the rear roof slope of the property. The dormer is set in from the eaves and sits just below ridge height. There are two windows in the rear elevation and the dormer is to be clad in a dark grey composite cladding system. To roof lights are to be installed in the front roof slope.



The design and access statement refers to a similar dormer on a property across Whalley Avenue at number 8 reference 084991/FH/2007.



A dormer is also under construction at 63 Whalley Road which is on the corner of Whalley Avenue approved under reference 128945/FH/2020. See below



Consultations & Notification Responses

Local Residents

No representations received.

Policy

Core Strategy

The relevant Core Strategy policies are DM1 and EN3

Policy DM1 seeks to protect the amenity of an area from the adverse impact of development.

Policy EN3 seeks to protect the City's heritage assets from the adverse impact of development.

Core Strategy

The relevant saved UDP policies are DC1 and DC18

Policy DC1 establishes the principle of extending a home to meet the changing needs of the occupiers. In principle rear extensions up to 3 metres are acceptable. There are no specific provisions for dormers.

Policy DC18 seeks to preserve or enhance the City's conservation areas.

Issues

The principle of extending a property to meet the changing needs of the occupiers is set out in Policy DC1. The installation of a dormer is therefore considered to be acceptable in principle.

Scale

The proposed dormer sits in the roof clear of the eaves and the ridge and set in from the boundary on one side. On balance it is considered that the scale of the dormer is acceptable.

Design

The simple design of the proposed dormer contrasts with the original building giving it the feel of a contemporary addition and enabling the addition to be identified as such. The design

reflects the approach adopted for other formers in the immediate area. On balance the design is considered acceptable.

Residential amenity

These are tightly knit properties, there being approximately 7.5 metres between the rear face of the application property and the rear yard wall of the property to the rear and 12.5 metres between the rear walls of the properties. The lack of distance between the properties is part of the character of the area and any privacy issues from windows in the dormer would be no greater than from existing windows in the rear elevation.

By setting the dormer into the roof it is considered that there would be no significant overbearing impact.

On balance it is considered that the proposed dormer will not have a significant impact on residential amenity

Impact on the character of the Conservation Area

Rear dormers are specifically excluded from being permitted development in Conservation areas. There have however, been several precedents within the conservation area, although these tend to be in locations where they are not over prominent. The exception being the dormer at 63 Whalley Road which is but virtue of being on a junction is more visible.

The proposed dormer is location on the rear of a mid terraced property and views of it would be limited to from the adjoining properties. In view of this lack of visibility it is considered that the proposed dormer would not have a significant impact on the Conservation area.

Conclusion

On balance it is considered that the proposed dormer is acceptable in all respects and accords with Council policy.

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 the 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:

Drawing Pack received 13 August 2021

Heritage Statement dated 13 August 2021 received 13 August 2021

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 on the approved drawings.

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.

Appendix 1 – List of consultees & neighbours notified

Whalley Range Forum
Whalley Range Conservation Area Group

10 Railton Avenue, Manchester, M16 8AU
9 Whalley Avenue, Whalley Range, Manchester, M16 8AT
8 Railton Avenue, Manchester, M16 8AU
10 Whalley Avenue, Whalley Range, Manchester, M16 8AT
8 Whalley Avenue, Whalley Range, Manchester, M16 8AT
6 Railton Avenue, Manchester, M16 8AU
6 Whalley Avenue, Whalley Range, Manchester, M16 8AT
5 Whalley Avenue, Whalley Range, Manchester, M16 8AT

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
Conservation Area - Whalley Range Conservation Area 1992
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH