

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130870/LP/2021

Date registered valid: 2 July 2021

Proposal: Certificate of lawful proposed development for the installation of a hip to gable extension together with rear dormer and rooflights to the front

Address: 15 Brooklawn Drive, Manchester, M20 3GY

Ward(s): Didsbury East Ward

Applicant: Ms Siddall, 15 Brooklawn Drive, Manchester, M20 3GY

Agent (if any): Mr Steve Mellor, William 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: Refuse

Date of recommendation: 25 August 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 semi-detached C3 dwellinghouse of red/brown brick with a hipped roof, bay windows and an existing single storey side and rear extension. It is sited on a corner plot which includes a front garden/driveway and rear garden bound by low brick walls.

Description of area

Brooklawn Drive is residential in nature and characterised by similar family dwellinghouses. It is located within the Didsbury East ward, close to the village centre and good transport links.

Description of development

The applicant wishes to carry out a hip to gable roof alteration and install a rear box dormer to provide additional living accommodation in the loft space. They are seeking a certificate of lawful proposed development as they believe it constitutes permitted development.

Consultations & Notification Responses

None required for this type of application.

Policy

Schedule 2, Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) (England) Order 2015 constitute permitted development for house and roof alterations and additions:

Class B

B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Assessment

The proposed dormer would be sited within the rear slope and would project from a hip to gable roof alteration. Many properties in the vicinity have already carried out similar works, including No's 7, 9, 21, 25 and 44 Brooklawn Drive. There would be no side facing windows within the gable end, nor within the cheeks of the dormer. The property is not within a conservation area nor is the property listed. The dormer would leave a gap of 0.39m to the eaves and no part would overhang a side wall or project above the original ridge. The materials would match existing, including red/brown brickwork to the new gable and hanging tiles to the dormer. However, the additional roof space created would have an approximate volume of 52.55 cubic metres, which exceeds the permitted threshold for non-terraced houses (50 cubic metres) by over 2 and a half cubic metres. The additional volume is calculated as follows:

- Hip to gable volume = $\frac{1}{6} \times (\text{width} \times \text{depth} \times \text{height})$

= $\frac{1}{6} \times (8.74\text{m} \times 4.67\text{m} \times 3.53\text{m})$

= 24.01m³

- Dormer volume = $\frac{1}{2} \times (\text{width} \times \text{depth} \times \text{height})$

= $\frac{1}{2} \times (5.9\text{m} \times 3.75\text{m} \times 2.58\text{m})$

= 28.54m³

- Total added volume = 52.55m³ (approximately)

As such, the proposal cannot be considered permitted development and requires a householder planning application to be submitted.

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: Refuse

Reasons for recommendation to refuse

Refuse on the basis that the proposed hip to gable roof alteration and rear dormer shown on the submitted drawing '04/21/70 2 of 3 Rev A', stamped as received by the City Council as Local Planning Authority on 2nd July 2021, does not constitute permitted development and is not in accordance with Schedule 2, Part 1, Class B (B.1(d)(ii)) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The total additional roof space exceeds 50 cubic metres in volume.

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 90M
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH