

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133462/LP/2022

Date registered valid: 7 April 2022

Proposal: Certificate of Lawful Proposed Development for the installation of a rear dormer

Address: 72 Cranleigh Drive, Manchester, M33 3PS

Ward(s): Brooklands Ward

Applicant: Kate Allsopp 72 Cranleigh Drive, Manchester, M33 3PS

Agent (if any): Pete Acton Consultancy 58 58 Stamford Park Road, Hale, Altrincham, WA15 9EP

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

Recommendation: Approve

Date of recommendation: 30 May 2022

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

Date of site visit: Non 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 that is the subject of the Certificate of Proposed Lawful Development application is a semi-detached property identified as 72 Cranleigh Drive. It is located within the Brooklands ward of the City. There are gardens to the front and rear with the frontage having been historically paved over with concrete flags. The rear is laid primarily to lawn. The boundary to the frontage is a low brick wall with ornamental railings as a dividing boundary between the properties. There is space within the frontage and the driveway for off road parking.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature with properties throughout the estate of a similar age and footprint to the proposal site. On the opposite side of Cranleigh Drive is Baguley Brook, a large area of green open space.

Description of development

A certificate of proposed lawful development is sought for the installation of a rear roof dormer to facilitate additional living accommodation within the roof-space. There would be a Velux window inserted in the front together with a further Velux window in the rear roof slope neither of these would require planning permission.

The proposed dormer is situated to the rear of the property and addresses the rear garden. The proposed dormer extends across the full width of the rear roof-space and incorporates a series of three windows across the rear elevation.

The dormer is set back from eaves by 200mm and does not exceed the height of the roof ridge relating to the main house.

The submitted details indicate external materials to match the original dwellinghouse and the floorspace to not exceed more than 50 cubic metres - the relevant threshold for semi-detached dwellinghouses.

Consultations & Notification Responses

There are no consultations required for this type of application.

Issues

Lawfulness

With reference to the relevant legislation contained Class B, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the proposed rear dormer constitutes permitted development.

The property is not situated within a protected area, the dormer has been set back at least 200mm from the eaves and does not exceed the existing roof ridge. In addition, the floorspace of the dormer does not exceed more than 50m³ of the original roof-space and the submitted details indicate the use of matching materials.

Part B.1 (c) Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 states that dormers do not constitute permitted development if as a result of the works, they extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.

In this case, the host property only fronts Cranleigh Drive, with the dormer being located on the rear roof slope.

The Householder Technical Guidance (2019) produced by DCLG which provides an interpretation of the General Permitted Development Order provides a definition of a principal elevation and states that:

'In most cases the principal elevation will be that part of the house which fronts (directly or at an angle) the main highway serving the house (the main highway will be the one that sets the postcode for the house concerned). It will usually contain the main architectural features such as main bay windows or a porch serving the main entrance to the house. Usually, but not exclusively, the principal elevation will be what is understood to be the front of the house. There will only be one principal elevation on a house. Where there are two elevations which may have the character of a principal elevation, for example on a corner plot, a view will need to be taken as to which of these forms the principal elevation.'

The proposed dormer referenced in the submitted application faces the rear garden of 72 Cranleigh Drive. This therefore is considered to constitute the rear of the property and the non-principal elevation.

On this basis and with reference to the other criteria listed within the General Permitted Development Order, the proposed dormer meets the definition of 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

1) Approve on the basis that proposed rear roof dormer detailed on drawings titled Proposed Elevations Rev V01 received by the City Council as Local Planning Authority on 7th April 2022, Proposed Floor Plans Rev V01 7th April 2022, Location Plan 7th April 2022, constitutes permitted development, in accordance with Class B, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Appendix 1 – List of consultees & neighbours notified

Non required

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