

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129619/LP/2021
Date registered valid: 8 March 2021
Proposal: Certificate of lawful proposed development for loft conversion
Address: 228 Wythenshawe Road, Manchester, M23 0PH
Ward(s): Brooklands Ward

Applicant: Dr Zammad Christi, 228 Wythenshawe Road, Manchester, M23 0PH
Agent (if any): Dr Kanadi Jagafa, Mason and Marlowe Ltd, 3 Gladwin Place, 3 Colman Gardens, Salford, M5 3NT
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 28th April 2021



Application details

Type of application:	Certificate Lawful Development Proposed
Development type:	Certificates of lawfulness
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 site relates to a two storey detached residential property. The property fronts on Wythenshawe Road which is a busy road route connecting with other major roads around the city. Gardens lie to the front and rear of the property with off road car parking facing Wythenshawe park.

Listed building:	Not applicable
Conservation area:	Not applicable
Tree Preservation Order:	Not applicable

Description of area

This is predominantly a residential area in nature

Description of development

Certificate of lawful proposed development for loft conversion

Consultations & Notification Responses

Not required for this type of application.

Policy and Issues

History

There is one previous application relating to this site as follow:

Reference number 082448/FH/2007/S2 – for the erection of a single storey rear extension to provide additional living accommodation. This application was approved on 3rd April 2007.

Proposed Development - Has been considered with regard to the following:

The Town and Country Planning, Schedule 2, Part 1, Class B of the Town and Country (General Permitted Development) (England) Order 2015 constitutes permitted development.

Class B - Permitted development - The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

It is considered that the proposed loft conversion would meet the requirements of permitted development for the conversion of loft space as set out in Class B of schedule 2 of the Town and Country Planning (General Permitted Development) (England) (Order) 2015 as amended. The Town and Country Planning, Schedule 2, Part 1, Class B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 constitutes permitted development in relation to roof extensions and alterations:

The proposed loft conversion is internal and is to be sited within the existing rear roof slope to create additional living accommodation within the loft space. The property is not within a conservation area nor is the property listed. The additional roof space created would be well below the permitted threshold for detached houses.

Therefore, the proposed alterations accord with the regulations set out in the General Permitted Development Order (2015) and is deemed permitted development not requiring planning permission. It is not considered the changes would negatively impact upon the visual amenity of the house or area nor the residential amenity of the surrounding occupiers.

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 the proposed loft conversion shown on the drawings numbered:

MM006 3D Views
MM007 Proposed Floor Plans
MM009 Proposed Floor Plans
MM 010 Proposed Roof Plans
MM011 Proposed Elevations
MM012 Proposed Elevations
MM013 Proposed 3D Views
MM014 Proposed Staircase

received by the City Council as Local Planning Authority on the 8th March 2021, constitutes permitted development in accordance with Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

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