MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	129376/LP/2021
Date registered valid:	11 February 2021
Proposal:	Certificate of lawful proposed development for a hip to gable extension and installation of rear dormer
Address:	75 Heathside Road, Manchester, M20 4XH
Ward(s):	Withington Ward
Applicant:	Mr Mark Baker, 75 Heathside Road, Manchester, M20 4XH
Agent (if any):	Ian Grainger, Blu Room Architecture, 5 Uplands Road, Darlington, DL3 7SZ
Case officer:	Linda Marciniak Tel: 0161 234 4636 Email: linda.marciniak@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	7 April 2021

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

Date of site visit: None for LP 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 application site is a red brick, 2-storey inter-war semi situated on the north side of Heathside Road, west of Parrs Wood Road in the Burnage ward.

The garden-fronted property has a hipped roof covered in grey-brown concrete interlocking tiles.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area
The immediate area is residential, 246 metres south-west of Ladybarn Park.

Description of development
Certificate of lawful proposed development for a hip to gable extension and installation of rear dormer.

Consultations & Notification Responses
None for LP Certificate.

Issues
The application is submitted under the Town and Country Planning Act 1990: Section 192, as amended by section 10 of the Planning and Compensation act 1991 and the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Within this legislation, Schedule 2, Part 1, Class B allows for the enlargement of a dwelling house consisting of an addition or alteration to its roof. The conditions and limitations which apply in this class specify that:

Materials must be similar in appearance to the existing house.
The volume of enlargement (including any previous enlargement) must not exceed the original roof space by more than:
40 cubic metres for terraced houses; or
50 cubic metres otherwise.
Must not exceed the height of the existing roof.
On the principal elevation of the house (where it fronts a highway), must not extend beyond the existing roof slope, and,

Must not include:
Verandas, balconies* or raised platforms; or
Installation, alteration or replacement of any chimney, flue, or 'soil and vent pipe'.
Side-facing windows must be obscure-glazed; and, if opening, to be 1.7 metres above the floor of the room in which they are installed.

Construction must ensure that:
The eaves of the original roof are maintained (or reinstated)
Any enlargement is set back, so far as practicable, at least 20cm from the original eaves
The roof enlargement does not overhang the outer face of the wall of the original house

Assessment
The proposal meets the criteria for Permitted Development under Class B of the above legislation.

The additional roof volume amounts to 34.60m^3 based on the following calculations:

Hip to gable roof alteration:

H – 2.117m x W – 6.149m x D – 7.799m = 101.52m^3 / 6 = 16.9m^3

Dormer:

H – 1.725m x W -5.667m x D – 3.623m = 35.41m^3 / 2 = 17.70m^3

Total volume increase = 34.60m^3

The additional volume is within the 50 cubic metre threshold permitted for non-terraced houses. No windows are proposed on the extended gable end, materials are proposed to match the appearance of the existing house and the dormer does not exceed the height of the original roof ridge.

The agent amended the scheme so that the dormer is set in by 200mm off the eaves at the rear and to annotate the drawings to confirm that the hanging tile materials are to match the original roof.

On the front elevation, 3No. Velux windows are proposed which sit flush within the plane of the roof with no protrusion above 150mm.

On the basis of the above, the application meets the criteria within Class B of the above regulatory framework and is development that is permitted by this Order.

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

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

Approve on the basis that the proposed rear dormer, hip to gable roof extension and rooflights shown on amended drawings numbered 03 and 04 received by the City Council as Local Planning Authority on the 8th April 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).

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