

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132311/LP/2021

Date registered valid: 29 November 2021

Proposal: Lawful Development Certificate for proposed hip to gable conversion and installation of rear dormer

Address: 34 Morville Road, Manchester, M21 0UR

Ward(s): Chorlton Park Ward

Applicant: Dr Omar Hussein 34 Morville Road, Manchester, M21 0UR

Agent (if any): Mr Nasar Ishfaq JAAN Architects Ltd 37 Sudbury Drive, Stockport, SK8 3BT

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 27 May 2022

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

Date of site visit: non 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

The application relates to a two- storey semi-detached dwellinghouse identified as 34 Morville Road. It is located within the Chorlton Park ward of the City. It is constructed of red brick with a hipped roof, tiled bay windows to the front topped with a small gable and an existing single storey rear extension. The plot includes front and rear gardens and a driveway. The front boundary is a low brick wall with coping stones on top. Both pedestrian and vehicular access are taken from the front off Morville Road. The property currently has a hipped roof.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

Moreville Road is residential in nature and characterised by similar semi-detached family dwellinghouses with gardens. Behind the application site lies St Bedes' playing fields. The area benefits from its proximity to Chorlton district centre and Metrolink stop.

Description of development

The proposal is for a Certificate of Lawful Proposed Development to change from a hipped to a gable roof, and the erection of a rear dormer extension.

Consultations & Notification Responses

Non required for this type of application.

Issues

This application seeks confirmation that the proposed dormer meets the requirements of Part 1 Class B of the GPDO.

It is proposed to convert the existing hip to a gable. The roof coverings would match, and the gable would be brickwork to match the existing property. A flat roofed dormer would be constructed on the rear roof slope and part of the outrigger. The dormer would be the full width of the enlarged roof and be set in from the eaves. It would have a flat roof, with three windows in the rear elevation. The walls of the dormer would be hung tiles to match.

A previous application for a CLPD for a dormer was refused for the following reason.

"Refuse on the basis that the proposed hip to gable roof alteration and rear dormer shown on the submitted drawing '34MOR', stamped as received by the City Council as Local Planning Authority on 11th June 2021, does not constitute permitted development and is not in accordance with Schedule 2, Part 1, Class A (A.1(j)(ja)) and 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 and the works are shown as adjoining a first- floor rear extension."

Current Proposal

To address this the current application has reduced the cubic volume to 45 cubic metres, and the first- floor extension previously approved under ref: 126702/FH/2020 has been removed from the current scheme as this has not been constructed. The first- floor extension approved previously had a hipped roof. Should a first- floor extension be wanted in the future, a new application would be required, as it would not be possible to implement the approved scheme with the dormer in place.

Legislation

The relevant legislation is the General Permitted Development Order (As amended) Schedule 2 Part 1 class B.

In terms of its position, height, materials and volume the proposed development meets the legislative requirements.

By reducing the dormer and removing the first- floor rear extension from the proposal, it has addressed the reason for refusal of the previous application.

The Town and Country Planning (General Permitted Development) Order (2015) - Schedule 2, Part 1, Classes A and B.

Assessment

The proposed alteration of roof from hip to gable and creation of a rear dormer would not be readily visible from the public highway due to the siting and orientation of the dormer in relation to the original property. Therefore, this would not have a significant impact on the street scene of the surrounding area, there are quite a few instances of rear dormer extensions and some gable extensions particularly along Morville Road and Badminton Road and the local vicinity. The additional roof space created would have a volume of 45 cubic metres, which is below the permitted development threshold for non-terraced houses (50 cubic metres).

Conclusion

The proposed dormer meets the criteria for 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 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

0) Approve on the basis that the proposed hip to gable roof extension shown on drawing 34MORREVA which comprise of Existing and Proposed Floor Plans, Existing and Proposed Elevations, Existing and proposed site plans, Existing and Proposed Sections and Existing and proposed roof plans as received by the City Council as Local Planning Authority on 29th March 2022, 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.

Appendix 1 – List of consultees & neighbours notified

Non required for this type of application

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