

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130778/LP/2021

Date registered valid: 17 June 2021

Proposal: Certificate of lawful proposed development for the installation of a Hip to gable extension rear dormer loft conversion

Address: 14 Saddlewood Avenue, Manchester, M19 1QN

Ward(s): Didsbury East Ward

Applicant: Mr Chris Martin 14 Saddlewood Avenue, Manchester, M19 1QN

Agent (if any): Mr Joe Jennings ExtensionsNW Ltd 3 Cribden Street, Rossendale, BB4 8HZ

Case officer: Melanie Tann
Tel: 0161 234 4538
Email: melanie.tann@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 9th August 2021

Application details

Type of application: Certificate Lawful Developmnt 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

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 property is a traditional, two-storey semi-detached house with gardens to the front and rear

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is residential in character.

Description of development

Certificate of lawful proposed development for the installation of a Hip to gable extension rear dormer loft conversion.

Consultations & Notification Responses

None required

Issues

The proposed dormer and hip to gable extension meets 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 determining alterations to the roof of a dwellinghouse for the following reasons:

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—

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

Complies [✓] – Original Dwellinghouse not created by Class M, N, P 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 [✓] – No works would exceed the height of the highest part of the existing roof.

(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 [✓] hip to gable enlargement and dormer volume combined would be less than 50cm³

(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; or

Complies [✓] – No veranda, balcony or raised platform are shown on the drawings and the chimney is to be retained.

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

Complies [✓] – The site is not located within a conservation area

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 [✓] – Similar materials are proposed.

(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—

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

(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 [✓]

(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 are shown on the drawings.

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.

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 OR Reasons for recommendation to refuse

1) Approve on the basis that the proposed dormer and hip to gable alterations to the main roof as shown on drawings 2892-02, stamped as received by the City Council as Local Planning Authority, on the 17th June 2021 constitutes permitted development in accordance with Part 1, Schedule 2, Class B and Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

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 Zone - All Exceeding 90M

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH