

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129789/FH/2021

Date registered valid: 30 March 2021

Proposal: Installation of rear dormer to existing two storey outrigger and replacement cladding to the existing main roof dormer

Address: 46 Nicolas Road, Manchester, M21 9LR

Ward(s): Chorlton Ward

Applicant: Mr and Mrs Cocker, 46 Nicolas Road, Manchester, M21 9LR

Agent (if any): Mr Nick Harden, Edifice Building Consultants Ltd, Unit 138, Green Lane, Stockport, SK6 3JG

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24.05.2021

Application details

Type of application: Full Householder Application

Development type: Householder

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 6 April 2021 Expired: 27 April 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

This application relates to a two storey semi detached property. There is a two storey outrigger at the rear shared with the adjoining property. The property has an existing dormer on the rear roof slope of the main body of the building and has a single storey wrap around extension to the outrigger. The dormer is finished with concrete grey hung tiles. The roof is slate.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

This is a predominantly residential area. To the rear separated by an alley is a terrace of two storey houses on Newport Road.

Description of development

Consent is sought to install a flat roofed dormer to the outrigger. The dormer would be set in from the eaves and the gable. It would have a flat roof and tie in with the existing dormer. There would be a single bathroom window in the side elevation and two roof lights. The bathroom window would be obscure glazed. The new dormer would be finished in dark grey cement fibre board cladding. The hung tiles on the existing dormer would be replaced with the same material.

Consultations & Notification Responses

Local Residents

No representations received.

Policy

Core Strategy

The relevant core Strategy policy is DM1 which seeks to protect the amenity of an area from the adverse impact of development.

Unitary Development Plan

The relevant saved UDP policy is DC1. This policy establishes the principle of extending a property to meet the changing needs of the occupiers. It also seeks to protect the amenity of residents and the character of the area. There are no specific requirements in respect of dormers.

Issues

Principle

The proposed development accords with the principle of changing a property to meeting the needs of the occupiers.

Design

The proposed dormer sits in the roof with space between its front face and the eaves and its side elevation and the gable. The dormer projects above the ridge height of the outrigger, but is the same as the existing dormer and is not above the height of the main ridge. The proposed dormer would be permitted development if finished in different materials. The proposed side window is to be obscure glazed and the opening light exceeds the requirements of the GPDO for side windows in terms of its height above the floor. It is proposed to clad the existing and proposed dormers in a dark grey cement fibre cladding which will give it a more contemporary feel.

On balance it is considered that the design of the proposed dormer is acceptable.

Residential Amenity

The only new window proposed is obscure glazed and an appropriate condition is proposed requiring it to remain so. It is not therefore considered that there would be any significant privacy issues with the proposed development.

The proposed dormer could possibly give rise to a limited amount of overshadowing though this would be early in the morning and is unlikely to be significant and the rear elevation of the property is north facing.

Conclusion.

There is a similar dormer at 42 Nicholas Road. The proposed dormer would with different materials be permitted development. However the materials are considered acceptable and therefore the proposed development is considered acceptable in all respects.

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to issues arising from the consideration of this application.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

728-3-02 received 22 March 2021

728-3-03 revision A received 22 March 2021

728-4-01 revision B received 22 March 2021

728-4-03 revision A received 22 March 2021

728-4-04 revision A received 22 March 2021

728-4-05 received 22 March 2021

728-5-01 revision A received 22 March 2021

728-5-02 revision A received 22 March 2021

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The development hereby approved shall be constructed using the materials specified on the approved plans.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) Before first occupation the window in the side elevation of the dormer shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

41 Newport Road, Manchester, M21 9WL
48 Nicolas Road, Manchester, M21 9LR
43 Newport Road, Manchester, M21 9WL
45 Newport Road, Manchester, M21 9WL
39 Newport Road, Manchester, M21 9WL
37 Newport Road, Manchester, M21 9WL
44 Nicolas Road, Manchester, M21 9LR
43 Nicolas Road, Manchester, M21 9LG
41 Nicolas Road, Manchester, M21 9LG

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