MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	131364/LP/2021
Date registered valid:	16 August 2021
Proposal:	Certificate of Lawful Proposed Development for the installation of a side roof dormers to form additional living accommodation
Address:	34 Saddlecote Close, Manchester, M8 5EG
Ward(s):	Crumpsall Ward
Applicant:	Mr Muhammad Anss, 34 Saddlecote Close, Manchester, M8 5EG
Agent (if any):	Mr M. Amjad, 77 Fields New Road, Oldham, OL9 8BT
Case officer:	Steven McCoombe Tel: 0161 234 4607 Email: steven.mccoombe@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	21 September 2021

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 application property relates to a two storey, detached dwellinghouse on the former site of Clarksville Farm.

The property which has recently been completed as part of a new build estate of dwellinghouses incorporates enclosed front and rear garden areas, and a driveway to the side of the property for off-road parking.

The property incorporates a gable roof and is of masonry construction, with tiled roof. Stone headers and cills are provided to the windows.

The property which fronts Saddlecote Close, is neighboured on all sides by dwellinghouses. The new houses forming the estate consists of properties with various roof styles, many of which include integral front dormers.

Due to the curvature in the road, the roof profile of the property and front building line along this section of Saddlecote, the property occupies a prominent position in the street-scene.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The immediate area is predominantly residential in character, comprising a mixture of 2 and 2.5 storey, semi-detached and detached dwellinghouses as part of a new build estate of houses presently under construction, and for which many of the houses, including the application property have recently been completed.

Description of development

A certificate of lawful proposed lawful development is sought for the installation of a side roof dormers to form additional living accommodation. Namely, two additional bedrooms.

Two dormers sit within the roof space of the side, east facing elevation and sits below the roof ridge, set back from the eaves of the original house by 200mm. The dormer does not project beyond the plane of the roof or involve any other alterations to the roof.

The submitted details indicate external materials to the match the original dwellinghouse and the floorspace to not exceed more than 50 cubic metres – the relevant threshold for semi-terraced dwellinghouses.

During the course of the application, revised drawings were requested to indicate the use of matching materials and the use of obcure glazed. non opening windows.

The application follows the granting of permission for erection of a single storey rear extension to create additional living accommodation, together with elevational alterations to the existing dwellinghouse, which have not been implemented at the time of writing.

Planning History

Relevant planning history is set out below:

130352/FH/2021

Erection of a single storey rear extension to create additional living accommodation, together with elevational alterations to existing dwellinghouse. Approved 29 June 2021.

121984/JO/2018

Variation of Conditions 2 (specified plans), 17 (cross sections) and 21 (landscaping) attached to planning permission 115139/FO/2017 to allow substitution of house types on plots 17, 18, 21, 22, 31 and 32, relocation of plots 1, 2 and 35 due to HV cable, re-siting of properties on plots 37, 38, 39 and 40, alterations to landscaping proposals to remove retaining structure. *Approved 29 January 2019.*

115139/FO/2017

Erection of 44 no. 2 and 2.5 storey semi-detached and detached, three and four bedroom dwellings with associated external works, including retaining walls, boundary treatment, car parking, landscaping and associated highway works, including alterations to existing access road - Saddlecote Close, following demolition of existing Sexton's House / Clarksville Farm. *Approved 30 June 2017.*

Consultations & Notification Responses

None Required.

Issues

Lawfulness

With reference to the relevant legislation contained Class B, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended, the proposed rear dormer constitutes permitted development.

The property is not situated within a protected area, the roof subject to the alterations does not form principle elevation facing the highway, the dormer has been set back at least 200mm from the eaves and does not exceed the existing roof ridge. In addition, the floorspace of the dormer does not exceed more than 50m^3 of the original roof-space, does not involve the installation, alteration or replacement of a chimney, flue or soil and vent pipe and the dwellinghouse has not been built under Part 20 of the Schedule (construction of new dwellinghouses) and neither has the existing dwellinghouse been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys).

The submitted details indicate the use of matching materials and non-opening windows. 'Informatives' have been included in this regard.

On this basis and with reference to the other criteria listed within the General Permitted Development Order, the proposed dormer meets the definition of 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 polices 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 OR Reasons for recommendation to refuse

1) Approve on the basis that proposed side roof dormers shown on drawings numbered AS-BR-03 received by the City Council as Local Planning Authority on 6 October 2021, constitutes permitted development, in accordance with Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Informatives

1) The side dormer windows must be:
(i) obscure-glazed, and
(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

2) The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1