

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130624/LP/2021

Date registered valid: 3 June 2021

Proposal: Certificate of lawful proposed development for the installation of a rear dormer and installation of rooflights to the front

Address: 18 Beech Road, Manchester, M21 8BQ

Ward(s): Chorlton Park Ward

Applicant: Mrs Lindsey Hulme 18 Beech Road, Manchester, M21 8BQ

Agent (if any): Mr Agustin Melero Guy Taylor Associates Trafalgar House, 5-7 High Lane, Manchester, M21 9DJ

Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21 July 2021

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

Date of site visit: None required for this type of application

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 14 June 2021 Expired: 5 July 2021

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 site relates to a two storey semi-detached dwellinghouse with a slate tiled mansard style roof with white painted brickwork at first floor and red brick work at ground floor.

The property has both front and rear gardens, with the off road car parking provided.



Listed building: Not applicable

Conservation area: No

Tree Preservation Order: None

Description of area

The area is close to Chorlton District Centre and is an area that contains a mixture of residential and some commercial units.

Description of development

The applicant is seeking planning permission for a certificate of lawful proposed development for the installation of a rear dormer and installation of rooflights to the front.

Consultations & Notification Responses

Local residents/public opinion – No objections, comments or representations in support of the application have been received.

Issues

The proposed dormer will be assessed under the criteria laid out within Part 1, Class B of the Town and Country (General Permitted Development) Order 2015 (as amended) - the relevant legislation when assessing alterations to the roof of a dwellinghouse .

The front rooflights will be assessed under the criteria laid out within Part 1 Class C of the Town and Country (General Permitted Development) Order 2015 (as amended) the relevant legislation when assessing other alterations to the roof of a dwellinghouse.

The chimney alterations will be assessed under the criteria laid out within Part 1 Class G of the Town and Country (General Permitted Development) Order 2015 (as amended) the relevant legislation when assessing the installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse

The Town and Country Planning (General Permitted Development) (England) Order 2015
Class B – additions etc to the roof of a dwellinghouse

Permitted development

B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.
Development not permitted

B.1 Development is not permitted by Class B if—
permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Complies [✓] – Original Dwellinghouse and not created by Class G, M, MA N, P, PA or Q of Part 3

(b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

Complies [✓]

(c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

Complies [✓]

(d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—

(i) 40 cubic metres in the case of a terrace house, or

Complies [N/A]

(ii) 50 cubic metres in any other case;

Complies [✓] As calculated below:

Dormer Volume = $\frac{1}{2} \times (\text{length} \times \text{height} \times \text{width})$

= $\frac{1}{2} \times (3.93\text{metre} \times 2.27\text{metre} \times 6.28\text{metre})$

Total Volume = 28.012metre³

(e) it would consist of or include—

(i) the construction or provision of a veranda, balcony or raised platform, or

(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe;

Complies [✓] No verandas, balconies or raised platform are shown in the drawings.

Alterations to the chimney are covered by Class G of the GPDO see additional section at end of this report.

(f) the dwellinghouse is on article 2(3) land.

Complies [N/A] – Not located on article 2(3) land.

(g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).;

Complies [N/A]

Or

(h) the existing dwellinghouse has been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys).

Complies [N/A]

Conditions

B.2 Development is permitted by Class B subject to the following conditions—

(a) 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;

Complies [✓] – The roof contains slate roof tiles, the drawings indicate that hanging tiles in dark grey will be used for the main face and cheeks of the dormer.

(b) the enlargement must be constructed so that—

(i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension—

Complies [✓]

(aa) the eaves of the original roof are maintained or reinstated; and

Complies [✓]

(bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and

Complies [✓] The dormer is set back by 0.59 metres from the eaves.

(ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and

Complies [✓]

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse 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.

Complies [✓] – No Side windows proposed

Interpretation of Class B

B.3 For the purposes of Class B, “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

B.4 For the purposes of paragraph B.2(b)(ii), roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not to be considered part of the enlargement.

Class C – other alterations to the roof of a dwellinghouse

Development not permitted

C.1 Development is not permitted by Class C if—

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Complies [✓] – Original Dwellinghouse and not created by Class G, M, MA N, P, PA or Q of Part 3.

(b) the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;

Complies [✓] – The three rooflights protrude 0.06 metres beyond the plane of the slope of the original roof.

(c) it would result in the highest part of the alteration being higher than the highest part of the original roof; or

Complies [✓]

(d) it would consist of or include—

(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.; or

Complies [✓] – See Class G section below.

(e) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

Complies [✓] – Original Dwellinghouse was not built under Part 20 of this schedule.

Conditions

C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be—

(a) obscure-glazed; and

(b) 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.

G. The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

Development not permitted

G.1 Development is not permitted by Class G if—

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Complies [✓] – The dwellinghouse was not granted by Class M,MA, N, P, PA or Q of Part 3

(b) the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or

Complies [✓]

(c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which—

(i) fronts a highway, and

(ii) forms either the principal elevation or a side elevation of the dwellinghouse.; or

Complies [✓] – Property is not located on Article 2(3) land

(d) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

Complies [✓] - Original dwellinghouse was not built under Part 20 of this schedule.

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 dormer as shown on drawings 21-0012-20-001 P01, 21-0012-20-101 P01 and 21-0012-20-000 P01 stamped as received by the City Council as Local Planning Authority, on the 03.06.2021 constitutes permitted development in accordance with Part 1, Schedule 2, Class B, C and G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Appendix 1 – List of consultees & neighbours notified

15 Malton Avenue, Manchester, M21 8AT
11 Malton Avenue, Manchester, M21 8AT
27 Beech Road, Manchester, M21 8BX
20 Beech Road, Manchester, M21 8BQ
16 Beech Road, Manchester, M21 8BQ
13 Malton Avenue, Manchester, M21 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
Area Team Boundary - Name: SOUTH